

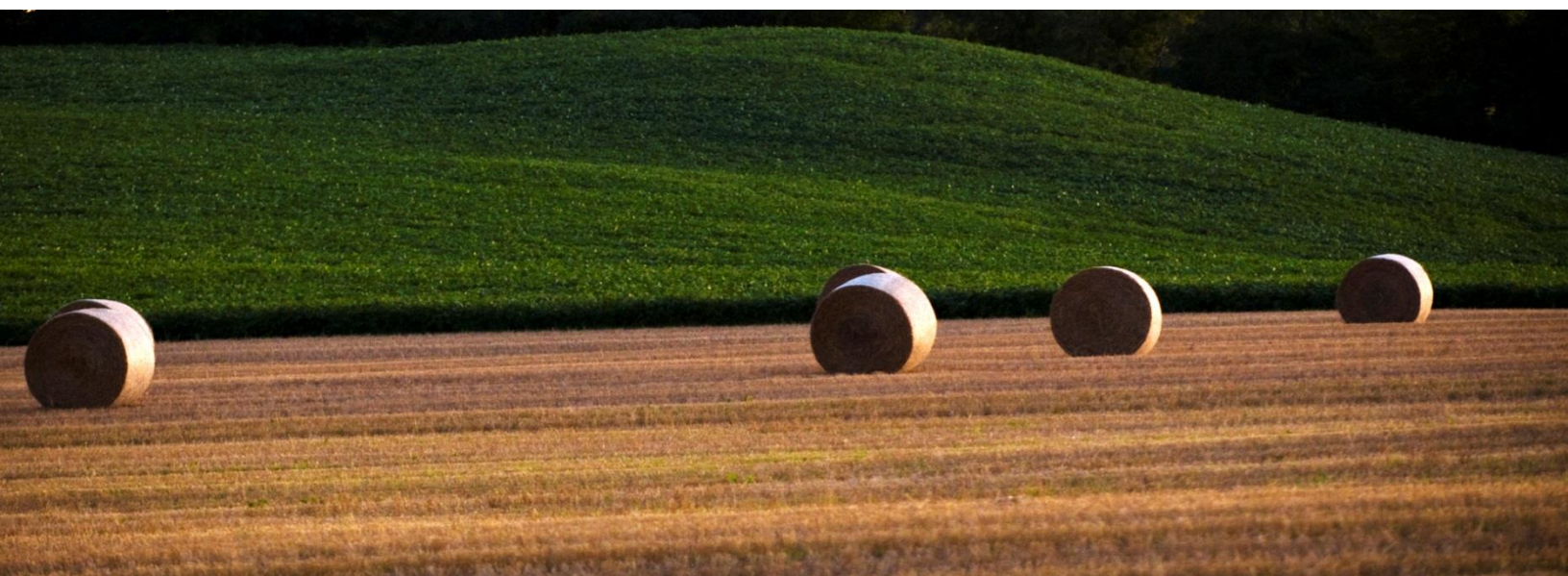


OFFICIAL PLAN CITY OF QUINTE WEST

As Modified by Ontario Municipal Board decision, July 17, 2013
Approved by Ministry of Municipal Affairs & Housing, January 9, 2013
Adopted by By-law #11-122, August 15, 2011
Consolidated to By-law #19-040 April 15, 2019, Amendment #14



A Natural Attraction





OFFICIAL PLAN

CITY OF QUINTE WEST

Prepared by: City of Quinte West Planning & Development Services,
July, 2011

Adopted by: Council for the City of Quinte West
By-law 11-122, August 15, 2011

Approved by: Ministry of Municipal Affairs & Housing,
Province of Ontario, January 9, 2013

Amendments to the Document As Approved:

Number	By-law #	Date	Section	Purpose
1	13-27	Mar 4, 2013	5	<i>Text Change:</i> The purpose of Amendment Number 1 is to amend the Official Plan for the City of Quinte West to add a new subsection specific to land use matters related to Methadone clinics and Methadone pharmacies.
2	13-154	Dec 2, 2013	6	<i>Text Change:</i> The purpose of Amendment Number 2 is to amend the Official Plan for the City of Quinte West to add a new special site policy under Planning District 9B of the Trenton Urban Service Area that will be specific to the subject lands known municipally as 161 Byron Street.
3 OMB	PL130 080	June 19, 2014	8	<i>Text Change:</i> The purpose of Amendment Number 3 is to amend the Official Plan for the City of Quinte West to add a new subsection 8.9 <i>Site Specific Policy Area 9</i> .
4	14-82	July 21, 2014	8	<i>Text Change:</i> The purpose of Amendment Number 4 is to amend the Official Plan for the City of Quinte West to add a new subsection 8.10 <i>Site Specific Policy Area 10</i> .
5	14-100	Aug 11, 2014	Schedule A	<i>Designation Change:</i> The purpose of Amendment Number 5 is to change the designation of lands located at 13 and 191 Philburn Road from Agricultural to Rural.
6	15-043	April 6, 2015	1, 6 10, 12 Schedule A & C	<i>General Amendment:</i> The purpose of Amendment Number 6 is to update the Plan so that it is consistent with new provincial policy, ministry guidelines and to address various housekeeping matters.
7	15-100	Aug 10, 2015	4, 5, 6, 8, 9, 12, Schedule B1, B2, B5	<i>General Amendment:</i> The purpose of Amendment Number 7 is to update the Plan by addressing various policy issues and housekeeping matters.
8	15-155	Dec 7, 2015	11, 12, 14, Schedule E	<i>Text Change:</i> The purpose of Amendment Number 8 is to amend the Official Plan for the City of Quinte West to satisfy the requirements of the <i>Clean Water Act, 2006</i> as well as the Trent Source Protection Plan and Quinte Region Source Protection Plan.
9	16-075	June 6, 2016	Schedule A	<i>Designation Change:</i> The purpose of Amendment Number 9 is to change the land use designation of lands located at 2001 Foxboro-Stirling Road from Agricultural to Rural.



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Amendments to the Document As Approved:

Number	By-law #	Date	Section	Purpose
10	16-131	Nov 7, 2016	Schedule A Schedule B3	<i>Designation Change:</i> The purpose of Amendment Number 10 is to change the land use designation of the subject lands from Batawa Urban Service Area District 3 to Batawa Urban Service Area District 4.
11	17-132	Dec 4, 2017	Section 8 Schedule C	<i>Text Change:</i> The purpose of Amendment Number 11 is to amend the Official Plan for the City of Quinte West to add a new subsection 8.26 <i>Site Specific Policy Area 26</i> for property located at 22499 Loyalist Parkway to permit lot creation on lands with access to a municipally improved public road via right of way over other lands in municipal ownership.
12	18-092	Aug 3, 2018	Section B Schedule C	<i>Text Change:</i> The purpose of Amendment Number 12 is to amend the Official Plan for the City of Quinte West to add a new subsection 8.27 <i>Site Specific Policy Area 27</i> for property located at 22571 Loyalist Parkway to permit lot creation on lands with access to a municipally improved public road via right of way over other lands in municipal ownership.
13	19-038	Apr 15, 2019	Section 5.5.5	<i>Text Change:</i> The purpose of Amendment Number 13 is to amend the City of Quinte West Official Plan policies that allow for second dwelling units to address requirements of the Strong Communities Act and Planning Act related to the allowance of second dwelling units.
14	19-040	Apr 15, 2019	Schedule "E"	<i>Schedule Change:</i> The purpose of Amendment Number 14 is to update the Noise Exposure Forecast (NEF) contours shown on Schedule "E" of the Official Plan.

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1. PREAMBLE

1.1 The Community Vision

The City of Quinte West is a City of many communities, which blends the very best of urban and rural lifestyles. By building on the strengths and resources that frame the City of Quinte West, the people who live and work in the community are offered an unprecedented quality of life and service.

The vision established for the future of the City of Quinte West is as follows:

“Quinte West is a community united in the common purpose to bring prosperity to its residents, with a quality of life and opportunity that attracts visitors, new residents and businesses alike to share and enjoy the variety of lifestyles it offers, its unique sense of country and the natural beauty and abundance that defines it as the Gateway to the Trent Severn Waterway.”

There are six priorities that form the foundation required to implement the City’s vision and assist in the creation of the goals, objectives and policies that appear in this Plan. These priorities and their accompanying goals, objectives and policies have been shaped by both the City of Quinte West’s Strategic Plan and provincial policy.

Strategic Plan

In 2010, City Council developed a Strategic Plan to aid in the identification of strategic priorities for the City’s future. It is a targeted, action-oriented practical plan that is necessary for Quinte West to position itself to compete effectively with other municipalities for jobs, growth, prosperity and attention. The following five key strategic directions are identified in the Strategic Plan:

1. Continually improve the corporate management of the municipality
2. Create a solid foundation for jobs and economic prosperity
3. Ensure the municipality is in a strong financial position
4. Continue to build community identity and pride
5. Improve overall quality of life for residents

Implementing the policies that appear in this Plan will contribute towards achieving the City vision and many of the strategic plan directions.

Provincial Policy

The Provincial Policy Statement (2014), provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. OPA#6 – By-law #15-043 adopted 04.06.2015

The combination of the City's Strategic Plan and provincial policy have contributed to developing the six priorities and associated goals and objectives that form the basis of this Plan.

Achieving these areas of focus will require a careful balance between human activities and natural features and functions.

These six priorities are:

1. Long-term economic prosperity
2. Improving transportation and infrastructure
3. Protecting and enhancing the natural environment
4. Protecting and enhancing rural and agricultural areas
5. Providing for a strong and inclusive community
6. Achieving a sustainable City

GOALS & OBJECTIVES

The following goals and objectives are intended to reflect these six areas of priority and will structure the basis for the detailed policies of this Plan.

Long Term Economic Prosperity

Goal

Develop and promote a long-term economic vision that encourages investment and a diverse range of employment opportunities, through a balance of agricultural, tourism, commercial and industrial land uses in areas designated and determined to be best suited to each economic sector, while maintaining a strong financial position as a municipal government.

Objectives

- a) Provide employment land with access to strategic transportation corridors and other transportation facilities.
- b) Provide opportunities for jobs and services based on population growth.
- c) Encourage the development of new businesses and economic activities by creating accommodating land use policies for commercial, industrial and agricultural designations.
- d) Coordinate and support community based economic development initiatives.
- e) Establish a comprehensive economic development strategy whereby public and private partnerships are actively built to help promote the City as a place to do business.

- f) Ensure the City is in a strong financial position by developing and maintaining a long-term fiscal plan, maximize funding opportunities from other levels of government and expand partnerships with neighbouring municipalities.
- g) Provide opportunities to improve tourism along waterfronts and other resourceful areas in the City of Quinte West.
- h) Coordinate with other communities along the Trent Severn Waterway to explore tourism initiatives.
- i) Ensure the continued economic strength of the natural resource based industries, particularly agricultural and resource extraction, and protect these operations from incompatible surrounding land uses.
- j) Encourage the revitalization and reshaping of the physical and social environment of the commercial core areas by providing appropriate incentives.

Improving Transportation and Infrastructure

Goal

Ensure that the City of Quinte West, within its ability to finance, maintains, improves and expands its infrastructure including roads and other modes of transportation, water and sewage infrastructure, stormwater management, waste management and public utilities, to make certain that all the necessary services required to accommodate development are available to meet the demand of residents.

Objectives

- a) Develop land use patterns in the urban areas that are compact and avoid the need for unnecessary and uneconomical expansion of infrastructure.
- b) Ensure that all new development in urban areas occurs on full municipal services, except in areas specifically provided for in this Plan.
- c) Ensure privately owned water and sewage systems are suitable and do not negatively impact on water quality and quantity.
- d) Establish a well connected transportation system that allows for efficient and safe routes in the City of Quinte West by all modes of transportation.
- e) Encourage and provide for alternative forms of transportation, including transit and active transportation to reduce reliance on the automobile and improve air quality.
- f) To support and encourage efforts to establish adequate waste management facilities of an appropriate size and type.
- g) Support the development of telecommunications to improve service to Quinte West residents and businesses.

Protecting and Enhancing the Natural Environment

Goal

Recognize, protect and where possible, enhance natural features and areas, including surface and groundwater resources within the City of Quinte West.

Objectives

- a) To support the development of a Natural Heritage System Strategy for the City of Quinte West.
- b) To prevent development from occurring that will result in negative impacts to natural heritage features and their ecological functions, including significant habitat of endangered and threatened species habitat, significant wildlife (including species of special concern) and fish habitat, provincially significant wetlands, significant Areas of Natural and Scientific Interest, ground and surface water as well as significant woodlands and valleylands, when identified.
- c) Promote and support water conservation efforts to ensure the water supply will sustain current and future residents of the City.
- d) Support the preparation of Source Water Protection Plans for the City's watersheds.
- e) Provide support for the implementation of the Bay of Quinte Remedial Action Plan to restore and protect the Bay of Quinte.
- f) To support the protection and promotion of healthy shorelines.
- g) Prevent development from occurring on lands that contain natural hazards such as flooding, steep and unstable slopes or any other similar physical threat that will pose a risk to public safety and property.

Protecting and Enhancing Rural and Agricultural Areas

Goal

Protect the natural and scenic quality of the City's agricultural and rural area landscapes by preserving the rural character and lifestyle and by supporting the agricultural industry.

Objectives

- a) Protect rural and agricultural areas by maintaining firm urban boundaries.
- b) Support sustainable farming practices that will protect the long-term productivity of agricultural lands and reduce impacts on the environment.
- c) Promote and support the agricultural industry as being a key component to the local economy and as being the foundation of the vibrant rural lifestyle that exists in Quinte West.

- d) Avoid land use conflicts by preventing incompatible surrounding development that could undermine agricultural activities.
- e) Ensure that the type, scale and density of residential development in rural designations are consistent with the character of the area.
- f) Limit non-farm residential development in the rural areas.

Providing for a Strong and Inclusive Community

Goal

Enhance the City of Quinte West's sense of place and quality of life for residents by developing safe and livable communities, emphasizing natural and cultural resources, encouraging public participation and providing a variety of recreational opportunities.

Objectives

- a) Offer a mix of land uses to provide a variety of lifestyle choices for residents.
- b) Provide an adequate mix of housing in terms of type, size, cost and ownership.
- c) Establish a variety and high standard of public services, such as education, health and community facilities.
- d) Provide a suitable range of recreational opportunities and programs in accordance with the unique attributes of the City and its recreational resources.
- e) Ensure that new or expanding uses are well integrated into existing developed areas and protect existing land uses from the impacts of incompatible development.
- f) Maintain the historical and rural character found in the City's hamlet areas.
- g) Offer a transparent and accountable City of Quinte West, which provides improved communication and clear opportunities for engaging citizens in the land-use planning and decision making process.
- h) Provide accessibility to all public buildings and facilities and promote private development to be accessible to all residents and visitors in the City.
- i) Provide accessible customer service for persons with disabilities.

Achieving a Sustainable City

Goal

To become increasingly responsible and efficient in the use of land, infrastructure, resources and services in order to contribute towards the long-term environmental, cultural, financial and social sustainability of Quinte West.

Objectives

- a) Direct new development to urban and hamlet areas to create a compact form and utilize existing resources.
- b) Encourage forms of intensification in the City, including redevelopment, infilling, development of underutilized or vacant land and mixed use development in appropriate areas.
- c) Protect, conserve and enhance the City's cultural and built heritage resources.
- d) Ensure archaeological resources are physically identified, documented and conserved.
- e) Promote energy conservation practices and renewable energy resources that will contribute to the long term sustainability of the City.
- f) Reduce light pollution and preserve the night sky.
- g) Minimize the impact of solid waste disposal on the environment by investigating alternative waste management opportunities.
- h) Explore innovative transit options that incorporate more of the City.
- i) Develop an integrated trail network that links to other jurisdictions and incorporates public spaces, while providing for alternative modes of transportation.

2. INTRODUCTION

The City of Quinte West was formed on January 1, 1998 through the amalgamation of the former City of Trenton, the Townships of Sidney and Murray, and the Village of Frankford. The City of Quinte West represents a dynamic and unique urban and rural composition with a total population of approximately 43,000 covering a land area of approximately 506 square kilometres.

As the first City wide Official Plan, it is important to provide policy direction and a land use planning framework to guide the overall physical, social, environmental management and growth of the City, while meeting the needs and wants of the local residents. The Official Plan will put in place planning policies which will serve to protect and enhance a diverse landscape, lifestyle, sense of community and political culture. In this regard, the Official Plan will provide for a range of lifestyles by allowing for a variety of land use opportunities while being consistent with provincial interests related to land use planning. Planning initiatives must be responsive to the environmental aspects of Quinte West, including the Bay of Quinte, the Trent River, wetlands and other environmentally sensitive areas. Residential development will be located in appropriate locations and increased industrial and commercial activity will be encouraged.

The Council for the City of Quinte West is committed to realizing its community growth strategy for the future development of the City. A strategic and proactive Official Plan is a valuable tool available to the City to provide direction for the attainment of a fully integrated community that services the needs and desires of both the urban and rural environment.

The Council for the City of Quinte West is also committed to protect and promote the vibrant and distinct agricultural community over the life of this Official Plan through its support of agricultural activities and the identification of identified agricultural areas from the encroachment of incompatible forms of development.

The Official Plan is also a tool that can be utilized by the general public as a means of becoming involved, and therefore, acutely aware of the planning initiatives to be undertaken to direct and shape the future growth patterns of the City. Increasing the knowledge of the general public regarding local planning matters can be used by the City as a resource for the future review and update of this Official Plan.

2.1 Purpose

The City of Quinte West Official Plan is the primary land use planning tool used to guide and control future land use development and redevelopment over a twenty year planning horizon. The Official Plan establishes goals, objectives and policies to provide clear direction as to how physical development and land-use decisions are to be made. Changes in the physical structure should be in harmony with social needs, economic needs, municipal financial capabilities, environmental considerations and the proper management of natural resources. The Official Plan forms the foundation for decision makers including Council, senior levels of government and public agencies.

2.2 Structure

This document hereinafter referred to as “the Plan” implements a strategic approach to setting out the direction for the planning and development of the City through the prescribing of strategic goals, objectives and policies.

The structure of the City of Quinte West Official Plan is as follows:

Section 1 - Preamble outlines the Community Vision for the City;

Section 2 - Introduction outlines the purpose and structure of the Plan;

Section 3 – Sustainability details how environmental, social, cultural and economic sustainability will be considered by the City;

Section 4 – Strategy for Growth outlines the City’s future growth and settlement patterns;

Section 5 – Land Use Policies provides an outline of the rationale and administration of the Plan’s approach to planning for the City’s various land uses;

Section 6 – Planning District Areas identifies the 13 planning districts;

Section 7 - Future Urban Development Areas identifies the 5 future development areas within the City;

Section 8 – Site Specific Policies identifies the site specific policies within the City;

Section 9 – Special Policy Areas identifies the special policy areas within the City;

Section 10 – Functional Policies provides an outline of the rationale and administration of the Plan’s approach to planning for the functioning of the City;

Section 11 - Natural Environment provides an outline of the rationale and administration of the Plan’s approach to planning for the Natural Environment;

Section 12 - Implementation establishes the methods and means through which the policies of the Plan will be implemented by the City through the review of development applications and the public participation process;

Section 13 - Interpretation provides an outline of the basis for the interpretation of certain qualitative and quantitative components of the Plan;

Section 14 – Definitions provides definitions for a number of terms that appear throughout the Plan; and

Section 15 – Schedules displays the 6 schedules that accompany the Plan.

3. SUSTAINABILITY

Sustainability is commonly referred to as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainability is not only protecting our natural environment but recognizing the interdependence of environmental, social, cultural and economic factors and incorporating these into municipal decision making. These four components are interrelated and are therefore essential to be integrated into community planning to achieve sustainability. The City of Quinte West is striving to become a sustainable City and will incorporate sustainable criteria in the decision making process, which is reflected in the goals, objectives and policies that appear throughout this Plan.

3.1.1 Goal

To become increasingly responsible and efficient in the use of land, resources, services and infrastructure in order to contribute towards the long term environmental, social, economic and cultural sustainability of Quinte West.

3.1.2 Objectives

- (i) To recognize, protect and where possible, enhance natural heritage features and areas, water quality and quantity and the City's aggregate and agricultural resources.
- (ii) To ensure the City's future growth is compact and efficient use is made of existing and new infrastructure.
- (iii) To increase the quality of life for Quinte West residents by offering opportunities for active transportation and supplying a wide range of open space, community facilities and public facilities.
- (iv) To minimize negative impacts to air quality and climate change through focusing intensification and mixed use development in the settlement areas and providing opportunities for walking, cycling and transit.
- (v) To encourage energy efficiency and the development of sustainable renewable energy projects.
- (vi) To provide a variety of housing opportunities for current and future residents, including the provision of affordable housing.
- (vii) To achieve long term economic prosperity by providing a range of industrial, commercial and institutional uses to attract a diverse labour force and future investment.
- (viii) To protect cultural heritage resources and emphasize cultural heritage expression in the City.
- (ix) To promote and encourage waste management in the form of reusing, recycling and reducing waste.

4. STRATEGY FOR GROWTH

4.1.1 Introduction

The strength and continued growth of Quinte West is dependent on the efficient and effective management of a variety of economic, social, cultural and environmental forces that together create a healthy community.

In managing the growth of Quinte West, the primary focus shall be the development of comprehensive long range planning policies. However, the long range planning policies must be reflective of the dynamic and unique urban and rural composition of the City. Through the balancing of the, at times, competing interests of the urban and rural communities, the Strategy for Growth provides the framework for the long range planning policies that are representative of the desires of the community as a whole.

In accordance with the Provincial Policy Statement, growth will be promoted in the City's settlement areas, which for the purposes of this Plan consists of the City's Hamlet and Urban Areas. Currently, the City has sufficient land for a twenty year time horizon within the current settlement areas for a variety of residential and employment uses. This Plan recognizes the need to avoid development and land use patterns that would prevent the efficient and expansion of the existing Urban Settlement Areas by identifying Future Development Areas adjacent to existing Urban Settlement Areas.

4.1.2 Growth Patterns

- (i) The projected residential land supply will increase the City's population base by approximately 7,768 people by the year 2030 requiring 3,314 additional residential units culminating in a total population of approximately 51,717 residents.
- (ii) The majority of new growth in the City of Quinte West will be located within the existing Urban Settlement Areas including Trenton Urban Service Area, Frankford Urban Service Area, Batawa Urban Service Area, South Sidney Planning Area and Weller's Bay Planning Area to promote compact development and make efficient use of new and existing infrastructure in the urban areas identified on Schedule "A" to this Plan.
- (iii) The Future Development Areas shown on Schedule "B" are identified as areas of long term growth for development on full municipal services or municipal water and communal sewage services including the South Sidney Future Development Area.
- (iv) The Urban Settlement Areas shown on Schedule "A" have been established to recognize the areas of the City where major sewer, water and transportation infrastructure has been planned. The Future Development Areas also shown on Schedule "A" are required for eventual development.
- (v) Urban Settlement Areas in the City each have distinct characteristics. These characteristics form a foundation for community identity and quality of life. This Plan divides the City's Urban Settlement Areas into 5 District Planning Areas in

- order to guide and control development in a direction that will preserve and enhance the character of each District Planning Area in a sustainable manner.
- (vi) New growth shall be planned in accordance with the existing and future municipal servicing capabilities of the City. Upgraded and/or new infrastructure in the existing Urban Settlement Areas will be required to accommodate development opportunities over the life of the Plan.
- vii) The Order of Development will be as follows:
- a) Urban Settlement Areas - lands located within the Urban Settlement Areas that have servicing capacity currently in place, including infill opportunities, brownfield sites and other vacant or under-utilized properties have the first priority for development.
 - b) Future Development Areas - lands shown as Future Development Areas outside the Urban Settlement Area boundary are suitable for urban development to accommodate long term growth in the City when the following provisions are met:
 - when lands within the Urban Settlement Areas are substantially developed;
 - when all the requirements of the evaluation report procedure as set out in Sections 4.1.2 (xi) and (xiii) of this Plan have been fulfilled to the satisfaction of the City; and
 - when the timing of the planning and development of the Future Development Areas has been reviewed in concert with the Development Charges Fees By-law review;
- (viii) The City will review the Order of Development every five years in accordance with the legislated update of the Plan and the review of the Development Charges By-laws in order to determine if there is a need to include future Development Areas within the Urban Settlement Areas. The City will consider such matters as:
- a) actual population growth compared with projected growth and the projection used;
 - b) land availability and land absorption rates;
 - c) residential and employment land densities;
 - d) status of planned developments;
 - e) infrastructure capacities and cost of needed improvements; and
 - f) achievement of the goals and strategic policies of this Plan.
- (ix) If a need is established to extend development beyond the Urban Settlement Areas, the calculated costs of extending or improving necessary infrastructure
-

- will be used to update the cost projections contained in the Development Charges By-laws.
- (x) The City will consider private development applications to alter the Order of Development, only as part of a comprehensive review that involves a review of the Plan and Development Charges By-laws. An application to amend the Order of Development prior to a comprehensive review will be considered premature. However, Council may direct that such a comprehensive review occur at any time due to exceptional circumstances or opportunities for the City.
 - (xi) An evaluation report will be prepared prior to the City granting any development approval affecting lands included in the Future Development Area. The evaluation report must be undertaken to the satisfaction of Council. Despite the completion of an evaluation report, development will only commence upon the City's approval of an Official Plan amendment.
 - (xii) An evaluation report includes the following four components:
 - a) A *comprehensive review* to be prepared by the affected land owners or proponent to the satisfaction of the City that focuses on the supply of, and demand for, lots, buildings or types of uses in the urban area. The *comprehensive review* must be completed and approved by Council prior to commencement of other components of the evaluation report.
 - b) A master servicing plan is required for the Future Development Area for all *infrastructure* such as piped municipal water supply and sewage disposal systems, stormwater management, and electrical, gas and communications/telecommunications systems. Such a plan will be coordinated by the City and completed at the expense of the proponents. Without limiting the generality of the foregoing, the master servicing plan must address at a minimum:
 - the internal servicing requirements for the Future Development Area;
 - the off-site impacts, upstream and downstream, of the servicing of the Future Development Area, including, but not limited to, plant and station capacities and upgrades and expansions required to the water distribution and sanitary sewer collection systems;
 - an assessment of necessary upgrades and/or expansions related to each system's current capacity and availability;
 - the requirements for stormwater management that has considered future planning requirements within the watershed or subwatershed, and the protection of both the quality and quantity of water and groundwater resources;
 - the location, timing and costs of both on-site and off-site servicing necessary to support both the Future Development Area development in its entirety and any proposed phasing;
 - confirmation by telecommunication and other utility providers that services can be provided to support the proposed development; and
 - the cost sharing arrangements for over-sizing of the service systems between owners in the secondary plan area and those owners in adjacent upstream or downstream areas.

- c) A phasing and timing program to be developed by the City in partnership with the affected landowners or proponents for the Future Development Area to establish a phasing sequence and to project potential timing. The phasing and timing program must:
 - identify residential neighbourhoods located within the Future Development Area and provide for the phased development of those areas to create an orderly development pattern;
 - identify the planned development of other land uses including business parks, commercial areas and institutional uses to create an orderly development pattern;
 - design the layout of all on-site and off-site piped water and sanitary sewer services, transportation improvements and stormwater management systems to ensure that such facilities are planned in accordance with a phasing program;
 - confirm that parks, and public service facilities (including libraries, recreation, fire protection and education facilities) can be provided in accordance with a phasing program; and
 - establish timing for the identified phasing of development.
- d) A financial implementation plan to be prepared by the applicant in consultation with the City and to the satisfaction of the City. The financial implementation plan must demonstrate how the Future Development Area relates to:
 - any by-law passed by the City under the Development Charges Act;
 - any by-law passed under the Municipal Act for Impost Fees;
 - any capital reserve program; and
 - any City policies covering cost-sharing arrangements for the extension or expansion of on-site and off-site municipal services, including policies relating to the timing and phasing of *development*.
- (xiii) In accordance with the Provincial Policy Statement issued by the Ministry of Municipal Affairs and Housing, the City shall ensure that a sufficient supply of land has been made available for industrial, commercial, recreational and residential uses to sustain economic development and an appropriate range of housing types over the life of this Plan.
- (xiv) No new development shall be permitted on existing private roads or private rights of way within the City.
- (xv) The City shall conduct a detailed review and evaluation of all development proposals to ensure the preservation of the unique urban/rural diversity of the City through effective and efficient planning and decision making.
- (xvi) Settlement area expansions may be permitted subject to demonstrating:
 - 1) The land does not comprise a specialty crop area;

- 2) There is a demonstrated need within the planning horizon for additional land to be designated to accommodate the proposed use;
- 3) There are no reasonable alternative locations which avoid prime agricultural area; and,
- 4) There are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands

4.1.3 Settlement Patterns

- (i) It is the function of this Plan to establish a compatible mix of residential and non residential uses in the settlement areas that will serve to create an efficient and economically sound pattern of development in the City. In accordance with the Provincial Policy Statement, land use patterns within settlement areas shall be based on:
 - (a) Densities and a mix of land uses which:
 - efficiently use land and resources;
 - are appropriate for, and efficiently use, the infrastructure and public services facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - minimize negative impacts to air quality and climate change, and promote energy efficiency; and
 - minimize conflicting land uses.
 - (b) A range of uses and opportunities for intensification and redevelopment in settlement areas that contain sufficient existing or planned infrastructure.
- (ii) Compact and contiguous development shall be encouraged within the settlement areas.
- (iii) Settlement patterns will be in accordance with a preferred servicing hierarchy of:
 - (a) full municipal sewage and water services;
 - (b) communal services;
 - (c) individual on-site sewage and water systems; and
 - (d) partial services in accordance with the Provincial Policy Statement.
- (iv) The City will consider development in the South Sidney Planning Area and South Sidney Future Development Area on communal services only where it has been demonstrated through an analysis that full municipal sewage services are not feasible and that the use of communal systems is environmentally and economically feasible.
- (v) Development created by Plan of Subdivision in the rural areas shall be directed to Hamlets in accordance with Section 12.12.1.5

- (vi) Limited privately serviced development in the form of individual lot creation will be permitted in Hamlets and within areas designated rural by this Plan subject to the Consent policies outlined in Sections 12.12.2.1 and 12.12.2.4. Such development shall maintain the quality and character of the rural area and shall be capable of sustaining private services over the long term.
- (vii) Development within areas designated rural by this plan shall be primarily directed away from prime agricultural, aggregate resource and natural environmental features and areas as identified on Schedule "A" of this Plan.
- (viii) Limited partial service development (water only) shall be restricted to District 1 of the South Sidney Planning Area and Districts 12B and 13 of the Trenton Urban Service Area, in accordance with the district policies and Section 10.1 of this Plan. *OPA#7 – By-law #15-100 adopted 08.10.2015*
- (ix) Unless otherwise recognized by this Plan, no development shall be permitted on lots created by means other than a Consent to a land severance or Plan of Subdivision in accordance with the Planning Act. In particular, this limitation shall apply to those lots created by reference deposit plan or similar means unless such lots are specifically recognized by this Plan.
- (x) Notwithstanding subsection (ix) above, development may be permitted on lots created by means other than a Consent to land severance or Plan of Subdivision in accordance with the Planning Act provided the following conditions are met to the satisfaction of the City:
 - (a) the lot is a minimum size of 0.4 hectares;
 - (b) the submission of a report by a qualified hydrogeologist stating that an adequate on site source of potable water is available to service the main use of the lot in question without negatively impacting the water supply of adjacent properties;
 - (c) the submission of a report from a qualified professional stating that the lot in question is capable of supporting a private sanitary sewage disposal system over the long term;
 - (d) the submission of a lot grading and storm water management plan completed by a qualified engineer to the satisfaction of the appropriate Conservation Authority;
 - (e) the granting of a means of vehicular access to the lot in question by the City Public Works Department;
 - (f) the lot in question is in conformity with the minimum distance separation formulae;
 - (g) the entering into of any and all agreements required by the City arising from the proposed development of the lot in question; and

- (h) that the lot in question shall be appropriately zoned in the implementing Zoning By-law and more particularly shall be subject to the imposition of a Holding "H" Symbol By-law passed in accordance with the provisions of the Planning Act.

5. LAND USE POLICIES

5.1 Agricultural

5.1.1 Goal

Agriculture is recognized as an integral component of the City's economy and the foundation of the vibrant rural lifestyle that exists in the City of Quinte West. As such, it is the intent of this Plan to protect, support and enhance the agricultural industry.

5.1.2 Objectives

- (i) To protect existing and future agricultural operations from the encroachment of incompatible land uses by restricting the location of residential, commercial and industrial development on agriculturally designated lands.
- (ii) To maintain economically viable farm properties by preventing unwarranted fragmentation of agriculturally designated lands.
- (iii) To protect the viability of confinement livestock operations by limiting the encroachment of non-agricultural land uses.
- (iv) To encourage and enable innovative, new agricultural operations and farm products with added value.
- (v) To encourage sustainable and environmentally sensitive agricultural practices.
- (vi) To promote the availability of local food sources in Quinte West.

5.1.3 Permitted Uses

- (i) The predominant use of land within the Agricultural land use designation shall include agricultural, agricultural-related uses and secondary uses. For the purposes of this Plan, agricultural, agricultural-related uses and secondary uses shall be defined as follows:

Agricultural Uses

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

Agricultural-related Uses

Agricultural-related uses shall include those farm-related commercial and industrial uses that are small scale and directly related to the farm operation and

are required in close proximity to the farm operation such as an agricultural produce warehouse and grain drying facility.

Secondary Uses

Secondary uses means uses secondary to the principal use of the property, including but not limited to, conservation activities, forestry, home occupations, agri-tourism activities (bed and breakfast establishments, small produce outlets, horse riding) group homes, passive outdoor recreation areas (ie. hiking and cross-country ski trails), and other uses that produce value-added agricultural products from the farm operation on the property.

- (ii) Aggregate extraction operations in keeping with the provisions of Section 5.8.6 of this Plan.
- (iii) Buildings or structures that are normally required for the operation of the identified permitted uses in the Agricultural designation such as buildings or structures for the growing of crops, raising of livestock, including poultry and fish, fruit production, the raising and training of horses, including riding and boarding stables, market gardening, nurseries and nursery gardens or other similar uses shall be permitted.

5.1.4 Agricultural Land Use Policies

- (i) Agricultural lands have been identified by the Canada Land Inventory of Soil Capability as having a high potential for agricultural production. The blocks of land designated Agricultural on Schedule "A" consist of lands having predominantly Class 1, 2 or 3 soil types and are intended to identify large contiguous areas for agricultural production.
- (ii) Pockets of land having lower soil classifications, and thus poorer agricultural potential, may at times be included within the Agricultural designation, as they may be considered to be in a prime agricultural area. The inclusion of these lands is intended to protect the predominantly prime agricultural lands within the block from incompatible land uses that have the potential to interfere, or restrict, existing or future agricultural activities.
- (iii) Amendments to remove land from the Agriculture designation shall only be considered under the following circumstances:
 - (a) It has been demonstrated to the satisfaction of the City through the completion of a soil analysis and land use impact report completed by a qualified professional that lands located on the perimeter of a designated agricultural block are of lower agricultural potential and that the intended land use will not fragment or negatively impact on existing or future agricultural activities.
 - (b) The expansion of an identified settlement boundary, during a municipal comprehensive review and where it has been demonstrated to the satisfaction of the City that there is an insufficient supply of designated

land to accommodate the growth projected by the City in keeping with the policies of Section 4.0 of this Plan and when:

- the lands do not compromise specialty crop areas;
 - there are no reasonable alternatives which avoid prime agricultural areas; and
 - there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas
- (c) The extraction of mineral aggregate resources as an interim use may be permitted provided that rehabilitation at the site is carried out in accordance with Section 5.8.6.
- (d) The development of limited commercial or industrial uses where it has been demonstrated to the satisfaction of the City through the completion of an impact analysis by a qualified professional that:
- that the land does not compromise a specialty crop area;
 - there is a demonstrated need in the 20 year planning horizon for additional land to be designated to accommodate the proposed use;
 - there are no reasonable alternative locations which avoid prime agricultural areas;
 - there are no reasonable alternative locations within prime agricultural areas with lower priority agricultural lands; and
 - that the intended land use will not negatively impact on existing or future agricultural activities.
- (iv) When considering development in the Agricultural designation the City shall consider the following:
- the preservation and enhancement of identified agricultural areas for future agricultural expansion;
 - the preservation of viable farm units; and
 - the preservation of the unique character of the existing agricultural community.
- (v) All farm and non-farm development, including the creation of lots and new or expanding livestock facilities, shall comply with the Minimum Distance Separation formulae as calculated by the Municipality.
- (vi) Non-farm related development will be directed to urban, hamlet, and other non-prime agricultural areas.
- (vii) Proposals for agricultural related uses and secondary uses shall be limited in scale and must demonstrate to the satisfaction of the City that the proposed use shall be compatible with, and shall not hinder, surrounding agricultural operations.
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SECTION 5 – LAND USE POLICIES

- (viii) Lot creation within the Agricultural designation shall conform to the policies of Section 12.12.2.3 of this Plan.
- (ix) Landowners within the Agricultural designation shall, where appropriate, be encouraged to:
 - (a) recognize forestry resources as an integral part of their agricultural operation;
 - (b) manage forest resources in accordance with proper forest management practices in consultation with the Ministry of Natural Resources;
 - (c) retain existing tree cover where practical;
 - (d) maintain and establish tree and shrub cover on lands with lower agricultural potential and in hazardous areas such as steep slopes, major drainage swales and flood prone lands in order to reduce runoff rates and to minimize soil erosion;
 - (e) retain and/or establish windbreaks to reduce wind erosion;
 - (f) reforest non-productive farmland; and
 - (g) protect natural heritage features and areas.
- (x) All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.
- (xi) The operation of all agricultural activities are encouraged to adopt best management practices and to participate in initiatives such as the development of nutrient management plans to help protect the long term productivity of agricultural lands and minimize impacts on the environment.
- (xii) The City encourages initiatives that raise awareness of local food and connects residents of the City with local food producers.
- (xiii) A farmer may be permitted to establish a second dwelling house for labourers working on the farm, subject to the following conditions:
 - (a) the size and nature of the operation requires additional employment;
 - (b) a secondary dwelling on a farm will not be severed from the farm unit;
 - (c) only one additional dwelling may be permitted on a farm unit;
 - (d) the secondary dwelling can be serviced by appropriate water and sewage services;
 - (e) the dwelling must comply with the Minimum Distance Separation formulae, as calculated by the City; and

- (f) the landowner will be required to enter into a Temporary Use By-law with the City.
- (xiv) The implementing Zoning By-law will regulate the establishment of a second farm dwelling.
- (xv) The implementing Zoning By-law shall establish an appropriate zone(s) with standards and controls to implement the policies of the Agricultural land use designation.
- (xvi) The City will consult with the Agricultural Advisory Committee on decision making related to agriculture.

5.2 Rural

5.2.1 Goal

The rural designation represents lands identified on Schedule “A” to this Plan that are not located within an identified settlement area, characterized by a natural environmental feature (ie. flood plain, area of natural and scientific interest (ANSI), mineral aggregate reserve area) or within a defined agricultural area. It is the intent of this Plan to preserve and enhance the rural character of the City.

5.2.2 Objectives

- (i) To protect the established rural character of the Murray Ward and Sidney Ward of the City from uncontrolled strip development.
- (ii) To protect existing agricultural uses and the established rural character of the Murray Ward and Sidney Ward of the City from incompatible forms of development.
- (iii) To encourage a variety of economic opportunities in the rural designation, including recreation and tourism as related to natural heritage features and conservation areas, as well as existing rural recreation activities.

5.2.3 Permitted Uses

Permitted uses within the Rural designation shall include:

- (i) Those uses permitted within the Agricultural designation as identified in Section 5.1.3 of this Plan.
- (ii) Limited low-density residential development in the form of single detached dwellings.
- (iii) Limited commercial and industrial uses, which serve to enhance and promote the rural economy.
- (iv) Agri-tourism activities such as bed and breakfast establishments.

5.2.4 Rural Land Use Policies

- (i) Development within the Rural designation shall be limited to a type, scale and density consistent with maintaining the character of the rural landscape.
- (ii) The majority of non-farm residential development will be directed to the urban and hamlet settlement areas. Limited residential development may occur in the Rural designation through the Consent process in accordance with the policies of Sections 12.12.2.1 and 12.12.2.2 of this Plan.
- (iii) Development within the Rural designation shall not be permitted that is not compatible with, or may hinder, existing or future farming or aggregate operations.
- (iv) Consents that result in fragmentation in rural areas that contain existing agricultural uses will be discouraged.
- (v) Rural commercial and industrial uses shall generally be located in proximity to major road intersections and, where possible, grouped in a manner that will serve to maintain the rural character of the surrounding area.
- (vi) No development shall be permitted on lands within the Rural designation until it has been demonstrated to the satisfaction of the City that an adequate supply of potable water and an adequate method of sanitary sewage disposal is available for the property over the long term.
- (vii) All farm and non-farm development within the Rural designation shall comply with the Minimum Distance Separation formulae as calculated by the City in consultation with the Ontario Ministry of Agriculture, Food and Rural Affairs.
- (viii) No development shall be permitted on lands within the Rural designation that are subject to flooding and/or erosion, or have the potential of negatively impacting the natural environment.
- (ix) Development in the Rural designation shall be appropriate to the infrastructure which is planned or available, and avoid the need for unjustified and/or uneconomical expansion of this infrastructure.

5.2.5 Rural Commercial and Industrial

It is the intention of this Plan that a limited amount of small scale commercial and industrial uses will be permitted only where it has been demonstrated that the proposed use is compatible with adjacent land uses and the general character of the surrounding rural landscape, and will not result in a negative impact on the natural environment.

(i) Rural Commercial Uses

Commercial uses in the Rural designation shall be permitted where it has been demonstrated that the proposed use is designed to:

SECTION 5 – LAND USE POLICIES

- (a) meet the needs of the rural population;
- (b) enhance and promote tourism; and
- (c) cater to the travelling public.

Rural commercial uses shall generally include resort and recreational uses; tourist facilities, auction barns, farm related commercial operations, convenience commercial operations, and existing trailer parks.

(ii) Rural Industrial Uses

Rural Industrial uses shall be of a type designed to serve the rural community or that are directly related or intrinsic to existing and/or future farming operations.

Rural industrial uses shall generally include agricultural processing plants, bulk storage yards, contractor's yards, motor vehicle repair garage, saw mills and/or other similar rural industrial uses.

(iii) Rural Commercial and Industrial Development Policies

All Commercial and Industrial uses within the Rural designation shall take place in accordance with the following policies:

- (a) Rural Commercial and Industrial lots to be created by Consent shall be of an appropriate size and shape for the proposed use and shall provide buffering for adjacent residential and agricultural uses in accordance with the policies of Section 12.12.2 of this Plan.
- (b) Each application for commercial or industrial development shall demonstrate that any adverse impacts on the practice of agriculture, natural heritage features and areas, nearby land uses and the traffic pattern and road network will be minimized, mitigated or avoided entirely, as per other requirements of this Plan.
- (c) Commercial and industrial development must be in keeping with the surrounding rural character and landscape. The City must be satisfied that the commercial or industrial development would not be more suitable in the hamlet or urban areas.
- (d) Rural Commercial or Industrial uses shall be encouraged to locate along arterial or collector roads provided that no traffic hazards are created and that access can be provided according to the standards of the road authority having jurisdiction. Rural commercial or industrial uses should be consolidated, and in particular, the number and location of access points shall be regulated to prevent traffic hazards.
- (e) Rural Commercial or Industrial uses must demonstrate the suitability of the site to accommodate private water and sewage.
- (f) Where determined by the City, Rural Commercial or Industrial uses may require the completion of a Hydrogeological Study and/or a Reasonable Use Study prior to development.

- (g) Rural Commercial or Industrial uses will be subject to Site Plan Control provisions according to the policies of Section 12.5.9 of this Plan.
- (h) Rural Commercial and Industrial uses shall be placed in a separate category in the implementing Zoning By-law.

5.3 Hamlet

5.3.1 Goal

The Hamlet designation represents traditional centres of residential and commercial development that offer an alternative lifestyle within Quinte West. It is the intent of this Plan to protect the various facilities and attractions of the Hamlets and encourage a mix of privately serviced residential, community facilities and small-scale commercial and industrial land uses in order to enhance and promote tourism.

5.3.2 Objectives

- (i) To ensure that future development within the Hamlet designation shall occur at a scale and density compatible with the surrounding area and in keeping with the ability of the area to support private water and sanitary sewage disposal services.
- (ii) To promote the tourism value of the established Hamlets as a source of tourism and economic development for the City.
- (iii) To protect and enhance the natural and historic features found in each Hamlet.
- (iv) To direct the majority of non-farm residential development to the Hamlet designation.
- (v) To encourage small scale commercial, industrial and institutional uses within the Hamlets where compatible.

5.3.3 Permitted Uses

- (i) The predominant land use will be single detached dwellings. Other permitted uses will include bed and breakfast establishments, home occupations, day nurseries, group homes, homes for the aged, and institutional uses.
- (ii) Commercial and Industrial uses that do not require large volumes of water or produce a large volume of sanitary waste as part of their operation.
- (iii) Commercial and Industrial uses may include small-scale professional offices, retail commercial and small-scale industrial uses such as workshops, printing shops, repair shops, light manufacturing shops, and similar uses that serve the hamlet and surrounding rural area.
- (iv) Open space and Recreational uses will be encouraged in the Hamlet designation.

5.3.4 General Development Policies

- (i) Residential development in the Hamlet designation will take place primarily in the form of Registered Plans of Subdivision. Residential development is also permitted through the creation of new lots by the Consent process, provided approval is obtained from the appropriate agencies and provisions in Section 12.2.2.4 are satisfied.
- (ii) Development proposals that would have the affect of extending the boundary of a Hamlet designation shall only occur as part of a municipal comprehensive review and shall be in keeping with the Policies of Section 4.1.2 of this Plan.
- (iii) New development must be compatible with the existing development and rural character of the Hamlet.
- (iv) Frontage on an existing local road is not encouraged for subdivision development. A limited number of lots may be permitted to front upon an existing local road provided the majority of lots do not front upon the existing local road and safe access can be provided to the satisfaction of the City.
- (v) Prior to consideration by the City, all applications for Draft Plan of Subdivision approval shall be accompanied by a study completed by a qualified professional(s) addressing the cumulative impact of the proposed development on the surrounding area. The study shall include the following:
 - (a) an analysis of the impact of the proposed development on groundwater quality and quantity;
 - (b) the condition of, and accessibility to, existing road networks;
 - (c) an evaluation of the ability of the site to accommodate private water and sanitary sewage disposal services over the long term;
 - (d) an assessment of the natural features in and adjacent to the site and any associated potential negative impacts;
 - (e) other such matters as deemed appropriate by the City;
 - (f) an assessment of the different servicing options (communal and private); and
 - (g) demonstrate that adequate storm water management can be provided.
- (vi) New development shall take place in a contiguous manner from adjacent built up areas.
- (vii) All development within the Hamlet designation shall comply with the Minimum Distance Separation Formulae (MDS) as calculated by the City in consultation with the Ontario Ministry of Agriculture, Food and Rural Affairs.

- (viii) All lots shall be required to have frontage on a public road.
- (ix) Creation of lots fronting and having access to an arterial or collector road shall generally be discouraged.
- (x) Prior to approving a Zoning By-law amendment to allow permitted institutional, commercial or industrial uses, the City shall be satisfied that the proposal conforms to the policies of Section 12.5.3.
- (xi) Single detached residential, community facilities, commercial and industrial uses will be zoned in separate categories in the implementing Zoning By-law.
- (xii) Certain forms of development within the Hamlet designation shall be subject to the Site Plan Control provisions of Section 12.5.9.
- (xiii) The City may initiate a study to develop detailed plans and land use designations within each Hamlet.

5.4 Parkland and Recreation

The City of Quinte West contains a wide range of parkland and recreational space throughout the City, which represents those lands whose predominate use is for recreation and leisure activities and may also include activities that facilitate the interaction of the general public and the conservation of the natural environment. This includes City, community and neighbourhood parks, and other public and private open space lands.

5.4.1 Goal

To provide a suitable range of recreational opportunities in accordance with the unique attributes of the City and its recreational resources and to ensure that there is adequate recreational land set aside to serve its residents and compliment the Bay of Quinte and that portion of the Trent-Severn Waterway passing through the City, Weller's Bay and Lake Ontario.

5.4.2 Objectives

- (i) To develop and institute an appropriate parkland classification system to be used in the provision and development of parkland.
- (ii) To provide opportunities for both active and passive recreation in the City.
- (iii) To provide an accessible and equitable distribution of parkland and recreational space throughout the City and overcome parkland and recreation facility deficiencies wherever possible to meet the recreational needs of Quinte West residents.
- (iv) To improve the recreation potential and aesthetic qualities of the City's open space.

- (v) To promote the concept of a continuous or linked open space system.
- (vi) To promote the preservation of the character of the Trent-Severn Waterway.
- (vii) To promote active transportation within the recreational system for pedestrians and cyclists.
- (viii) To ensure that all future sites to be acquired, or dedicated, for parkland and recreational space are suitable and appropriately located.
- (ix) To implement the recommendations outlined in the Parks Master Plan.

5.4.3 Permitted Uses

Land used for parkland and recreational space may include:

- (i) Public parks, public access areas for hiking, picnicking, cross-country skiing, angling, swimming, equestrian activities, canoeing or other similar outdoor recreational activities, conservation areas including nature study and wildlife or wilderness areas, recreational trails, private parks (exclusive of camp grounds), golf courses or driving ranges, water access or other similar outdoor recreational activities, where such uses are compatible with their surroundings and in conformity with the general intent of this Plan.
- (ii) Complementary uses that are compatible to, and which do not detract from or restrict, the primary function of the area, may be permitted. Such complementary uses may include, but are not necessarily restricted to: forestry, horticulture, and public utilities.
- (iii) Limited scale commercial operations such as lounges, snack bars, and equipment rentals in conjunction with a conservation or recreational activity such as cross-country skiing, water access, marina, hiking, golf course or driving range may also be permitted and shall be regulated through the implementing Zoning By-law.

5.4.4 General Policies

- (i) Where appropriate, the City will encourage the development of safe and, where possible, continuous and naturalized recreational trails. To achieve this end, the City may require dedicated public rights of way or easements registered on title as a condition of a Plan of Subdivision, Consent to a land severance, development or redevelopment. In addition, the City may endeavour to ensure the retention of abandoned railway corridors for public purposes, such as multi-use trails, nature interpretation, utility lines, or some other similar land use.
- (ii) Open space uses such as golf courses, conservation areas and lands owned by the Province also make up the City's recreational space system. The City may encourage the private sector and other government agencies to provide open space opportunities.

- (iii) Parks Canada should be consulted as part of any review of any development if located abutting to the Trent-Severn Waterway.
- (iv) The City will encourage, where appropriate, linkages to be incorporated within developments, such as connecting walkways to natural areas.
- (v) To explore with other communities along the Trent Severn Waterway joint marketing/tourism infrastructure development initiatives and developing additional tourism and recreational activities along the waterway.
- (vi) Only those buildings and structures incidental to the permitted principle recreation and conservation uses defined in this Plan shall be allowed in parkland and recreational lands. An accessory residence for occupation by the owner or caretaker may be permitted in conjunction with the principle uses permitted
- (vii) Open space lands will not necessarily be acquired by the City or other public authority. Where a proposal is made to develop lands held under private ownership for an alternative use not considered to be parkland or recreational space by this Plan, and the City or another public agency does not wish to purchase such lands to retain them for recreational purposes, an Official Plan amendment will be given due consideration by the City after taking into consideration the following:
 - (a) the intent and policies of this Plan;
 - (b) the suitability of the land for the proposed development;
 - (c) the impact of the proposed use on the surrounding land uses; and
 - (d) the effect of the loss of potential parkland and recreational space on the overall parkland and recreational amenities of the City.
- (viii) Where open space lands are held under private ownership, it is not intended that such lands are necessarily free and open to the public or that there is unrestricted public access to the area. Control of access is at the discretion of the owners and only where the land is acquired by a public authority will general access be permitted, and only then, in accordance with the policies of the respective authority.
- (ix) The City will seek the co-operation of the District School Boards to develop more joint use of schools and park facilities, recreational development of school yards and increasing the community use of school facilities.
- (x) The City may consider the purchase of lands where park areas are required and may acquire land, or cash-in-lieu thereof, as a condition of the approval for development or redevelopment.
- (xi) Appropriate separation distances and buffering criteria shall be included in the implementing Zoning By-law to ensure minimum disruption to adjacent lands.

SECTION 5 – LAND USE POLICIES

- (xii) It shall be the policy of this Plan that parkland and recreational areas may be zoned in separate classifications in the implementing Zoning By-law.
- (xiii) The Parks Master Plan will be utilized for reference purposes when considering recreational and parkland needs in the City.

5.4.5 Park Policies

- (i) Pursuant to the Section 42 in the Planning Act, the City requires the conveyance of a parkland dedication for development or redevelopment of land for park or other public recreational purposes. In the case of land proposed for development or redevelopment for residential purposes, the City may require up to 5% parkland dedication. In the case of commercial development or redevelopment, the City may require up to 2% parkland dedication.
- (ii) The nature of this dedication shall be based on the following guidelines:
 - (a) Parkland dedications within the Rural and/or Hamlet designations or the urban settlement areas shall be used for the creation, improvement or expansion of neighbourhood or community park facilities, including community centres.
 - (b) Parkland dedications adjacent to the Trent River, the Bay of Quinte, Weller's Bay or Lake Ontario shall be used for the creation of park facilities, which ensure a desirable level of access to waterfront or improvement of parks and trail development.
- (iii) It is intended that lands conveyed to the City in accordance with the above provisions shall be suitable for development as a public recreational area and that lands provided for storm water management facilities or lands subject to physical limitations such as flooding, steep slopes, erosion, size, location, accessibility, drainage problems, or other similar limitations will not necessarily be accepted for park purposes.
- (iv) All lands dedicated to the City shall be conveyed in a physical condition satisfactory to the City and the City may require certain improvements such as grading, planting of grass seed and other vegetation, fencing, et cetera.
- (v) Where an open watercourse is involved, adequate open space shall be provided for the maintenance thereof. The City shall, where appropriate, seek waterfront access through land dedication.
- (vi) It is intended that lands conveyed to the City in accordance with the above provisions shall be located in a manner that affords appropriate access to the surrounding community.
- (vii) In accordance with the Planning Act, the City may require in place of a conveyance, a "cash-in-lieu" payment to the value of the land otherwise required to be conveyed. The acceptance of a dedication of land or cash-in-lieu of parkland, or combination thereof shall be at the sole discretion of the City.

SECTION 5 – LAND USE POLICIES

- (viii) The City will generally utilize funds received for cash-in-lieu of parkland dedication for the purposes of improving existing parks or purchasing additional parklands and facilities for the residents within proximity of the area subject to the development generating the cash in lieu of parkland dedication funds.

5.4.6 Parkland Classification

- (i) City Parks – are designed primarily to serve the entire City and support major facilities and City-serving specialized programs. They are intended to provide a variety of indoor/outdoor active and passive recreation, civic, cultural, natural area and heritage opportunities. They may be located to take advantage of unique site attributes, such as natural heritage features and riverfront or lakefront locations. City parks may also serve the function of Community and Neighbourhood Parks.

City Parks include specialized facilities such as sports parks, splash pads and indoor recreation facilities such as indoor soccer fields, indoor courts, swimming pools and fitness centres. It is the policy of the City to promote the provision of a parkland supply rate of 2.4 hectares/1000 population for City and Community Parks combined. The size of City Parks will depend on the shape and constraints of the property and program for the park.

The following criteria will be considered in the development of sites for City Parks:

- (a) that the site have direct access to an arterial or collector road, with significant frontage;
 - (b) that the site contain sufficient parking with minimum exposure to the street;
 - (c) that the site be connected where possible to walkways, trails and sidewalk systems; and
 - (d) that the site contain sufficient flat land to accommodate the needs of the active recreation facilities proposed for development.
- (ii) Community Parks – are designed to serve several neighbourhoods or a community area for active and passive recreation. Community Parks may also serve the function of Neighbourhood Parks. A Community Park may be located with a school to take advantage of shared use opportunities for facilities development. In these instances, integration of design and development is encouraged, with no physical separation of shared facilities.

Community Parks include outdoor and indoor recreation facilities such as sports fields, junior/senior playgrounds, splash pads, tennis courts, seating areas, shade structures and parking. It is the policy of the City to promote the provision of a parkland supply rate of 2.4 hectares/1000 population for Community and City Parks combined. Size and configuration of each park will depend on the shape

and constraints of the property and the specific program for the park; however the minimum required size shall be 4.0 hectares.

The following criteria will be considered in the development of sites for Community Parks:

- (a) that the site have direct access to an arterial or collector road, with significant frontage;
- (b) that the site is generally located to serve concentrations of population in urban areas within a 3.0 kilometre radius. It may also be provided to serve smaller populations in Hamlets that are removed from the urban park system;
- (c) that the site contain sufficient parking with minimum exposure to the street;
- (d) that the site be connected where possible to walkways, trails and sidewalk systems;
- (e) that the site contain sufficient flat land to accommodate the needs of the active recreation facilities proposed for development; and
- (f) that the site should have a minimum size of 4.0 hectares.

- (iii) Neighbourhood Parks – are designed to serve local neighbourhood residents generally within walking distance of the park site without having to cross major barriers such as a major road. A Neighbourhood Park may be located with a school to take advantage of shared use opportunities for facilities development. In these instances, integration of design and development is encouraged, with no physical separation of shared facilities.

A well developed Neighbourhood Park atmosphere would typically be comprised of the following: passive areas, active play area, playground equipment, walkways and trees (shaded areas).

It is the policy of the City to promote the provision of Neighbourhood Parks at the rate of 0.6 hectare/1000 population.

The following criteria shall be considered in the development of sites for Neighbourhood Parks:

- (a) should be located within approximately 600 metres of the residential area being served;
- (b) should contain adequate street frontage on local or collector roads for visibility and safety;
- (c) that the site contain sufficient flat land and be well drained, except where there site takes advantage of a specific natural feature;

- (d) that the site be connected where possible to walkways, trails and sidewalk systems; and
- (e) that the site have a minimum size of 0.8 hectares.
- (iv) Open Space – Open Space land includes cemeteries, picnic areas, leased school land, municipal golf courses, conservation lands, trails, natural environment areas, pathways and boulevards, Parks Canada lock stations.

Open space lands are not included in the parkland assessment, for the purposes of evaluating supply, but form part of the open space inventory.

5.5 Housing

The City of Quinte West recognizes the importance of providing an adequate supply and choice of housing types to meet the needs of a diverse population. The City aims to provide residential opportunities that fulfill residents housing needs while protecting the character of established residential neighbourhoods by ensuring new residential development is compatible with the surrounding area.

5.5.1 Goal

To provide an adequate supply and variety of housing opportunities to accommodate the current and future residents of the City of Quinte West, while maintaining the character of existing neighbourhoods.

5.5.2 Objectives

- (i) To provide a broad mix of housing in terms of type, size, cost and ownership.
- (ii) To provide housing opportunities that reduce reliance on the automobile by providing for pedestrians and cyclists.
- (iii) To provide housing through the efficient use of vacant residentially designated land, underutilized parcels and the existing housing stock.
- (iv) To provide housing opportunities that do not result in negative impacts to natural features and areas.
- (v) To encourage the development of special needs housing to provide for those who require supportive housing.
- (vi) To ensure that new housing is sensitive to and improves the existing physical character of the area.
- (vii) To promote universal design principles that will enhance accessibility in residential areas.

5.5.3 Residential Land Supply

5.5.3.1 Objectives

- (i) Through the review and approval of development proposals, the City will provide for a full range of housing types and densities to meet the projected population needs of the City by maintaining:
 - (a) a ten (10) year supply of lands to accommodate residential growth through residential intensification and redevelopment, and if required, lands which are designated and available for residential development and;
 - (b) land with servicing capacity sufficient to provide at least a three (3) year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

5.5.3.2 Policies

- (i) The City shall achieve the above noted objectives through the following:
 - (a) the planning of future residential development to ensure sufficient lands are appropriately designated and suitably zoned;
 - (b) the development of a servicing allocation policy and strategic plan for the monitoring, extension and financing of municipal services to ensure capacity exists to accommodate new residential development;
 - (c) the monitoring of housing trends to define housing targets and to ensure planning policies and strategies reflect changing conditions;
 - (d) the monitoring of the status of applications for the approval of building lots and housing developments as well as the supply of existing homes; and
 - (e) controlling demolition or conversion to non-residential uses.

5.5.4 Residential Intensification

Land-use intensification involves an increased density in urban development achieved through infilling, residential conversions, redevelopment and development of underutilized or vacant land in a previously developed area. Intensification makes efficient use of existing infrastructure, allows for proximity to existing community amenities and can contribute to reducing impacts on air quality. The City's target for intensification and redevelopment is 10% for built-up areas.

- (i) The City will encourage a variety of forms of residential intensification within the identified planning districts as an alternative source of new and affordable housing units such as:

- accessory dwelling units or conversions of large residential structures to multiple use in appropriate areas;
 - infilling on existing lots of record and maximizing use of underutilized lots;
 - the subdivision of oversized residential lots;
 - mixed use development;
 - conversion of non-residential buildings to residential use in appropriate areas; and
 - redevelopment/development of Brownfields.
- (ii) The City will consider appropriate forms and locations for infilling development within the identified Planning Districts to make efficient use of land and resources.
- (iii) The City will maintain an inventory of vacant sites suitable for infilling and redevelopment.
- (iv) Residential intensification developments shall not have adverse impacts on the physical form of existing residential neighbourhoods.
- (v) Proposals for intensification development must be situated and organized to be compatible with the surrounding properties and the following will be considered in reviewing the proposal:
- ability to be well integrated with existing neighbourhood;
 - transportation capacity is available for increased traffic;
 - suitability of dwelling type, lot size, building height and massing, building materials and exterior design;
 - required parking can be accommodated;
 - accessibility to public service and community facilities;
 - protection of natural and cultural heritage features;
 - satisfies the Land Use policies, including locational criteria for the applicable Land Use designation in the Plan;
 - availability and adequacy of municipal infrastructure and utility networks to service increased density; and
 - satisfies provisions outlined in the implementing Zoning By-law.
- (vi) A Planning Justification Report may be required outlining how the proposed development will be compatible with the existing neighbourhood and shall recommend any measures required to mitigate adverse impacts.
- (vii) If any impacts from an intensification proposal are identified, adequate mitigation measures may be required to reduce impacts.
- (viii) Residential intensification will be encouraged to be in close proximity to Employment Lands.

5.5.5 Second Dwelling Units - OPA#13 – By-law 19-038 adopted 04.15.2019

Second dwelling units are a component in the City's Intensification Strategy due to an increase in the density of existing dwellings and efficient use of infrastructure. Second dwelling units also offer an additional housing alternative for residents, contribute to the affordable housing stock in the City and provide a housing option for seniors that allow them to maintain their autonomy.

- (i) Second dwelling units are authorized in detached, semi-detached, duplex, or townhouse dwellings if an ancillary building or structure does not contain a second dwelling unit; and in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second dwelling unit. The second dwelling unit must be in compliance with the Ontario Building Code and the Ontario Fire Code.
- (ii) The establishment of a second dwelling unit must meet provisions in the implementing Zoning By-law, addressing such requirements as the maximum size of the unit and parking standards.
- (iii) The second dwelling unit shall be adequately serviced. The City may require the proponent of a second dwelling unit to demonstrate servicing capacity in support of a development application on private services. The second dwelling unit shall be serviced by municipal water and sewage services wherever feasible.
- (iv) Second dwelling units shall be subject to the following:
 - (a) A minimum lot size of 0.4ha is required for a second dwelling unit to be established on private services;
 - (b) A second dwelling unit must be no larger than the primary dwelling unit;
 - (c) A maximum of 1 parking space is required for a second dwelling unit and the additional parking space is permitted to be in tandem with the parking of the main dwelling unit; and
 - (d) A second dwelling unit is only permitted on a lot with frontage onto a municipal road that is maintained year-round.
- (v) Second dwelling units may be subject to Site Plan Control. In particular, site plan control may be required for lands where site servicing, or lot grading and drainage is a concern.
- (vi) A second dwelling unit must not be severed from the lot accommodating the primary dwelling.
- (vii) A second dwelling unit is not permitted in the following areas:
 - (a) Area that are prone to flooding or areas rendered inaccessible to people and vehicles during times of flooding;
 - (b) Areas on private roads or unmaintained municipal road allowances where emergency access may be limited; and
 - (c) Area Specific Policy 3A for Oak Lake.

5.5.6 Alternative Development Standards

The use of alternative development standards will be examined to establish cost-effective means by which municipal services are provided for new residential development and redevelopment in an effort to reduce the cost of housing and to provide an alternative built form within the City.

5.5.7 Densities

5.5.7.1 Low Density Residential

- (i) Low density development allows for single detached dwellings, semi-detached dwellings and duplexes to a maximum net density of 10 units per 0.4 ha.
- (ii) Low density development is to be located on sites adjacent to or near existing low or medium density developments to allow for compatible integration of housing types.
- (iii) Low density development should be located with easy access to parkland/open space, community and public service facilities and commercial areas.
- (iv) Complementary small scale commercial and institutional land uses may be appropriate in the low density designation, where permitted in the Zoning By-law.
- (v) Any buildings or structures of a non-residential nature shall be so designed and located as to present an appearance which is harmonious and aesthetically in accordance with the character of the surrounding buildings. Adequate buffering areas and landscaping shall be provided to minimize adverse effects on surrounding residential uses.
- (vi) Low density lands may be zoned in separate categories in the implementing Zoning By-law.

5.5.7.2 Medium Density Residential

- (i) Medium Density development allows for townhouses, fourplexes, row houses, multiple dwelling conversions and low-rise apartments up to four storeys to a maximum net density of 25 units per 0.4 ha.
- (ii) Medium Density development is to be located on sites adjacent to or near existing medium or high density developments to allow for compatible integration of housing types.
- (iii) Proposals for Medium Density developments are subject to Site Plan Control.
- (iv) Medium Density developments shall be considered and reviewed for the following:
 - (a) adequate servicing can be made available to accommodate the proposed density of development;

- (b) compatibility with adjacent development;
 - (c) proximity to community and public service facilities, commercial areas and parkland/open space;
 - (d) access to an arterial or collector road without having a major impact on areas of lesser density;
 - (e) adequate on-site parking for residential units and visitors; and
 - (f) compliance with the implementing Zoning By-law.
- (v) Complementary small scale commercial and institutional land uses may be appropriate in the Medium Density designation, where permitted in the Zoning By-law.
- (vi) Any building and structures of a non-residential nature shall be so designed and located as to present an appearance which is harmonious and aesthetically in accordance with the character of the surrounding buildings. Adequate buffering areas and landscaping shall be provided to minimize adverse effects on surrounding buildings.
- (vii) Medium Density lands may be zoned in separate categories in the implementing Zoning By-law.

5.5.7.3 High Density Residential

- (i) High Density development allows for apartments greater than four storeys with net densities above 50 units per 0.4 ha.
- (ii) Complementary small scale commercial and institutional land uses may be appropriate in a High Density designation, where permitted in the Zoning By-law.
- (iii) High Density development is to be located on sites adjacent to or near existing high or medium density developments.
- (iv) Proposals for High Density developments are subject to Site Plan Control.
- (v) High Density developments shall be considered and reviewed for the following:
 - (a) full municipal services can be made available to accommodate the proposed density of development;
 - (b) compatibility with adjacent development;
 - (c) proximity to public and community service facilities, commercial areas and parkland/open space;

- (d) frontage on an arterial or collector road or have access to a major road. In general, these areas should be situated within 60 metres of an arterial or collector road;
 - (e) adequate on-site parking for each residential unit and visitors; and
 - (f) compliance with the implementing Zoning By-law.
- (vi) Any buildings and structures of a non-residential nature shall be designed and located so as to present an appearance which is harmonious and aesthetically in accordance with the character of the surrounding buildings. Adequate buffering areas and landscaping shall be provided to minimize effects on surrounding properties, particularly when high density development is adjacent to a low density residential neighbourhood.
- (vii) High Density lands may be zoned in separate categories in the implementing Zoning By-law.

5.5.8 Affordable Housing

The City of Quinte West is dedicated to provide for those who are in need of affordable accommodation. The provision of affordable housing not only provides options to households in terms of cost, but can support the City's Intensification Strategy by providing various forms of affordable housing that facilitate compact development, such as accessory dwelling units.

5.5.8.1 Objectives

- i) To maintain an adequate affordable housing stock for low and moderate income households in the City of Quinte West.
- ii) The City will support intensification in the provision of affordable housing.

5.5.8.2 Policies

- i) The portion of affordable housing in new residential construction or redevelopment projects will be determined on a site by site basis and calculated as part of the planning approval process for the City as a whole. As a general rule, the City will target:
 - a minimum of 25% of all new housing is to be in forms that would be affordable to households of low and moderate income.
- ii) A minimum of 25% affordable housing may be achieved through:
 - (a) the construction of new units, including accessory dwelling units;
 - (b) an option to purchase by the City or other housing agency;
 - (c) a joint venture with the City or other housing agency; and
 - (d) utilizing any other arrangement which may be available.

- iii) The City will monitor affordable housing targets on an annual basis and any changing housing needs in the City.
- iv) The City will seek to maximize funding by senior levels of government for the development of affordable housing and the rehabilitation of existing social housing.
- v) The City will encourage interest groups, special needs groups, third sector groups and the private sector to provide affordable housing. Such encouragement may include technical assistance, program information, partnership arrangements, and other forms that may be appropriate.
- vi) The City may utilize alternative development standards for the provision of affordable housing

5.5.9 Special Needs Housing

The City of Quinte West recognizes the necessity of providing special needs housing for those members of the population who require specialized living arrangements for their well-being. The City will encourage the provision of specialized housing to increase access for people with special needs including housing for low-income, seniors and physically and developmentally disabled persons.

5.5.9.1 Group Homes

- (i) A “Group Home” shall be defined as a single housekeeping unit in a residential dwelling for the accommodation of 3 to 10 persons, exclusive of staff, in which individuals live under responsible supervision for reasons of their emotional, mental, social or physical condition. Group Homes shall be licensed and/or approved for funding under Provincial statutes and maintained in compliance with municipal by-laws.
- (ii) Group Homes shall be permitted in all land use designations permitting residential use.
- (iii) The development of Group Homes shall be permitted in all residential zones without the need for an amendment to the City’s Comprehensive Zoning By-law.

5.5.9.2 Day Nurseries

- (i) Day Nurseries for more than five (5) children at one time are subject to the Day Nurseries Act and shall be a permitted use in community halls, schools, places of worship or buildings specifically designed for day nursery use.
- (ii) Notwithstanding subsection (i) above, a day nursery facility for five (5) or less children, may be carried on within any residential dwelling.

5.5.9.3 Seniors Housing

An aging population will result in a greater need for seniors' housing, and the City of Quinte West is dedicated to meeting this changing need for residents. The City will encourage and support housing forms through out the City that will meet the needs of senior citizens who require constant care and alternative housing types for those who wish to live with as great a level of autonomy as possible.

- (i) Forms of alternative housing for seniors can include:
 - (a) a garden suite as defined in subsection 5.5.9.4 of this Plan;
 - (b) an addition to an existing dwelling to either house the individual(s) requiring care and supervision, or to house the individual(s) providing the care and supervision, subject to the proper approvals for servicing; and
 - (c) the conversion of a portion of an existing dwelling into an accessory dwelling unit within the dwelling, subject to the provisions in Section 5.5.5 the provision of home care by a network of paid and volunteer programs designed to aid and assist the elderly within their own home.
- (ii) The City will encourage housing projects for seniors to be located primarily in settlement areas, close to downtown cores, commercial nodes and necessary services and amenities.

5.5.9.4 Garden Suites OPA#7 – By-law #15-100 adopted 08.10.2015

- (i) For the purposes of this Plan, a “Garden Suite” shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a legally existing single detached residential structure and that is designed to be temporary and portable.
- (ii) Garden Suites are to be located in those zones where a single detached dwelling is permitted as a principle use.
- (iii) Only one Garden Suite is permitted per lot.
- (iv) Prior to the development of a Garden Suite, the following criteria shall be addressed to the satisfaction of the City:
 - (a) that the subject property be subject to a Temporary Use By-law for a period of time not to exceed twenty (20) years;
 - (b) notwithstanding subsection (a) above, upon request the City may, subject to further review, grant extensions to the authorization period of the Temporary Use By-law for periods of time not to exceed three (3) years;

- (c) that prior to the issuance of a building permit for a garden suite, it shall be demonstrated that a suitable sewage disposal system can be provided in accordance with the Ontario Building Code.
- (d) where appropriate, the Garden Suite shall be connected to the services (ie. Water and hydro) of the principle dwelling; and
- (e) that the owners of the principle dwelling shall enter into an agreement with the City (to be registered on the title of the subject property) identifying such items as:
 - all costs associated with the installation, maintenance and removal of the Garden Suite shall be at no expense to the City;
 - the identification of the occupant(s) of the garden suite by name;
 - the period of time in which the Garden Suite shall be removed after the expiration of the Temporary Use By-law or the cessation of occupancy of the Garden Suite by the individual(s) identified in the Agreement;
 - the penalty for non-compliance with the various provisions of the Agreement; and
 - other such items as deemed appropriate by the City.
- (v) The construction of the Garden Suite shall conform to all relevant provisions of the Ontario Building Code and the Ontario Fire Code.
- (vi) The proposed Garden Suite shall not negatively impact on natural heritage areas and features.

5.5.10 Mobile Homes

- (i) Mobile Home dwellings shall be a permitted use in a Mobile Home Park only. The Mobile Home Park shall conform to the low density residential policies as well as the following:
 - (a) the Mobile Home Park shall have direct access to arterial or collector roads;
 - (b) the Mobile Home Park shall be a minimum of 4 hectares in size;
 - (c) the development of Mobile Home Parks shall be encouraged on a comprehensive scale and in this respect a Site Plan shall be required. Prior to approval of the Site Plan, the City shall be satisfied that the servicing standards such as road access, schools, parks, sewage and water facilities and other requirements as established by this Plan have been met;
 - (d) regulations pertaining to the development of a Mobile Home Park should include provisions for the replacement of mobile home units as they wear out; and

- (e) prior to the development of a new Mobile Home Park or the expansion of an existing Mobile Home Park, an amendment to the implementing Zoning By-law shall be required.

5.5.11 Residential Condominium Conversions

- (i) The City will review applications to convert rental housing into condominium ownership based on the City's condominium conversion policies and Provincial legislation.
- (ii) The City shall monitor the conversion of existing rental housing to condominiums to protect tenants and the rental housing stock.
- (iii) The City will support the conversion of rental units into condominium ownership on the basis that the supply of affordable rental housing is not adversely impacted.
- (iv) The Residential Tenancies Act is applicable where a building containing rental units is converted to condominium.
- (v) The City may attach conditions to be fulfilled prior to final registration of a Plan of Condominium, including the completion of a Comprehensive Reserve Fund Study, which shall include both a physical analysis and the building components and needed repairs or replacements, and a financial analysis of recommended contributions to the Reserve Fund.
- (vi) The Comprehensive Reserve Study must be conducted by a qualified professional permitted under the Condominium Act, 1998.
- (vii) The City may require the applicant to have a qualified professional inspect the property and report to the City on all matters that may be of concern. The City may impose conditions that require the applicant to address any deficiencies identified in the report.
- (viii) Site Plan Control may be required prior to final approval, to ensure that necessary site works are completed to the satisfaction of the City.

5.6 Mixed Use Development

The establishment of mixed use areas, that encourage a mix of commercial, residential, places of amusement and recreation, open space and community facilities, assists in creating a compact land-use pattern, in the urban areas, contributes to the City's intensification strategy, and is an efficient use of infrastructure. Mixed Use development also encourages pedestrian and cycling activity due to places of work and community services being in close proximity to residential uses.

5.6.1 Goal

To provide new economic and intensification opportunities by encouraging mixed use development in appropriate districts in the City.

5.6.2 Objectives

- (i) To encourage a strong relationship amongst mixed uses.
- (ii) To emphasize compact and pedestrian oriented urban development patterns.
- (iii) To contribute to establishing vibrant and diverse downtowns, through promoting and encouraging mixed use development in the downtown cores.

5.6.3 General Policies

- (i) Mixed use developments are permitted in appropriate planning districts, which are outlined in Section 6 of this Plan.
- (ii) In areas designated to permit mixed commercial and residential uses in buildings, the location of the retail and/or service component shall be on the ground floor, while residential units are to be directed to the upper floor of the building, or in the rear half of the ground storey of the building provided that the front of the building maintains a commercial appearance and function.
- (iii) Mixed use designations permit residential housing and non-residential within the same area, or may provide only non-residential uses, if well connected to adjacent residential uses.
- (iv) Off-street parking, and loading facilities, if required, shall be provided and must be adequate to serve any proposed use, in accordance with the Zoning By-law.
- (v) Where on-site parking is located adjacent to a roadway, or to an area used for residential purposes a strip of land shall be set aside between the car park and adjacent uses, and this area shall be for landscaping to provide a suitable buffer.
- (vi) Development and redevelopment in the mixed use areas may be subject to Site Plan Control.
- (vii) Provisions and permitted uses pertaining to mixed uses will be detailed in the implementing Zoning By-law.

5.6.4 Mixed Use - Commercial/Residential

- (i) Commercial/Residential areas are to be used for business and apartment/condominium residential purposes, considered desirable in the downtown cores of the City. All commercial uses included in the General Commercial designation; with the exception of service stations and car dealers; and Non-Retail Commercial designation will be permitted. Residential development in the form of apartments will also be permitted as well as residential care facilities and special needs housing.
- (ii) New development/redevelopment of the area for mixed use projects will be encouraged, however commercial and medium or high density residential

- projects including senior residences, on a stand alone basis will be considered in the applicable planning district.
- (iii) Where proposals are received for commercial development only, the policies are set out under the appropriate commercial designation, as identified in the applicable planning district.
 - (iv) Mixed use development shall be encouraged through permitting, increased height and density for those projects which include both residential and commercial components in accordance with Section 2.6.7, and pursuant to Section 36 of the Planning Act. Council may pass by-laws under Section 34 to authorize increase in the height and density of development, otherwise permitted by the Zoning By-law.
 - (v) Such by-law referred to in (iv) above may include provisions to permit increases in gross leasable commercial floor areas and/or lot coverage, and/or height, provided a specified number of dwelling units identified in the by-law are also included as part of the development proposal. The residential dwelling units may be in the form of apartment or condominium units either above the commercial space or in the rear half of the ground floor of the commercial establishment. Further increases in height and density may be supported for projects which include social housing units as part of the development.
 - (vi) Where a residential component is included in the development, amenity space and parking shall be provided on the site in accordance with the Zoning By-law. However, to encourage mixed use development, the City may reduce or exempt any requirement for private off-street parking provided adequate alternative parking facilities are available in the general vicinity and in accordance with Section 12.5.8.
 - (vii) When increases in height and density are permitted for mixed use developments, the City may require the landowner to enter into one or more agreements with the City dealing with such provisions.
 - (viii) Where a reduction or exemption to parking requirements is permitted for mixed use development, the City may require the owner to enter into one or more agreements with the City dealing with such provisions.
 - (ix) Any agreement entered into under (vii) or (viii) above, may be registered against the land to which it applies and the City is entitled to enforce the provisions contained therein.

5.6.5 Mixed Use – Non-Retail Commercial/Residential

- (i) Non-Retail Commercial/Residential areas are to be used for non-retail commercial and/or apartment/condominium residential purposes Commercial uses will be restricted to non-retail uses such as business, professional and government offices, restaurants, recreational uses, public uses and public facilities. The implementing Zoning By-law shall regulate those commercial uses not permitted due to being incompatible with adjacent residential properties, such

as motor vehicle commercial uses. Accessory retail uses such as, but not limited to pharmacies and medical supply outlets in association with medical office buildings are also permitted.

Residential development in the form of apartments will also be permitted as well as residential care facilities and special needs homes. New development for single family dwellings or residential conversions will not be permitted in the Mixed Use- Non-Retail Commercial/Residential area.

- (ii) New development/redevelopment of the area for mixed use projects will be encouraged; however non-retail commercial or medium density residential projects on a stand alone basis will be permitted.
- (iii) Where proposals are received for non-retail commercial development only, the policies as set out in Section 5.7.1.5 shall apply.
- (iv) Where proposals are received for residential development only, the appropriate policies as set out under the medium density designation, shall apply.
- (v) The City shall be satisfied that any developer or owner, is willing to have restrictions imposed on his commercial and/or residential property, to control the display of advertisement signs, lights, or similar auxiliary activities which could otherwise prove detrimental to the general standards of maintenance, and appearance of the commercial area, or to nearby residential properties.

5.7 Employment Lands

Employment lands are those lands that are intended to provide the City with future employment opportunities. These lands include a range of industrial, commercial and institutional uses, and are significant for meeting the long-term needs of the City and its residents. The City will provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites that contain necessary infrastructure for a variety of employment and secondary uses.

While the City recognizes commercial uses as *employment lands* for their contribution to the City's economy and for being a major source of employment; *employment areas* as defined by the Provincial Policy Statement consist of industrial lands and offices only. Industrial employment areas require enhanced protection, to discourage their conversion to other uses, due to their particular locational requirements, such as being in proximity to major highways.

5.7.1 Commercial

It is intended that a variety of commercial uses be located within the City to serve the commercial needs of residents of the entire Municipality and surrounding areas. Commercial designations consist of General Commercial, Highway Commercial and Neighbourhood Commercial.

5.7.1.1 Goal

To ensure an appropriate balance and distribution of General, Highway and Neighbourhood commercial areas, in accordance with the policies and principles of this Plan.

5.7.1.2 Objectives

- (i) To create orderly commercial land use patterns.
- (ii) To ensure commercial development is compatible with adjacent land uses.
- (iii) To provide a range of commercial uses to serve residents and visitors of Quinte West.
- (iv) To promote and enhance the City's downtown cores.
- (v) To prevent commercial strip development by concentrating development within the City's General and Highway commercial nodes.

5.7.1.3 General Policies

- (i) Adjacent land uses will be protected from commercial development through appropriate measures such as buffering and screening, control over open storage, signs and outdoor displays, diversion of illumination, maintenance of properties, massing and placement of buildings.
- (ii) Appropriate landscaping will be required for commercial developments within the interior of the site and where properties abut residential and other sensitive land uses.
- (iii) Orderly land use requires that functionally related land uses and developments should be grouped together rather than scattered indiscriminately throughout the City. This includes recognizing the role of the downtown cores, directing industrial uses into planned industrial areas, and intensifying commercial nodes, which are the focus of major commercial activity in the City, by encouraging higher density commercial shopping centres and plazas.
- (iv) The City will coordinate a land use pattern to promote a traffic pattern that will serve the commercial areas of the City.
- (v) The City will undertake, when possible, periodic studies of the City's commercial areas, and formulate policies to ensure that commercial demand is satisfied.
- (vi) All development and redevelopment within Commercial designated areas may be subject to Site Plan Control. The City will ensure that new and expanding commercial developments are in accordance with acceptable Site Plan approval procedures and principles.
- (vii) Open storage of goods and materials will not be permitted in the downtown cores. For the purposes of this Plan, open storage is the covered or uncovered

SECTION 5 – LAND USE POLICIES

- ground level portion of a business operation which is not completely enclosed within a building or structure, and is used to store items. Garbage enclosures shall be permitted in accordance with the Site Plan Control Guidelines.
- (viii) A Traffic Impact Study may be required to be submitted with a commercial development application, to evaluate potential impacts to the road system, parking provisions and mitigation measures to address them.
 - (ix) Utilization of the City's Community Improvement Plan will be encouraged to preserve and enhance the commercial areas of the downtown cores of Trenton and Frankford.
 - (x) The City encourages and supports land use intensification through infilling, redevelopment and development of underutilized or vacant commercial properties.
 - (xi) Wherever feasible, the City will promote the development and consolidation of existing viable commercial areas prior to the approval of new commercial zones.
 - (xii) General, Highway and Neighbourhood Commercial uses shall be placed in a separate zone classification in the implementing Zoning By-law.

5.7.1.4 General Commercial

- (i) General commercial areas are located where retail and service commercial development is desired for serving the needs of local residents and visitors, including such uses as retail stores, eating establishments, business and professional offices, hotels and motels, service shops, service stations and car dealers, parking lots or garages, theatres, clubs or halls and places of amusement and recreation. In addition to the foregoing, churches, funeral parlours and professional offices will be permitted. Commercial uses that are not compatible with the typical General Commercial uses listed above will not be permitted such as adult entertainment establishments.
- (ii) In reviewing proposals for general commercial development, the City shall consider the following principles:
 - (a) development involving large commercial facilities such as a shopping centre shall be encouraged on a comprehensive scale covering a number of adjacent individual parcels of land. A coordinated Site Plan for such development shall be considered by the City with regard for safe and efficient pedestrian and vehicular circulation;
 - (b) off-street parking and loading facilities shall be provided for any new commercial uses and must also be adequate to serve any other permitted uses, except where otherwise exempted in appropriate planning districts;
 - (c) points of access to car parking areas shall be limited in number and designed in a manner which will cause the minimum of interference with the free flow of traffic on adjacent streets;

- (d) where such a car park would normally be adjacent to a right-of-way, or to an area designated for residential uses, a strip of land shall be set aside between the car park and adjacent uses, and this area shall be for landscaping to provide a suitable buffer; and
 - (e) the City shall be satisfied that any developer, or owner, is willing to have restrictions imposed on their commercial property, to control the display of advertisement signs, lights, or similar auxiliary activities which could otherwise prove detrimental to the general standards of maintenance, and appearance of the commercial area, or to nearby residential properties.
- (iii) Development applications for large retail proposals shall be accompanied by a Market Impact Study. The City reserves the right to determine what constitutes a large development application, although it is generally considered to be greater than 30,000 square feet. The Market Impact Study must be satisfactory to the City and identify:
 - (a) that the proposal is economically feasible and viable based on the existing and projected likely market demands and opportunities; and
 - (b) that the proposal will not significantly impact or threaten the role, function or economic viability of the downtown cores or existing commercial nodes located in the City.

5.7.1.5 Highway Commercial

- (i) Highway Commercial areas are intended for businesses that rely heavily upon traffic for their economic existence, and therefore uses permitted shall be limited to those commercial uses primarily servicing vehicular traffic, and the traveling public. The predominant uses would include automobile service stations, and gas bars, motels and hotels, eating establishments including drive throughs, automobile, marine or trailer sales agency, recreational vehicle sales and service. A retail commercial and office use may be permitted provided such uses are secondary and incidental to the principle highway commercial use. A residence for the owner or caretaker is also permitted.

The highway commercial designation will also permit large retail or wholesale outlets, on lots greater than 0.2 hectares, requiring large enclosed or open storage areas such as building supply firms, farm implement dealers, furniture warehouse outlet, factory carpet outlets or supermarkets, garden or nursery sales which exhibit all of the characteristics outlined below:

- (a) do not cater to the casual, pedestrian shopping trade but rather to persons coming to the premises for a specific business purpose and therefore should not generally be situated in pedestrian oriented commercial areas;
- (b) they depend on exposure to public view or require a location which is readily accessible to vehicular traffic from a broad market area, and should therefore be located on or near heavily traveled arterial routes; and

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- (c) their physical requirements in terms of size and shape of site and building are such that they are not usually suitable for incorporation into downtown commercial areas.
- (ii) Highway Commercial development should not impede the safety and convenience of traffic nor the amenities of the community. To this end, Highway Commercial facilities shall be encouraged to locate within existing commercial nodes. These facilities should be located at an adequate distance from the road line, all vehicle parking and servicing shall be separated away from the road or highway, means of vehicle access to properties shall be safe and convenient, and the appearance or noise of facilities and their related activities shall in no way be allowed to constitute a nuisance to adjacent roads, amenities or properties.
- (iii) In developing any Highway Commercial use, the following conditions shall apply:
 - (a) when reviewing any application, to amend the Zoning By-law, or a development proposal under Site Plan Control, where a retail function is included, the City shall be satisfied that the use is secondary to the primary Highway Commercial Use, and that the proposed retail commercial use will not have significant adverse effect upon existing retail commercial concentrations;
 - (b) adequate off-street parking and loading facilities shall be provided and the access points to such parking and loading facilities shall be limited in number and designed in a manner that will enable safe vehicular and pedestrian traffic;
 - (c) development will typically be located along arterial or collector roads, and accesses shall be consolidated to allow for the control of their number and location. All road accesses shall conform to the standards of the authority responsible for access approval. Certain higher development standards may be maintained along arterial and collector roads to preserve or augment the amenity along such roads and may include setbacks, landscaping and off street parking requirements; and
 - (d) Site Plan Control will be utilized to control the placement of open storage.

5.7.1.6 Neighbourhood Commercial

- (i) The Neighbourhood Commercial designation is intended to provide small retail and service shops for local adjacent neighbourhoods. The predominant uses would include a convenience store and personal service shops. Gas bars will also be permitted in certain planning districts. Included also, are dwellings, in the form of apartments located in the upper storeys or in the rear half of the ground floor of Neighbourhood Commercial establishments.
- (ii) Neighbourhood Commercial uses may be permitted in Planning Districts designated for residential uses and will not require an amendment to this Plan.

The development of new Neighbourhood Commercial sites may be based on an appropriate amendment to the Zoning By-law and could include new commercial uses as related to the approval of a Plan of Subdivision. The establishment of new commercial sites will also be subject to the policies outlined below:

- (a) Neighbourhood Commercial establishments should be concentrated in small groups of stores or as a small neighbourhood shopping area, to be located on an arterial or collector road in order to provide easy access from all sections of the neighbourhood. Each Neighbourhood Commercial area should contain off-street parking in accordance with the Zoning By-law.
- (b) Neighbourhood Commercial development may be provided in residential areas up to a maximum of 465 square metres gross leasable area.
- (c) Where commercial and residential areas abut each other, adequate buffering is to be provided through Site Plan Control. Site Plan Control may require buffering beyond what may be required in the Zoning By-law. Lighting of the off-street parking areas should be so arranged to minimize nuisance to any surrounding dwellings.
- (d) Vehicular access points to and from a Neighbourhood Commercial site shall be limited in number and clearly marked to enable safe road and pedestrian traffic.
- (e) In order to protect the long term viability of the major commercial areas in the City, and to discourage the creation of additional commercial nodes, Neighbourhood Commercial establishments should not be located within 400 metres of each other or within District 7.
- (f) Neighbourhood Commercial uses should be compatible with surrounding land uses, integrate with the neighbourhood, not create traffic or safety hazards and provide adequate parking and loading space in accordance with the Zoning By-law.

5.7.2 Employment Areas - Industrial

Industrial Employment areas are generally located where considered appropriate for industrial uses, and may have constraints that preclude other forms of development and/or have potential for minimizing land use conflicts. It is intended for these lands to be protected through designation for future industrial use, to ensure future industrial opportunities for the City.

5.7.2.1 Goal

To encourage economic development in the City by ensuring the availability of sufficient land, and services to accommodate and attract a diverse range of industrial activities.

5.7.2.2 Objectives

- (i) To ensure an adequate supply of land is available in strategic locations for a variety of industrial uses, to accommodate growth forecasts.
- (ii) To provide industrial employment sites that are of sufficient size, and that contain appropriate facilities and access to services.
- (iii) To ensure industrial employment areas are compatible with surrounding land uses.
- (iv) To protect and preserve employment areas for current and future uses.

5.7.2.3 Permitted Uses

- (i) All forms of manufacturing, assembly, processing and fabrication of goods and materials;
- (ii) Transportation terminals, storage yards, contractors' yards, warehousing and wholesaling of bulk products;
- (iii) Service industrial uses such as service and repair operations, research and development facilities, computer and data processing, laboratories;
- (iv) Service commercial uses whose primary function is to serve the industrial employment area such as banks, restaurants, personal service shops and health and recreational centres; and
- (v) Retail uses, provided such uses are secondary and incidental to the principle industrial use.

5.7.2.4 General Policies

- (i) The City will stage the servicing and development of new industrial employment areas in a manner which is consistent with the demand for such lands. The City shall develop a program to monitor the consumption of industrial land and determine an adequate reserve of industrial land. Prior to the establishment of new industries in areas presently unserved, agreements shall be required between the City and the developer for provision of adequate water and sewage facilities.
- (ii) The City will encourage the infilling of existing industrial-employment areas as identified in the applicable planning districts and give priority to the North Murray industrial employment area as the major area for future industrial expansion, while generally restricting the expansion or establishment of scattered industrial development.
- (iii) Development shall be encouraged to access onto an internal serviced municipal road, and direct access to arterial or collector roads shall be discouraged. To control the number and location of accesses and to preserve or augment the amenity, certain higher development standards may be maintained along arterial

- and collector roads and may include joint use driveways, common accesses or service roads, setbacks, landscaping and off street parking. All road accesses shall conform to the standards of the City for access approval.
- (iv) The City encourages the relocation of isolated or poorly located industry, and non-conforming industrial uses into industrial employment areas wherever appropriate.
 - (v) Intensification of the industrial employment areas is encouraged, and severances of large under-utilized industrial sites are favourable.
 - (vi) It is recognized that older industrial buildings can act as “incubators” for new industries, and rehabilitation of such buildings is encouraged.
 - (vii) Future industry is encouraged to locate in planned industrial employment areas except:
 - (a) where it can be demonstrated that it is not desirable or suitable for the use to be located in an industrial employment area;
 - (b) where the use has a special locational requirement that can only be met in a particular area; and
 - (c) where no adverse impacts occur on adjacent land uses, and no excessive municipal improvement costs would result.
 - (viii) The following criteria will be applied, to evaluate the location of future industrial employment areas, or the expansion of existing industrial employment areas:
 - (a) proximity to transportation facilities such as railway and highways;
 - (b) access to an arterial road;
 - (c) relatively flat sites with good surface drainage;
 - (d) favourable soil conditions;
 - (e) compatibility of adjacent land uses;
 - (f) availability of utilities, the availability of water and sewer servicing capacity and proximity to trunk sewer and water lines;
 - (g) suitable shape and size of sites, including room for expansion; and
 - (h) locations to discourage traffic penetration into residential areas.
 - (ix) The City intends to designate and protect industrial employment areas that contain the site characteristics identified in 5.7.2.4 (viii).
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- (x) The conversion of lands within industrial employment areas to non-industrial employment area uses shall only occur as part of a Municipal Comprehensive Review and where it has been determined to the satisfaction of the City that:
 - (a) the remaining industrial land base continues to meet projected industrial growth and as a result the land is not required for industrial employment area uses over the long term;
 - (b) there is a need for the conversion;
 - (c) the conversion will not adversely affect the overall viability of the industrial employment area; and
 - (d) there is existing or planned infrastructure to accommodate the proposed conversion.
- (xi) A high standard of development and maintenance in industrial employment areas and properties is encouraged, to ensure attractive industrial developments and industrial employment areas.
- (xii) Industrial uses that require outdoor storage are encouraged to locate away from arterial or collector roads, and in locations of low visual prominence.
- (xiii) To minimize conflicts between industrial and non-industrial uses, and protect adjacent land uses, the following conditions shall apply to development of any industrial site:
 - (a) The Ministry of the Environment's D-6 Guidelines pertaining to compatibility between industrial facilities and sensitive land uses, will be applied to ensure the appearance, noise and fumes of industrial facilities and activities is adequately controlled, or sufficiently distant from other types of development to prevent nuisance;
 - (b) driveways shall be designed in a manner which will permit any truck trailer to draw clear of any street right-of-way for loading and unloading purposes;
 - (c) adequate off-street parking shall be provided on any industrial site for employees and visitors;
 - (d) a strip of landscaped land shall be provided and maintained between any industrial site and the adjacent streets and non industrial land uses. This strip shall only have a limited number of openings for vehicle egress and ingress; and
 - (e) when an industrial use is to be established, contiguous to an existing residential area, open space area or watercourse, the City shall use appropriate techniques to minimize land use conflicts, such as landscaped buffering and screening, consisting of trees, shrubs or other such landscaping; fencing; adequate open space; increased setbacks; prohibition of open storage; and restrictions on illumination. Where industrial open

storage is to be established, adequate screening and buffering shall be placed between areas of open storage and the abutting non employment area land use to effectively screen materials in open storage areas from these sensitive land uses.

- (xiv) To facilitate the redevelopment of brownfield sites, a Record of Site Condition must be filed with MOE whenever a property use changes to a more sensitive use, as determined under the Environmental Protection Act.
- (xv) The City will promote the standards and requirements of the appropriate provincial agencies, to prevent the discharge of obnoxious or contaminating industrial effluent into the Bay of Quinte, the Trent River or any permanent or intermittent watercourse, and to discourage any air or water pollution, in any form, that may result from any industrial use within the City.
- (xvi) All development and redevelopment within industrial employment areas may be subject to Site Plan Control. The City will ensure that new and expanding industrial and secondary uses are in accordance with acceptable Site Plan approval procedures and principles.
- (xvii) Service commercial uses, such as restaurants, banks and offices and public and private commercial recreation facilities are permitted in the industrial employment area designation, subject to the following criteria:
 - (a) a Market Impact Study may be required to determine that the uses do not have an adverse impact on established commercial areas;
 - (b) large format retail and retail warehouses will not be permitted;
 - (c) adequate off-street parking is provided;
 - (d) the site is peripheral to the industrial employment area in which it is located and is in proximity to an arterial or collector road; and
 - (e) service commercial uses shall be subject to the following additional criteria:
 - such facilities shall be ancillary to and provide services primarily for the benefit of the industries and employees of the industrial employment area in which they are located; and
 - such uses shall only be permitted by amendment to the Zoning By-law.
- (xviii) Service industrial uses, such as service and repair operations, research and development facilities, computer and data processing, and laboratories are permitted in the employment area designation subject to the following criteria:
 - (a) the uses do not have an adverse impact on established commercial areas; and
 - (b) adequate off-street parking is provided.

- (xix) Uses are permitted to locate within the industrial employment area designation, which have characteristics or functional requirements similar to industries, such as public utilities, communication facilities, public works yards, heavy equipment storage, sales and rentals and other similar uses.
- (xx) Permitted uses shall be placed in separate zone classifications in the implementing Zoning By-law.

5.7.3 Community and Public Service Facilities

Community and public service facilities are imperative for the health and quality of life of the City's residents. Public service facilities are essential institutions that provide for the health, education, welfare and comfort of the residents and include hospitals, schools, extended care facilities, police stations, fire stations, and government buildings. Small scale community facilities are composed of neighbourhood based uses, such as day nurseries, places of worship, libraries and recreation centres. Community facilities and their associated programs provide the basis for a social support network, and play an important role in the social and community development of the City.

5.7.3.1 Goal

To establish a variety and high standard of community and public service facilities to meet the current and future social and welfare needs of the City's residents.

5.7.3.2 Objectives

- (i) To identify population needs and location demands for community and public service facilities.
- (ii) To ensure there is a sufficient amount of community and public service facilities that are convenient and easily accessible to all residents of Quinte West, including persons with disabilities.
- (iii) To ensure the type of facility and location is appropriate and compatible with surrounding uses.

5.7.3.3 Policies

- (i) The City shall support the use of heritage buildings for public uses (eg. Tourism bureaus, art display spaces, civic office space, etc.)
- (ii) New community facilities and public service facilities shall be encouraged to locate in the existing built up areas of the City, in particular, within areas where full municipal services are available.
- (iii) Community facilities shall be permitted in all planning districts and land use designations, with the exception of Agricultural and Environmental Protection designated lands, where the City is satisfied that there is a demand for the type of service to be provided, the facility or use is compatible with adjacent uses, is appropriate in scale and function and that there are appropriate services available.

- (iv) The City will ensure universal access to all public spaces, facilities and services in the City.
- (v) The City supports the use of transit to provide access to the City's community and public service facilities.
- (vi) Public service facilities, where possible, are encouraged to co-locate with each other to create a cluster of services that are easily accessible to residents.
- (vii) All new development and redevelopment of community and public service facilities may be subject to Site Plan Control.
- (viii) Sufficient off-street parking shall be made available for all community and public service facilities.
- (ix) Lighting of the off-street parking areas should be arranged to minimize nuisance to any surrounding dwellings.
- (x) Buffering and screening shall be required when a community or public service facility is adjacent to a residential area.
- (xi) Proposed facilities are encouraged to have direct or suitable access to a collector or arterial road.
- (xii) The submission of a Traffic Study is required when there is a possibility that access to an arterial or collector road may form a potential hazard.

5.7.3.4 Methadone Maintenance Treatment *OPA #1 – By-law #13-27 adopted 03.04.2013*

Methadone maintenance treatment represents an important facet of health care delivery within the City of Quinte West. Methadone clinics are those clinics that are used for the prescription and/or dispensing of methadone. Methadone Pharmacies are used for selling or filling methadone prescriptions for customers. Methadone Clinic and Methadone Pharmacy will be defined in the Zoning By-laws for the City of Quinte West.

5.7.3.4.1 Two primary goals will guide land use planning for methadone clinics and methadone pharmacies:

- i) To plan for these important uses to best meet the needs of those who use methadone clinics and methadone pharmacies; and
- ii) To avoid and mitigate potential land use conflicts that can be generated by methadone clinics and methadone pharmacies.

5.7.3.4.2 New and expanded methadone clinics and methadone pharmacies will be permitted in the following Districts, subject to the applicable Land Use policies and Planning Impact Analysis policies of this Plan:

Trenton Urban Service Area:

Planning District 2A
Planning District 2B

Planning District 8A

5.7.3.4.3 The zoning by-law will require the removal of a H- Holding symbol for new and expanded methadone clinics and methadone pharmacies.

5.7.3.4.4 The removal of the H- Holding symbol shall only be approved when all of the following criteria have been met:

- i) A public consultation process is completed to the City's satisfaction.
- ii) A "Community Services and Facilities Study" is completed for methadone clinics. The study would identify the current and required levels of service for a methadone maintenance treatment required to support the health, safety and well-being of local residents at the time a proposal is being made. The Study will also assess parking, traffic, transit accessibility and congestion issues. The Plan shall include the number of patients to be service, the site and building layout, intended patient circulation and the location and adequacy of internal waiting areas.

5.7.3.4.5 The Zoning By-law shall include the following provisions:

- i) Property boundaries for methadone clinics and methadone pharmacies shall not be located closer than 80 metres from any lands used or zoned for low density residential dwellings (single detached dwellings, semi-detached dwellings and duplex dwellings);
- ii) Property boundaries for methadone clinics and methadone pharmacies cannot be located closer than 300 metres from any property zoned or used for an elementary or secondary school (Public or Separate School Board or private school) or any municipal recreation facility (ie. arena, YMCA). The separation distance will be measured from property boundary to property boundary.
- iii) Notwithstanding the 80 m setback from low density residential uses and 300 m setback from Schools and Recreation Facilities, that setback can be reduced if it can be demonstrated that there will be no negative impacts on the sensitive uses and that any traffic, parking and access issues can be addressed to the satisfaction of the City.

5.7.3.4.6 Zoning By-law Requirements

The Zoning By-law will identify standards for new and expanded methadone clinics and methadone pharmacies to ensure:

- i) Adequate automobile parking;

- ii) Adequate bicycle parking facilities; and
- iii) Adequate waiting room floor area.

The Zoning By-law will require that all proposals for new and expanded methadone clinics and methadone pharmacies will be subject to site plan control.

5.8 Mineral Aggregate Resources

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

The Ministry of Natural Resources identifies authorized pit and quarry locations and their status, location of potential bedrock resources, and location and quality of potential sand resources. These areas of existing and potential mineral aggregate resources, where they have not been sterilized by existing development, are identified as an overlay on Schedule E.

The City of Quinte West is designated under the Aggregate Resources Act. All pit and quarry operations must therefore be licensed by the Ministry of Natural Resources, and must meet the requirements of that Act.

Mineral aggregates are a non-renewable resource and it is therefore intended that this Plan will recognize areas of significant aggregate resource potential, and protect these areas from incompatible land uses. Aggregate extraction should be considered as an interim land use, and aggregate operations shall be developed with minimal impacts on surrounding natural and cultural resources. The development and rehabilitation of mineral aggregate operations shall be compliant with the respective license issued under the Aggregate Resources Act and minimize environmental degradation and adverse socio-economic impacts, while maintaining aesthetic qualities of the City.

Major expansions of, and new Aggregate Resource designations shall require an amendment to this Plan. A Zoning By-law Amendment will also be required in a designated aggregate resource area to allow for new or expanding operations. Approval will be subject to the City receiving confirmation from appropriate ministries and agencies that requirements have been met.

The City, in consultation with the Ministry of Natural Resources, may permit an Official Plan amendment to remove an existing Aggregate Resource designation, if evidence is provided, indicating that aggregate extraction is not feasible due to quality, quantity or other development constraints.

5.8.1 Goal

To recognize and protect mineral aggregate resources and legally existing operations while ensuring impacts on and from extractive land uses, are minimal and reasonable.

5.8.2 Objectives

- (i) To prevent incompatible land uses from impacting developed or undeveloped mineral aggregate resources and existing operations, to ensure they remain available to meet immediate and future needs.
- (ii) To appropriately review proposals for new or expanded aggregate operations to ensure social, economic and environmental impacts are minimized.
- (iii) To ensure the progressive and final rehabilitation of pits and quarries to minimize long term impacts, and allow for appropriate subsequent land uses.

5.8.3 Permitted Uses

The predominant use of land in the designated locations shall be for the extraction and processing of material aggregate. This shall include sand and gravel pits, quarrying and operations carried on in conjunction with the allied activities of blasting, dewatering, crushing, storage, washing and screening. Accessory operations such as concrete and asphalt batching plants, offices and weight scales equipment, conveyors, parking and garage areas for trucks and equipment, as well as accommodations for administrative or security purposes, may be included.

Interim land uses such as agriculture, forestry, outdoor recreation uses, conservation or open space uses may be permitted, provided that these do not include buildings or activities which may preclude the establishment of a pit or quarry. Wayside pits and quarries shall be permitted in accordance with Section 5.8.7.

5.8.4 General Policies

- (i) Mineral aggregate resources shall be made available, as close to markets as possible. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources.
- (ii) Mineral aggregate operations shall be protected from development, and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for an amendment to the Plan or implementing Zoning By-law under the Planning Act.
- (iii) Existing mineral aggregate operations will be recognized in the Zoning By-law until such time as the license is surrendered.
- (iv) Incompatible development and activities on lands adjacent to mineral aggregate operations or on, or adjacent to known deposits of mineral aggregate resources shall be discouraged through careful review of; amendments to the Plan and

- Zoning By-law, applications for Consent to land severance, Plans of Subdivision, and other development proposals.
- (vi) Protection shall be given to lands adjacent to known deposits of aggregate resources. Areas considered adjacent are as follows:
- 300 metres – sand and gravel deposits below the water table
 - 150 metres – sand and gravel deposits above the water table
 - 500 metres – bedrock deposits
- Environmental studies (ie. noise, hydrogeology) shall be required to assess impact if development is proposed within this influence area. This influence area shall be applied reciprocally to new sensitive land uses encroaching on an existing extraction operation or lands committed for future extraction.
- (v) The City will consider an Official Plan amendment in areas adjacent to or in known deposits of mineral aggregate resources to allow for non-aggregate related development or activities, which would preclude or hinder the establishment of new operations or access to the resources, when consultation has been held with the Ministry of Natural Resources, and if:
- (a) resource use or extraction would not be feasible; or
 - (b) the proposed land use or development serves a greater long-term public interest; and
 - (c) issues of public health, public safety and environmental impact are addressed.
- (vii) The implementing Zoning By-law shall include appropriate separation distances for aggregate operations and sensitive land uses to minimize or eliminate incompatibility, in accordance with provincial legislation, policies and guidelines.

5.8.5 Establishment or Expansion of an Aggregate Operation

A number of criteria apply when assessing a proposal to establish or expand an aggregate operation. It is anticipated that impacts will result from the establishment or expansion of an aggregate operation, however, the City will evaluate the proposal to confirm that these impacts will be limited and not unreasonable. Depending on the operation and nature of the proposal, the required studies and issues to be reviewed will vary.

- (i) Within the areas designated Aggregate Resource in the Plan, the establishment of a new or expanded pit or quarry onto lands not zoned for such use shall require an amendment to the Zoning By-law.
- (ii) In considering an application for a Zoning By-law amendment or Official Plan amendment, the City shall among other considerations, ensure a reasonable degree of protection for adjacent, dissimilar land uses. Prior to supporting a Zoning By-law amendment to permit a new or expanded aggregate operation or

Official Plan amendment to designate an area Aggregate Resource, the City will need to be satisfied that:

- (a) the proposed location is suitable;
 - (b) adequate buffering will occur by vegetation and/or earth berms and adequate signs and fences will be erected;
 - (c) a progressive and final rehabilitation plan is developed that accommodates subsequent land uses, and is appropriate with the character of the surrounding land uses and approved land use designations;
 - (d) provincial standards have been met, including the site and rehabilitation plan;
 - (e) licensing requirements outlined in the Aggregate Resources Act are met;
 - (f) the Ministry of Natural Resources would be in a position to issue a license for the aggregate operation subject to the appropriate zoning be in place;
 - (g) Ministry of the Environment guidelines have been met with respect to pumping and dewatering, water supply, waste water, solid and liquid waste disposal and all emissions into the atmosphere including dust, noise and vibration;
 - (h) in order to preserve the scenic qualities of an area, extractive operations will generally be restricted to areas not exposed to public view, or areas which can be effectively screened from public view;
 - (i) the City shall consider the effects of haulage routes including the traffic generated by the extractive operation on surrounding land uses and public safety;
 - (j) the City shall consider the financial impact on road maintenance and upgrading which may be required, as a result of traffic generated by the operation;
 - (k) whether there will be negative impacts to natural heritage features and areas or whether natural hazards are present on the site;
 - (l) whether the extraction of resources will adversely affect ground and surface water resources;
 - (m) proximity and potential impact on settlement areas; and
 - (n) impact on cultural heritage, including archaeological resources is assessed by a heritage impact assessment and/or an archaeological assessment.
- (iii) Where appropriate, the City will consult with the Ministry of Natural Resources, Ministry of the Environment and any other applicable ministry and/or agency to
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- receive confirmation that the requirements outlined in policy, 5.8.5 (ii) above have been met.
- (v) Appropriate studies will be determined at the pre-consultation stage and will be required to be submitted in accordance with Section 12.4.
 - (vi) An application for a license to establish, operate or expand an aggregate operation shall include adequate information to meet the requirements of the Ministry of Natural Resources, pursuant to the Aggregate Resources Act, R.S.O., 1990, as amended. An application submitted to the Ministry of Natural Resources for approval shall generally contain the following:
 - (a) a plan of the property drawn to scale, and showing topographic contours, dimensions, area and property location, together with an outline of property holdings intended for future extractive operations;
 - (b) a diagram showing the existing use of all land, and the location and use of all buildings and structures, within the influence area of the property boundary for which the extractive operation is proposed;
 - (c) a description of the location, height, dimension and use of all buildings and structures existing or proposed to be erected on the property as well as existing and anticipated final grades of excavation, and cross-sections shown by contours, where necessary, excavation setbacks, stockpiles, processing areas, settling ponds, washing facilities, drainage provisions and proposed entrances, exits and trucking routes to and from the operation;
 - (d) a description of the sequence and direction of extractive operations;
 - (e) a description of the depth of the existing water table and the maximum depth of excavation;
 - (f) where extraction is proposed within 1.5 metres of the water table, a detailed hydrogeological evaluation shall be submitted in support of the application; and
 - (g) a description of the proposed progressive and final rehabilitation of the property upon the termination of operations including leveling, grading and replacing of topsoil, as well as, the intended future use of the land.
 - (vii) The City shall provide input to the Ministry of Natural Resources on any aggregate operation proposal at the licensing stage.
 - (viii) Aggregate uses may be subject to Site Plan Control at the discretion of the City. The Site Plan Agreement may deal with matters such as the massing and conceptual design of buildings and structures, processing areas, driveways and easements, and such a Site Plan Agreement shall not conflict with a license issued under the Aggregate Resources Act.
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- (ix) The licensed area of aggregate extraction operations shall be placed in a separate zoning category in the implementing Zoning By-law.
- (x) Progressive and final rehabilitation of the site shall be required. The progressive and final rehabilitation plan will be reviewed on whether it will accommodate subsequent land uses, and is appropriate with the character of the surrounding land uses and approved land use designations.

5.8.6 Extraction in Prime Agricultural Areas

- (i) Aggregate development located on lands designated Agricultural shall, in addition to all other requirements identified in the Provincial Policy Statement (PPS), be permitted as an interim use provided the site can be rehabilitated in accordance with the Aggregate Resources Act, and be carried out so that substantially the same acreage and average soil quality for agriculture are restored.
- (ii) An agricultural impact assessment and/or dust study may be required if there is concern regarding impact on surrounding farms, particularly those with specialty crops.
- (iii) Complete agricultural rehabilitation is not required if:
 - (a) there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
 - (b) alternative considerations were found to be unfeasible. The consideration of other alternatives include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
 - (c) agricultural rehabilitation in remaining areas is maximized.

5.8.7 Wayside Pits & Quarries, Portable Asphalt Plants and Portable Concrete Plants

- i) The development of a wayside pit or quarry, portable asphalt plant or portable concrete plant shall be permitted in accordance with the Aggregate Resources Act, in all designations of this Plan without the need for an amendment to this Plan or implementing Zoning By-law except, within areas of existing development or identified natural heritage features and areas, that have been determined to be incompatible with such operations and associated activities. These operations shall be opened and operated by any public road authority, or their agents, for the purposes of a specific public authority contract.

- (ii) Prior to recommending that the Ministry of Natural Resources permit either the establishment of a wayside pit or quarry, (in cases where MNR issues and administers Wayside Permits), the municipality shall be satisfied that:
 - (a) the proposal is in the public interest;
 - (b) the proposal will not adversely impact nearby landowners;
 - (c) the proposal shall not adversely affect any sensitive natural heritage features or natural watercourses or cultural heritage resources; and
 - (d) the wayside pit or quarry shall be rehabilitated upon completion of the public project in accordance with the provisions of the Aggregate Resource Act, RSO, 1990.
- (iii) Wayside pit and quarry development on lands designated as Agriculture shall in addition to other requirements be permitted, provided the site can be rehabilitated to essentially the same acreage and average soil quality for agriculture as existed prior to the proposed extraction.
- (iv) In the establishment of a portable asphalt or concrete plant, it must be ensured that:
 - (a) the site has direct access onto a roadway suitable to accommodate the traffic generated by the proposed facility as determined by the City;
 - (b) the operation of the proposed facility will not adversely affect sensitive significant natural heritage features, areas, or their ecological functions; and
 - (c) the operation of the proposed facility will not adversely affect existing adjacent residential neighbourhoods.

6. PLANNING DISTRICT AREAS

In order to facilitate appropriate control over development within identified Urban Settlement Areas and produce a co-ordinated development pattern, Urban Settlement Areas have been divided into 5 Planning District Areas including:

1. Trenton Urban Service Area
2. Frankford Urban Service Area
3. Batawa Urban Service Area
4. South Sidney Planning Area
5. Weller's Bay Planning Area

The Planning Districts are the building blocks of each Urban Settlement Area with their own character, scale and sense of place, as well as a diversity of housing, people, commercial services and amenities that meet the changing need of residents.

The purpose of each District Area is to address specific land use issues related to defined Urban Settlement Areas of the City and apply suitable policies. Specific policies for each planning district are meant to supplement the general land use policies set out in the Plan. Physical change in these areas should be gradual and not only respect, but improve the physical fabric of the area in a manner that recognizes the need to protect the City's natural and cultural features and achieve greater sustainability.

The boundaries of the District Areas follow the City's primary Urban Settlement Areas. As far as possible, the boundaries of the Districts and Sub-districts for each District Area follow main roads, railways or other natural features and the area contained therein is assumed to have certain planning characteristics and features which give the district a character of its own.

This section sets out detailed District and sub-district policies applicable to the respective Planning District Areas in addition to other relevant policies in this Plan. Nothing in this section will act to supersede conformity with other applicable policies of this Plan.

6.1 Trenton Urban Service Area Districts

The Trenton Urban Service Area is the gateway for the Trent Severn Waterway, a national historic canal. The Canal runs through the City, acting as a unifying element for the various neighbourhoods located along the Waterway. The extent of urban development generally will be set by the practical and economic installation of municipal services oriented to the Bay of Quinte, keeping in mind the need for a reasonable distribution of future development potential in all parts of the Trenton Urban Service Area and the impact on the water quality of the Bay of Quinte and the Trent River.

In order to facilitate appropriate control over development and produce a co-ordinated development pattern, the area covered by the Plan has been divided into thirteen Planning Districts.

1. Planning District 1

Planning District No. 1 represents one of the major industrial employment areas of the Trenton Urban Service Area and the City. The primary objective in the area is to ensure that development within the district is sensitive to environmental impacts while at the same time provides long term economic stability to the City.

This District has been separated into two Subdistricts in order to differentiate the different forms of industrial uses encouraged within the District

The applicable policies are:

(a) Subdistrict A

- (i) This area will develop as a major service commercial/industrial area in the northeast section of the Trenton Urban Service Area in accordance with the policies in Section 5.7.2.
- (ii) A landscape open space buffer strip shall be provided along the eastern boundary of the industrial park (along DND Creek) to reduce the adverse impacts of development on DND Creek.

(b) Subdistrict B

- (i) Encourage development of general and high quality business industrial in accordance with the policies in Section 5.7.2.
- (ii) Encourage development of general and high quality business industrial in accordance with the policies in Section 5.7.2 on lots adjacent to residential areas and along North Murray Street.
- (iii) A landscape open space buffer strip shall be provided along the western boundary of the industrial park (along DND Creek) to reduce the adverse impacts of development on DND Creek.

2. Planning District 2

Planning District No. 2 represents one of the major industrial/commercial employment areas of the Trenton Urban Service Area and the City. The primary objective in the area is to ensure that development within the district is sensitive to environmental impacts while at the same time providing long term economic stability to the City.

This District has been separated into two Sub-districts in order to identify the areas where commercial uses are permitted. Industrial uses are encouraged in all the subdistricts, in accordance with the policies in Section 5.7.2. The applicable policies are:

(a) Subdistrict A

- (i) Ensure industrial uses north of the Canadian National Railway develop in such a manner to protect the Glen Miller Creek Floodplain and Mudcat

Pond hazard lands in the area. The City may require major new development or redevelopment to provide environmental studies to identify impacts and offer mitigative measures to protect the environment.

- (ii) Special Policy Area 1 is located within this subdistrict and represents a major land use conflict in the Trenton Urban Service Area which may not be desirable in the long term. Consideration should be given to redevelopment of this area for alternative land uses in accordance with Section 9.1.
 - (iii) The City shall ensure that no development takes place within the floodplain delineated as Hazard Lands on Schedule “D” or 30 metres of the shoreline of the Trent River whichever is greater.
 - (iv) The City should encourage service commercial and service industrial uses in accordance with Section 5.7.2 with no associated outdoor storage on land with Highway 401 exposure.
- (b) Subdistrict B
- (i) Development of Highway Commercial uses in accordance with Section 5.7.1.5 is encouraged adjacent to Sidney Street/Glen Miller Road.

3. Planning District 3

Planning District No. 3 represents an area of mixed land use in the Trenton Urban Service Area. The area contains a mix of industrial, commercial, residential and open space uses as well as vacant or underutilized land which could be developed. The District has been further divided into three subdistricts to ensure proper development of the district as a whole. The applicable policies are:

- a) Subdistrict A
- (i) This area should be developed/redeveloped for low and medium density residential uses in accordance with Sections 5.5.7.1 and 5.5.7.2.
 - (ii) Increase in residential densities may be achieved through Plan of Subdivision, severance or conversion of existing residential dwellings.
 - (iii) Redevelopment along Water Street should protect the integrity of this route as an arterial roadway by limiting the number of access points.
 - (iv) The City shall ensure that no development of the floodplain designated as Hazard Land on Schedule “D” or 30 metres of the shoreline of the Trent River whichever is greater. Where a two zone floodplain has been identified, development and site alteration may be permitted in accordance with Section 11.4.1.2 Flood Plains. *OPA#7 – By-law#15-100 adopted 08.10.2015*
 - (v) The City as part of any severance, subdivision or redevelopment plan shall require dedication of land adjacent to the Bay of Quinte to a

minimum width of 15 metres to ensure a continuous public access strip along the entire waterfront of the City.

- (vi) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

(b) Subdistrict B

- (i) This area will continue to be a diverse commercial/industrial area in the north central section of the Trenton Urban Service Area.
- (ii) Development of Highway Commercial uses in accordance with Section 5.7.1.5 are encouraged along the Trenton Street and Hwy 33 frontage with light and medium industrial uses in accordance with Section 5.7.2 occupying the remainder of the lands in this subdistrict.
- (iii) The City shall ensure that no development of the floodplain designated as Hazard Land on Schedule "D" or 30 metres of the shoreline of the Trent River whichever is greater.
- (iv) The City as part of any severance, subdivision or redevelopment plan shall require dedication of land adjacent to the Bay of Quinte to a minimum width of 30 metres to ensure a continuous public access strip along the entire waterfront of the City.

(c) Subdistrict C

- (i) The lands having a total area of approximately 4.8 hectares (12 acres) with 191 metres (626.4 feet) of frontage on the east side of Stockdale Road, south of Mount Evergreen cemetery, in Part of Lot 4, Concession 2, former Township of Murray shall be developed for low and medium density residential uses in accordance with Sections 5.5.7.1 and 5.5.7.2.
- (ii) Site specific development within lands described in (i) shall be preceded by a Traffic Impact Study which addresses the potential impact on Stockdale Road, including but not limited to, the need for a turning lane, tapers or any other improvements.
- (iii) Adequate buffering and setbacks shall be provided between any development within lands described in (i) and adjacent land uses and roadways. Such buffers may include grass strips, screening and the planting of trees and shrubs and location of a berm or fence.

4. Planning District 4

- a) The detailed development policies of Planning District No. 4 are intended to maintain the existing low density residential neighbourhoods in accordance with Section 5.5.7.1 and permit a mix of residential densities in major new development. The applicable policies are:
 - (i) New low and medium density residential development shall be permitted

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in accordance with Sections 5.5.7.1 and 5.5.7.2. Medium density uses shall be located to have access to arterial or collector road without having a major impact on areas of lesser density. The severance of existing residential lots is permitted. The conversion of existing residential dwelling shall be permitted. *OPA#6 – By-law #15-043 adopted 04.06.2015*

- (ii) Commercial development shall not be permitted along Dundas Street West, east of Fairview Crescent.
- (iii) General Commercial development will be permitted along the south side of Dundas Street West, west of Fairview Crescent in accordance with Section 5.7.1.4.
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

5. Planning District 5

Planning District No. 5 encompasses lands located in the extreme southwest portion of the Trenton Urban Service Area on the Bay of Quinte and is characterized by industrial, residential and open space uses. This Planning District also represents one of the major industrial development areas in the Trenton Urban Service Area. Due to the diverse nature of land uses, this district has been divided into two subdistricts. The applicable policies are:

(a) Subdistrict A

- (i) Low and medium density residential development may be permitted in accordance with Section 5.5.7.1 and 5.5.7.2 subject to Section 10.3.7. A noise study shall be required for any development to determine noise attenuation measures required due to aircraft noise.
- (ii) No development shall take place within 30 metres of the high water mark of the Bay of Quinte. A setback greater than 30 metres may be required at those locations that are subject to flooding or where any other environmental hazard exists.
- (iii) The City as part of any severance, subdivision or redevelopment plan may require dedication of land adjacent to the Bay of Quinte to a minimum width of 15 metres depending on the alternatives available to ensure a continuous public access strip along the entire waterfront of the City.
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

(b) Subdistrict B

- (i) Encourage development of high quality industrial uses in accordance with the policies in Section 5.7.2.

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- (ii) Hanna Park shall be developed as the major City Park and open space area serving the City in accordance with Section 5.4.

6. Planning District 6

Planning District No. 6 includes the older residential areas west of District 7 (Trenton Commercial Core) and the mixed industrial/commercial/residential area along Front Street and has been divided into four planning subdistricts. Due to the lack of vacant lands in the district, development in the area will be achieved through redevelopment of existing parcels and intensification. Due to the diverse nature of land uses, this district has been divided into three sub-districts. The applicable policies are:

(a) Subdistrict A

- (i) The severance of existing residential lots is permitted. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (ii) Permit the redevelopment of this area for medium density residential development in accordance with Section 5.5.7.2 of this Plan. Low density residential development will also be permitted without an amendment to this Plan in accordance with Section 5.5.7.1.
- (iii) Encourage redevelopment and intensification of the area by permitting conversions of existing residential dwellings in accordance with Section 5.5.4 and provided such conversion does not detract from the architectural character of the neighbourhood.
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.
- (v) The City should whenever possible acquire lands between Front Street and the Trent River to ensure a continuous strip of public open space along the west bank of the Trent River.
- (vi) The City as part of any severance, subdivision or redevelopment plan shall require dedication of land adjacent to the Trent River to a minimum width of 15 metres to ensure a continuous public access strip along the entire waterfront of the City.

(b) Subdistrict B

- (i) Encourage redevelopment of this area for medium and high density residential development in accordance with Section 5.5.7.2 and 5.5.7.3 of this Plan.
- (ii) Redevelopment of the area shall include conversions of existing residential dwellings in accordance with Section 5.5.4 and provided such

conversion does not detract from the architectural character of the neighbourhood.

- (iii) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

(c) Subdistrict C

- (i) Uses in the Gotha industrial area shall be limited to service industrial and highway commercial uses in accordance with Section 5.7.2 and Section 5.7.1.5 which are compatible with surrounding land uses.

7. Planning District 7

Planning District No. 7 represents the entire downtown area of the City west of the Trent River and the commercial area east of the River.

7.1 The viability and attractiveness of the District will be assisted by:

- (i) Actively promoting a pedestrian oriented central business area;
- (ii) Encouraging and co-operating with government agencies and the private sector in a full and long-term program supporting downtown beautification to ensure a favourable climate for commercial and residential activity in the central area of the City;
- (iii) Encouraging streetscape and façade improvement programs;
- (iv) Promoting the development of special events, cultural activities, entertainment facilities and public open space; and
- (v) Implementing a long range plan for the provision of off-street municipal parking.

7.2 The broadest practical range of commercial use is permitted and encouraged in District 7; particular priority commercial functions will be encouraged including:

- (i) specialty and comparison shopping that attracts and serves residents from throughout the City and broader regions;
- (ii) business and professional offices, civic activities, and related business service uses;
- (iii) food, convenience shopping, personal and medical services, and similar functions that reinforce and support the attractiveness of District 7 for mixed use commercial-residential purposes; and
- (iv) hospitality and tourist uses, entertainment facilities, cultural venues, and other attractions that serve both residents and visitors.

7.3 At the time of submission of a development or redevelopment plan in District 7, the proponent shall demonstrate to the satisfaction of the Municipality that a proposed commercial development is:

- (i) feasible having regard to the other provisions of this Plan, provincial legislation, policies and appropriate guidelines and support studies for uses:
 - within a site of potential or known contamination;
 - where traffic generation and distribution is a municipal concern; and
 - adjacent to sensitive land uses and/or heritage resources.
- (ii) in keeping with the goals, objectives and policies of any Community Improvement Plan or guidelines affecting the surrounding area;
- (iii) capable of being provided with full municipal physical services and emergency services;
- (iv) provided with adequate off-street parking; and
- (v) compatible with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking and landscaped areas.

7.4 The District has been further divided into two subdistricts to ensure proper development of the district as a whole. The applicable policies are:

(a) Subdistrict A

It is intended to develop/redevelop the area for mixed use-commercial/residential uses in accordance with the policies contained in Section 5.6.4 plus the following:

- (i) New development/redevelopment of the area for mixed use projects will be encouraged; however commercial on a stand alone basis will be permitted.
- (ii) Residential dwelling units may be permitted in the form of apartments or condominium units either above the commercial space or in the rear half of the ground floor of the commercial establishment.
- (iii) Redevelopment of the area should reflect the existing human scale of the area by encouraging mixed use development in keeping with the unique architectural quality of the area.
- (iv) The City, as part of any severance, subdivision or development proposal shall require the dedication of land, to a minimum width of 15 metres, along the waterfront to ensure a continuous strip of public open space in the downtown area.

(b) Subdistrict B

New development/redevelopment of the area for mixed use projects will be encouraged, in accordance with the policies contained in Section 5.6.4. However, commercial and medium or high density residential projects including senior residences on a stand alone basis will be permitted.

8. Planning District 8

The detailed policies of Planning District 8 are intended to ensure the coordinated development of a variety of land uses including commercial, low and medium density residential, and open space uses. The District has been divided into three subdistricts. The applicable policies are:

(a) Subdistrict A

- (i) It is intended that the area around the subdistrict continue to develop as a major eastern commercial node in the City and subject to Section 5.6.
- (ii) The City as part of any severance, subdivision or redevelopment plan shall require dedication of land adjacent to the Bay of Quinte to a minimum width of 15 metres to ensure a continuous public access strip along the entire waterfront of the City.
- (iii) Existing low density residential development within the sub-district may continue in use.
- (iv) Notwithstanding Section 5.6 apartments shall not be permitted on upper floors.

(b) Subdistrict B

- (i) Permit the redevelopment of this area for medium density residential development in accordance with Section 5.5.7.2 of this Plan
- (ii) In order to minimize land use conflicts in this subdistrict, it shall be the policy of this Plan to permit non-retail commercial uses in accordance with Section 5.6.5 and where compatible with adjacent residential neighbourhoods along Heber Street and John Street and which will not create a large number of traffic movements.
- (iii) Existing low density residential development within the sub-district may continue in use.
- (iv) Bed and breakfast establishments may be permitted in accordance with the implementing Zoning By-law.

(c) Subdistrict C

- (i) The City shall encourage the development of low and medium density

residential uses in this area in accordance with Sections 5.5.7.1 and 5.5.7.2. Centennial Park shall be maintained and developed as a Community Park in accordance with Section 5.4.6 (ii).

- (ii) The City should whenever possible acquire lands along the waterfront, to a minimum width of 15 metres, to ensure a continuous strip of public lands in the area and to provide pedestrian linkages from Centennial Park to the downtown area.

9. Planning District 9

Planning District No. 9 represents an established residential area in the east side of the Trenton Urban Service Area. The District has been divided into three subdistricts to encourage implementation of the residential objectives of this Plan. The specific policies are as follows:

(a) Subdistrict A

- (i) New low and medium residential development shall be permitted in accordance with Sections 5.5.7.1 and 5.5.7.2. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (ii) Severance of existing residential lots are permitted.
- (iii) Conversion of existing residential dwellings shall be permitted. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

(b) Subdistrict B

- (i) Low density residential development in accordance with Section 5.5.7.1 and residential intensification will be encouraged by subdivision of vacant land and severance of individual single residential lots.
- (ii) Medium density residential development shall be permitted in accordance with Section 5.5.7.2. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iii) Severance of existing residential lots and conversion of existing residential dwellings shall be permitted in accordance with the City's Zoning By-Law.
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

(c) Subdistrict C

- (i) Low and medium density residential development shall be permitted in appropriate locations within the subdistrict in accordance with Sections 5.5.7.1 and 5.5.7.2.
- (ii) Medium density residential development in accordance with Section 5.5.7.2. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iii) Severance of existing residential lots and conversion of existing residential dwellings shall be permitted in accordance with the City's Zoning By-Law.
- (iv) Bed and breakfast establishments shall be permitted in accordance with the implementing Zoning By-law.

10. Planning District 10

Planning District 10 represents those lands located in Part of Lot 5, Concession A and Part of Lots 6 & 7, Concessions A & 1, former Township of Murray. The subject lands extend from the easterly boundary of the Trenton Ward to the westerly boundary of Lot 7, Concessions A & 1 in the Murray Ward; to the Canadian Pacific Railway right-of-way to the north; and to the Trenton Escarpment to the south. The District has been further divided into three subdistricts to ensure the proper development of the District as a whole. The following land use policies shall apply to each of the subdistricts. *OPA#6 – By-law #15-043 adopted 04.06.2015*

(a) Subdistrict A

- (i) The area shall be developed as the major commercial node of the western area of the Trenton Urban Service Area.
- (ii) Development of commercial uses shall take place in accordance with Section 5.7.1.
- (iii) Site specific development within the sub-district shall be preceded by the completion of a storm water management plan in accordance with Section 11.6.4 of this Plan and the Dead and York Creek Subwatershed Plan.

(b) Subdistrict B

- (i) This area shall be developed for low and medium density residential land uses in accordance with Sections 5.5.7.1 and 5.5.7.2.

(c) Subdistrict C

- (i) Development within Sub-district C shall be limited to institutional (church) uses.

11. Planning District 11

Planning District No. 11 represents those lands located on the north and south side of Telephone Road from Wooler Road to the westerly boundary of Lot 14, Concession 2, former Township of Murray.

To ensure that development within the district is sensitive to the identified natural heritage features and areas of Planning District No. 11; primarily the tributaries of Mayhew Creek and Tremur Lake as follows:

- (i) The City may require new development and/or re-development to provide environmental studies to identify impacts and offer mitigation measures to protect the natural heritage features and areas identified on Schedule D of this Plan. Additional policies contained in Sections 5.7.2, 5.4, 11.5.1.2 and 12.0.
- (ii) No development shall take place within 30 metres of the top of bank of the tributaries of Mayhew Creek and Tremur Lake as identified on Schedule "D" of this Plan. Where a two zone floodplain has been identified, development and site alteration may be permitted in accordance with Section 11.4.1.2 Flood Plains.. *OPA#7 – By-law #15-100 adopted 08.10.2015*
- (iii) In areas of the Planning District where municipal services have been installed, any redevelopment and/or alteration of buildings currently on private services that result in an increase in habitable area or sanitary flow rates shall be required to connect into the appropriate sanitary sewer system.

The District has been further divided into 10 sub-districts to ensure the proper development of the District as a whole. The following land use policies shall apply to each of the sub-districts.

(a) Subdistrict A

- (i) Sub-district A shall be developed and/or re-developed as an industrial employment area of the District.
- (ii) Development and/or re-development of industrial uses shall take place in accordance with Section 5.7.2.

(b) Subdistrict B

- (i) Sub-district B shall be developed as an industrial employment area of the District.
- (ii) Development of industrial uses shall take place in accordance with Section 5.7.2.
- (iii) Sufficient municipal services shall be in place prior to the development and/or re-development of the Sub-district in accordance with Section 10.1 of this Plan.

- (iv) Notwithstanding subsection (iii) above, municipal sanitary services within Sub-district B shall utilize reduced flow technology, or an equivalent system, that maintains an average daily flow rate of 17,500 litres/hectare/day, or less, allocated to the Sub-district by the City.
 - (v) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of Environment on a site by site basis.
 - (c) Subdistrict C
 - (i) Sub-district C shall be developed for low density residential land uses in accordance with Section 5.5.7.1.
 - (ii) Development of properties that exist at the time of the adoption of this Plan within the sub-district shall be serviced by way of a conventional sanitary sewer system. Further subdivision of lots within the sub-district shall be serviced by way of a reduced flow sanitary system.
 - (iii) The City as part of any severance, subdivision or redevelopment plan shall require the dedication of land adjacent to Tremur Lake and Fox Pond to a minimum width of 15 metres to ensure continuous public access strip along the shoreline of Tremur Lake or Fox Pond.
 - (d) Subdistrict D
 - (i) Sub-district D shall be developed for low density residential land uses in accordance with Section 5.5.7.1.
 - (ii) The City as part of any severance, subdivision or redevelopment plan shall require the dedication of land adjacent to Tremur Lake and Fox Pond to a minimum width of 30 metres to ensure continuous public access strip along the shoreline of Tremur Lake or Fox Pond.
 - (iii) Development in Sub-district D shall not take place prior to the extension of full municipal services into the area.
 - (iv) Municipal sanitary services within Sub-district D shall utilize reduced flow technology, or an equivalent system, that maintains an average daily flow rate of 225 litres/capita/day, or less, allocated to the Sub-district by the City.
 - (v) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of Environment on a site by site basis.
 - (e) Subdistrict E
 - (i) Sub-district E represents the existing privately serviced Barry Heights
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residential subdivision.

- (ii) Development in Sub-district E shall not take place prior to the extension of full municipal services into the area. All development and/or re-development within the Sub-district shall take place in accordance with Section 5.5.7.1.
 - (iii) The connection of existing residential development to the municipal water and sanitary sewage system is encouraged in accordance with Section 11.6.4 of this Plan.
 - (iv) Notwithstanding subsection (iii) above, municipal sanitary services within Sub-district D shall utilize reduced flow technology, or an equivalent system that maintains an average daily flow rate of 225 litres/capita/day, or less.
 - (v) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of Environment on a site by site basis.
- (f) Subdistrict F
 - (i) Sub-district F shall be developed for public open space and recreational purposes in accordance with Section 5.4.
- (g) Subdistrict G
 - (i) Sub-district G shall be developed for general commercial purposes in accordance with Section 5.7.1.4.
 - (ii) Notwithstanding subsection (i) above, municipal sanitary services within Sub-district G shall utilize reduced flow technology, or an equivalent system, that maintains an average daily flow rate of 14,000 litres/hectare/day, or less, allocated to the Sub-district by the City.
OPA#6 – By-law #15-043 adopted 04.06.2015
 - (iii) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of Environment on a site by site basis.
 - (iv) Development in Sub-district G shall not take place prior to the extension of full municipal services into the area. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (h) Subdistrict H
 - (i) Sub-district H shall be developed for general commercial purposes in accordance with Section 5.7.1.4.
 - (ii) Development in Sub-district H shall not take place prior to the extension of full municipal services into the area.

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- (iii) Notwithstanding subsection (iii) above, municipal sanitary services within Sub-district B shall utilize reduced flow technology, or an equivalent system, that maintains an average daily flow rate of 14,000 litres/hectares/day, or less, allocated to the Sub-district by the City.
 - (iv) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of Environment on a site by site basis.
- (i) **Subdistrict I**
 - (i) Sub-district 'I' shall be developed for industrial uses in accordance with Section 5.7.2; or for general commercial purposes in accordance with Section 5.7.1.4.
 - (ii) Site specific development within the subdistrict shall be preceded by a flood study to the satisfaction of the Lower Trent Conservation Authority.
 - (iii) Notwithstanding subsection (i) above, municipal sanitary services within Sub-district 'I' shall utilize reduced flow technology, or an equivalent system, that maintains an average daily flow rate of 17,500 litres/hectares/day, or less, allocated to the Sub-district by the City.
 - (iv) The use of reduced flow technology, or equivalent system, shall be subject to the approval of the Ministry of the Environment on a site by site basis.
 - (v) Development in Sub-district I shall not take place prior to the extension of full municipal services into the area. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (j) **Subdistrict J**
 - (i) Sub-district J shall permit the development of two privately serviced residential land uses on a temporary basis.
 - (ii) Development within Subdistrict J shall be required to be connected to municipal services once available.
 - (iii) Development may occur in accordance with the policies in Subdistrict 11D when municipal services become available.
 - (iv) The development of the Sub-district shall be limited to a maximum of two residential lots and subject to a Consent application in accordance with Section 12.2.2.

Special Site Policies:

- (v) Highway Commercial land uses shall be permitted in accordance with Section 5.7.1.5 on those lands situated on the north side of the intersection of Telephone Road and Wooler Road and described as Part of lots 9 and 10 Concession 2, Part 1 on Reference plan 38R-7463, Part 2 on Reference Plan 38R-8479, and Parts 1 to 3 on Reference Plan 38R-11384.

12. Planning District 12

Planning District 12 is not considered part of the primary Trenton Urban Area District Settlement Area defined by this Plan. Permitting development within this District shall not serve to detract from the City's primary objective to direct growth to the Primary Settlement Areas of this Plan.

The following policies apply to each sub-district:

(a) Subdistrict A

The basis for permitting development in this subdistrict is based on historical site specific approvals which have not been fully developed at the time of the Plan preparation.

- (i) Sub-district A shall be developed for low and medium density residential land uses by plan of condominium and serviced by municipal water and dedicated municipal sewage service, and in accordance with Sections 5.5.7.1, 5.5.7.2 and 5.5.11.
- (ii) Development will incorporate the substantial physical and natural attributes within the sub-district such as scenic vistas, well-wooded areas, natural heritage features and areas, and any other aesthetic qualities.

(b) Subdistrict B OPA#7 – By-law #15-100 adopted 08.10.2015

- (i) The predominant use of land in areas designated District 12B shall be for those residential uses existing on the date of the approval of this plan subject to the policies in Section 5.5.7.1. Permitted uses shall include: existing residential uses, single detached dwellings on existing vacant land, community facilities, and public uses.
- (ii) No additional properties shall be permitted to be developed for commercial purposes. Highway Commercial uses existing on the date of this plan shall be permitted in accordance with Section 5.7.1.5 and may be redeveloped for other highway commercial uses in accordance with the policies of the aforementioned section.
- (iii) The creation of new lots is prohibited in District 12B except where there is more than one existing dwelling on a property and all other consent policies contained in Section 12.12.2 of the Plan can be satisfied. Consents for lot adjustments and legal purposes are permitted in District 12B.

- (iv) Permitted development and redevelopment shall proceed on municipal water services and private sewage disposal systems.
- (v) Development applications shall be accompanied by appropriate studies indicating the soils are adequate for the use of a private sewage disposal system.

13. Planning District 13

Planning District No. 13 (Glen Miller) is not considered part of the primary Trenton Urban Area District Settlement Area defined by this Plan.

- (i) The predominant use of land in areas designated District 13 shall be for those residential uses existing on the date of the approval of this plan subject to the policies in Section 5.5.7.1. Permitted uses shall include: existing residential uses, single detached dwellings on existing vacant land, community facilities, and public uses.
- (ii) No additional properties shall be permitted to be developed for commercial purposes. Highway Commercial uses existing on the date of this plan shall be permitted in accordance with Section 5.7.1.5 and may be redeveloped for other highway commercial uses in accordance with the policies of the aforementioned section. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iii) The creation of new lots is prohibited in District 13 except where there is more than one existing dwelling on a property and all other consent policies contained in Section 12.12.2 of this Plan can be satisfied. Consents for lot adjustments and legal purposes are permitted in District 13. *OPA #7 – By-law #15-100 adopted 08.10.2015*
- (iv) Permitted development and redevelopment shall proceed on municipal water services and private sewage disposal systems. *OPA#7 – By-law #15-100 adopted 08.10.2015.*
- (v) Development applications shall be accompanied by appropriate studies indicating the soils are adequate for the use of a private sewage disposal system.

6.2 Frankford Urban Service Area Districts

Frankford Urban Service Area, located at the junctions of Highway No.33, with Riverside Parkway on the Trent River benefits economically from both local and tourist traffic and functions as the market centre for the surrounding rural agricultural areas.

The Area has experienced growth and the continued growth of the local and regional community can be expected to place increasing demands on the Area. The amount of demand driven development accommodated and the rate at which it occurs must be

considered in relation to the capability of the City to provide more facilities and services without creating unacceptable financial consequences for the City.

1. Planning District 1

Planning District No. 1 represents the entire downtown core of the Frankford Urban Service Area. It is intended to develop/redevelop the area for mixed use commercial/residential uses in accordance with the policies contained in Section 5.6.4 plus the following:

- (i) Redevelopment of the area should reflect the existing human scale of the area by encouraging mixed use development in keeping with the unique architectural quality of the area.
- (ii) The City, as part of any severance, subdivision or development proposal shall require the dedication of land, to a minimum width of 15 metres, along the waterfront to ensure a continuous strip of public open space in the downtown area.
- (iii) Redevelopment of waterfront lands should ensure the opportunity to provide pedestrian linkages between the downtown business area and the waterfront.
- (iv) The City should encourage redevelopment of waterfront lands for mixed use purposes which do not act as a barrier between the downtown and public waterfront areas.
- (v) Since accessibility is important to the success of waterfront land uses, the roads serving these areas should be on the local and minor collector level. High volume roads along the shoreline should be discouraged.

2. Planning District 2

Planning District No. 2 represents the major employment area of the Frankford Urban Service Area. The primary objective in the area is to ensure that development within the district is sensitive to environmental impacts while at the same time providing long term economic stability to the City. The specific policies are as follows:

- (i) This area will develop as a major service commercial/industrial area in the Frankford Urban Service Area in accordance with the policies in Section 5.7.
- (ii) Adequate buffering shall be provided between non residential uses and residential uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and location of a berm or fence.

3. Planning District 3

Planning District No. 3 represents an established residential area in the Frankford Urban Service Area District. The existing low density residential neighbourhoods shall be maintained in accordance with Section 5.5.7.1. and permit a mix of residential densities in major new development.

- (i) New low and medium residential development should be permitted in accordance with Sections 5.5.7.1 and 5.5.7.2. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (ii) Severance of existing residential lots shall be permitted.
- (iii) Conversion of existing residential dwellings shall not be permitted.
- (iv) The Frankford Tourist Park shall be developed as a major City Park and open space area serving the City in accordance with Section 5.4 and with the City's Parks Master Plan 2007.
- (v) Encourage the enhancement opportunities for the James Street Ball Field & Play area to better accommodate local community/neighbourhood uses in accordance with the City's Parks Master Plan 2007.
- (vi) General Commercial development in accordance Section 5.7.1.4 will be permitted along North Trent Street south of Adelaide Street
- (vii) General Commercial development in accordance Section 5.7.1.4 will be permitted along the frontage at the northwest and northeast corners of River Road and Frankford Road subject to the lot depth of the commercial development being approximately 90 metres.
- (viii) Highway Commercial and General Commercial uses existing on the date of this plan located along South Trent Street, south of Queen Lane shall be permitted in accordance with Sections 5.7.1.5 and 5.7.1.4 of this Plan.

6.3 Batawa Urban Service Area Districts

6.3.1 General Policies:

The Batawa Urban Service Area is recognized as part of an important secondary urban centre, together with the Frankford Urban Service Area, within Quinte West. Intensification and regeneration will be promoted in the Batawa Urban Service Area. The land within the Batawa Urban Service Area comprises approximately 170 hectares.

- (i) Development in the Batawa Urban Service Area will be based on sustainable planning practices and community design standards guided by the principles of smart growth, urbanism, energy conservation and green building, and showcase the municipality as a leader in sustainable development in Canada.
- (ii) The Batawa Urban Service Area will be an open and compact community that is designed to meet people's daily needs by providing convenient

access to local services, jobs, a full range of housing and community infrastructure including schools, recreation and a network of multi-use trails. The plan introduces live/work units, a development concept that integrates residential and commercial space in order to create more diverse communities.

- (iii) New development and redevelopment within the Batawa Urban Service Area shall be on full municipal services. Environmentally-sustainable technologies and solutions will be sought to address both water supply and waste water treatment.
- (iv) New infrastructure will be planned to utilize green technologies responding to demands to minimize service loads and lower operating costs.
- (v) The City will work with the Developers to plan and identify options to provide waste water treatment capacity for the planned development within the Batawa Urban Service Area.
- (vi) In addition to the policies contained in Section 11.5.4, a storm water management (SWM) plan will be implemented to reduce detrimental environmental impacts on water resources from development and redevelopment in the Batawa Urban Service Area. The plan will promote management practices to maintain and enhance tree cover, and will introduce vegetated swales, in order to reduce stormwater volumes, maintain the natural aquifer recharge cycle and the base flows of local streams. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (vii) The City will work with Developers to identify the most ecologically sound and energy efficient means of treating waste water subject to the Ministry of Environment approval. This may include the diversion and reuse of wastewater generated by the community to replace the use of some of the potable water.
- (viii) Detailed design plans will be prepared for each Planning District in consultation with the community in accordance with the policies of the Plan. The Design Plan will also promote a high level of safety and sense of security, which are important aspects of livability. Close relationships among the community members will be encouraged through the design of the built form (e.g. balconies, porches) providing maximum opportunity for surveillance of sidewalks, entries, circulation routes, semi-private areas and parking entrances
- (ix) Prior to development approvals, the Design Plan will be prepared to ensure a high quality built form that incorporates the criteria of the Land Use Plan. Each Planning District including Village Centre, Business Park, Live/Work, and Residential will involve more detailed planning and design, including further community consultation. The Design Plan will take into account the findings of required technical reports including the EIS, Heritage Impact Assessment, Archaeological Assessment, Servicing Study and Storm Water Management Report. The Design Plan will show:

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- proposed street patterns and streetscapes;
- proposed pedestrian and trails routes;
- distribution and composition of residential density;
- scale and placement of non-residential uses;
- guidelines for public places and open spaces;
- architectural guidelines for built form; and
- areas requiring special lot and building placement or architectural features.

The Design Plan shall be implemented through Site Plan Control.

- (x) The Batawa Urban Service Area protects and enhances the overall health, safety, natural environment, and quality of life. It promotes a design where jobs and services are accessible by foot. It will revitalize the existing historic footprint of the village with a livable, sustainable, connected community for people of all ages and income levels. The Batawa Urban Service Area will once again become a vital community and a model for rural sustainable development.
- (xi) The Batawa Urban Service Area has been divided into five Planning Districts in order to produce a coordinated development pattern. Each Planning District has specific planning policies that outline its unique form, density and character. It is intended that within each District there is specific policy that is meant to supplement applicable land use policies of this Plan.

1a) District 1 – Village Centre

District 1 represents the Village Centre and is the key redevelopment area within the Batawa Urban Service Area. It is located along Plant Street and Thomas Bata Boulevard. Development in this area includes single use and mixed-use buildings characterized by high quality design standards. The visual attractiveness and consistent image of the Village Centre is of prime importance.

- (i) The primary gateway leading to the Village Centre is Plant Street at the Intersection of Highway 33. Plant Street is intended to function as the “main street” of the Batawa Urban Service Area. Uses within the gateway shall provide for a highly visible and aesthetic treatment, incorporating landscape elements to assist in creating a pleasing and welcoming entrance to the Batawa Urban Service Area.
- (ii) It is the intent of the Batawa Urban Service Area to establish a lively mixed-use district in the Village Centre in accordance with Section 5.6. Small-scale supermarkets and specialty food stores shall be not exceed 7,500 sq. meters of gross leasable floor area.
- (iii) There are several opportunities for infilling of underutilized properties and for adaptive reuse of existing buildings in the Village Centre; most

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prominently the former Bata Shoe factory will be redeveloped into approximately 75 residential housing units.

- (iv) A minimum of 5 hectares of land is proposed for mixed use/residential in accordance with Section 5.6. This could support an additional population of 250 units based on a density of 50 units/hectare. Together with the 75 residential units proposed for the converted factory, a total of 325 new housing units could be supported within the Village Centre.
 - (v) In order to maintain the character of the community, the maximum height of buildings, with the exception of the existing factory, should not be more than four stories.
 - (vi) Buildings should be located close to Plant Street to form a continuous pedestrian-oriented urban edge to the street. Surface parking lots should be well setback from the street edge.
 - (vii) The Village Centre district shall be developed as a pedestrian oriented focal point in the Batawa Urban Service Area with public gathering places. Within the Village Centre special events, cultural activities, entertainment and recreation shall be promoted.
 - (viii) Detailed urban design and streetscape guidelines for the Village Centre area will be prepared before development occurs. All issues respecting road patterns, building placement and design, landscaping and land use will be considered on a comprehensive basis to ensure that the LEED's criteria are met.
- 1b) District 1A – Village Centre ANSI
- (i) The provincially significant ANSI (area of natural and scientific interest) affects a portion of the Village Centre shown as District 1A on Schedule A-1. Development and site alteration will not be permitted on these lands unless it has been demonstrated that there will be no negative impacts on the natural features or its ecological functions in accordance with Section 11.4.11.
 - (ii) The ANSI lands and adjacent lands within the Village Centre will be examined in detail through an Environmental Impact Study (EIS) as required by Section 11.4.4 and 11.4.11 of this Plan prior to development proceeding.
2. District 2 – Business Park
- (i) It is intended that the Batawa Urban Service Area attract employment and create a diverse economic base. An adequate supply of land for employment areas and other employment uses, as identified in Section 5.7, has been designated in District 2.
 - (ii) The Business Park District applies to a large area of land that would be comprehensively planned through a Draft Plan of Subdivision, and is
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intended as a prestigious location for industrial/commercial uses due to its access to major transportation corridors, high visibility, and distinct identity.

- (iii) In addition to the policies contained in Section 5.7.2, the Business Park will permit the development of single and multi-unit buildings for light industrial, advanced technology, high tech environmental companies or companies that are environmentally conscious in their business practices, research and development industries, transportation and warehousing, service industrial, office, and associated retail and ancillary uses that are generally compatible with one another and with adjoining residential and/or commercial areas.
 - (iv) A particularly high standard of design shall be required for the lands adjacent to Highway 33 and at the intersection of Parry Drive and Highway 33, with the objective of creating attractive streetscapes along this important corridor. Industrial uses are encouraged to locate within the rear portions of the Business Park designation, while high quality office buildings, prestige industrial uses and secondary commercial uses are encouraged to locate along Parry Drive and Highway 33. Buildings shall be located in close proximity to the street in order to promote pedestrian activity, create a defined street edge and screen parking areas. Landscaping and buffering will be provided adjacent to public streets, watercourses or trails.
 - (v) Detailed zoning and design guidelines established for the Business Park will address building and site design, outdoor storage, landscaping and the suitability of various secondary uses.
 - (vi) Sensitive land uses will be separated from industrial uses using a combination of building setbacks, landscape buffering and acoustical treatments as warranted according to MOE Guideline D-6. A detailed assessment will be undertaken of the potential land use impacts from industrial uses on the proposed live/work district prior to approval of the implementing Zoning By-law and/or subdivision approval for the live/work uses.
 - (vii) Development of the Business Park is affected by the Spill Regulatory Area of the Cold Creek. This is a flat area where the extent of the spillway requires an engineering assessment of where potential floodwaters may occur. Approval is required from the Conservation Authority prior to development according to 11.5.1 of this Plan and Ontario Regulation 163/06.
3. District 3 – Live/Work
- District 3 allows for a mix of employment and housing opportunities for people to work close to where they live. The live/work area of District 3 is a residential area with a business/employment component.
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- (i) The intent of the live/work areas is to provide a place where individuals have the option of working or running a small business from their homes. The proposed live/work areas also provide a transition from the Business Park area to the east to the low-density residential areas to the south and west. This designation permits and encourages the development of a medium-density (25 to 37 units per hectare) dual use (residential/business) neighbourhood with a wide array of compatible businesses.
- (iii) The following objectives support the development of a functional live/work area:
 - to provide a mix of housing types and tenures in order to accommodate a wide range of households and family types;
 - to provide business locations directly attached or associated to residential accommodation in order to foster the development of small businesses and artisans in Quinte West;
 - to provide more job opportunities in Quinte West, thus reducing work trips outside of the community and reducing automobile usage;
 - to provide an innovative form of affordable housing by allowing homeowners to live and work at home;
 - to provide the opportunity for homeowners to increase their quality of life by eliminating commuting times and, possibly reducing the need for child care;
 - to facilitate a transition between residential land-uses and business park uses;
 - to encourage walking and cycling to local destinations and neighbourhood services, thereby, reducing automobile dependency;
 - to encourage building design that emphasizes the pedestrian realm and street; and
 - to provide safety and security in the community by keeping “eyes-on-the-street”.
- (iv) Allowable business uses in the live/work district include the following:
 - artists’ studios, craft shops/studies, sign makers, etc. which may include a retail component.
 - personal service uses such as hair salons, custom tailors, etc.
 - general services such as tutorial services, small cafes, small bakeries, mail delivery services, printing and photocopying services, desktop publishing services, graphic design, travel and insurance agencies, day care centres, etc.
 - professional offices such as computer programmers, internet service providers, home designers, interior designers, law offices, accounting offices, etc.
 - small industrial workshops such as machine shops, component manufacturing, engineering services.
- (v) The business uses should be of a small scale and should not generate undue impacts to the residential use above, behind, or in the adjacent areas. All projects in the live/work areas must be comprehensively

designed to facilitate the easy conversion of part of the dwelling unit to business uses, and meet the appropriate Building Code requirements.

- (vi) Employees may be allowed in the business component of the units, however, it is anticipated that the number of employees within the live/work units would not be significant due to the scale of the business operations.
 - (vii) Up to 50% of the floor area may be permitted for work-related uses; the remainder used for residential purposes. Residential uses take place either behind or above the associated ground floor business use.
 - (viii) Building lot coverage in live/work areas may be as high as 50%. Wherever possible, the building coverage should be maximized to achieve as continuous a street frontage as possible. The street frontage is envisioned as pedestrian-oriented with on-street parking pockets, street trees, and business on the ground floor. Ultimately, a vibrant atmosphere is envisioned, with a high quality built form and well-defined public realm.
 - (ix) Buildings in the live/work areas should not exceed 10 metres in height, and it is desirable that buildings contain a minimum of two storeys. The massing, setbacks, signage and orientation of buildings should reinforce a pedestrian/street and residential character.
 - (x) On-street parking is a convenience and can improve the pedestrian realm at the street edge by providing a buffer to moving traffic. The amount of adjacent on-street parking should be maximized for short-term visitor/patron parking. Angle parking is recommended over parallel parking as a more efficient design option. Other Site Plan issues related to off-street parking, garbage container storage, loading areas, building materials and environmental design should be addressed in design guidelines developed for this use.
 - (xi) A new zoning category will be created in Quinte West Zoning By-law to implement the proposed live/work areas. Given the quasi-commercial nature of a live/work unit, zoning criteria will ensure that the location, mix and type of business uses meet the community's needs and do not create land use conflicts. The specific permitted uses and any restrictions or requirements to be imposed, such as parking, accessibility, use of detached accessory structures, etc will be set out in an implementing Zoning By-law amendment.
 - (xii) Development of the areas designated for live/work units would be through Draft Plan of Subdivision/Condominium and Site Plan approval.
 - (xiii) The Spill Regulatory Area affects a portion of the Live/Work lands. An engineering assessment of where potential floodwaters may occur. Approval is required from the Conservation Authority prior to development according to 4.3.4.2 of this Plan and Ontario Regulation 163/06.
- 4a) District 4 – Residential
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SECTION 6 – PLANNING DISTRICT AREAS

- (i) The existing community within the Batawa Urban Service Area consists of approximately 110 single detached homes in 2 existing subdivisions. Low Density Residential uses in accordance with Section 5.5.7.1 and Medium Density Residential Uses in accordance with Section 5.5.7.2 are permitted in this District in order to provide for approximately 140 residential dwelling units.
 - (ii) A lower unit count has been targeted for this new area because it contains a portion of the ANSI and allowance will be made as part of the subdivision design in this area to protect important forest cover.
 - (iii) The residential areas will be designed so that there are pedestrian trail connections to the surrounding community and to the ANSI area wherever possible. Vegetated buffers will be established between existing subdivisions in the Batawa Urban Service Area and future development, by increasing rear yard depths of proposed adjacent lots where it is not possible to establish a pedestrian trail. These buffers will be preserved through the implementing Zoning By-law as private landscaped open space.
 - (iv) The proposed dwellings will be situated in a natural treed setting on short looped streets, with garages to the side or rear of the properties. Special street lighting will reduce glare and light pollution, while maintaining the rural character of the community. These and other design features will be developed during the plan of subdivision process.
 - (v) District 4 – Residential uses will be developed according to the applicable policies of Section 5.5.
- 4b) District 4A – Residential ANSI
- (i) The provincially significant ANSI (area of natural and scientific interest) affects a portion of the Residential designation shown as District 4A on Schedule A-1. Development and site alteration will not be permitted on these lands unless it has been demonstrated that there will be no negative impacts on the natural features or its ecological functions in accordance with Section 11.4.11.
 - (ii) The ANSI lands and adjacent lands within the Residential designation will be examined in detail through an Environmental Impact Study (EIS) as required by Sections 11.4.4 and 11.4.11 of this Plan prior to development proceeding.
5. District 5 – Open Space
- (i) New parks, trails and open space systems to meet population forecasts shall be developed in accordance with the proposed standards contained in the Parks Master Plan and Section 5.4.
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- (ii) The City will work with the private sector to examine potential partnerships with the City in providing parkland for community uses.
- (iii) There are many existing recreation facilities in the Batawa Urban Service Area, including a ski hill, playground, tennis court, soccer field, baseball diamond, skating rink and walking trails. Some of these are recognized in the District 5 – Open Space designation, while other recreation facilities are integrated into other District designations.
- (iv) Throughout the Batawa Urban Service Area it is intended that there will be green corridors connecting various activities. The existing rail corridor that traverses the Batawa Urban Service Area in a north/south direction will become more interesting and attractive, and provide connections to the Trent River. The network of public parks and trails will link with the natural rural amenities surrounding the Batawa Urban Service Area.
- (v) Additional recreational facilities and attractions will be developed in consultation with the City and the community so that new recreation opportunities will be environmentally sensitive to the existing natural features.
- (vi) The policies of Section 5.4 of this Plan are applicable to District 5 Open Space designation.

6.4 South Sidney Planning Area Districts

The area affected by the objectives and policies of this District generally consists of those lands within the former Township of Sidney located to the east of the eastern limit of Canadian Forces Base Trenton to lands just east of Montrose Road, south of the Canadian Pacific Rail Line to the Bay of Quinte and Part of Lots 24, 25, 26 and 27, Concession One, referred to as Country Club Village.

The South Sidney Planning District Area represents lands covered by the South Sidney Secondary Plan approved by the former Township of Sidney in 1992. Its purpose was to ensure that future development and growth takes place in an orderly and desirable manner while having regard to relevant social, economic and environmental matters for the benefit of all residents in the South Sidney Planning Area.

1. Planning District 1

- (i) The predominant use of land in areas designated District 1 shall be for those residential uses existing on the date of the approval of this plan subject to the policies in Section 5.5.7.1. Permitted uses shall include: existing residential uses, single detached dwellings on existing vacant land as well as community and public service facilities in accordance with Section 5.7.3.
- (ii) The creation of new lots is prohibited in District 1 except where there is more than one existing dwelling on a property and all other consent policies contained in Section 12.12.2 of this Plan can be satisfied.

Consents for lot adjustments and legal purposes are permitted in District

1. *OPA#7 – By-law #15-100 adopted 08.10.2015*

- (iii) No additional properties shall be permitted to be developed for commercial purposes. Highway Commercial uses existing on the date of this plan shall be permitted in accordance with Section 5.7.1.5 and may be redeveloped for other highway commercial uses in accordance with the policies of the aforementioned section. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iv) Permitted development and redevelopment shall proceed on municipal water services and private sewage disposal systems. *OPA#7 – By-law #15-100 adopted 08.10.2015*
- (v) Development applications shall be accompanied by appropriate studies indicating the soils are adequate for the use of a private sewage disposal system.
- (vi) The maximum number of mobile home units permitted in the existing mobile home park located on:
 - (a) Part of Lot 10, Concession Broken Front (Bayview Estates) shall be 152;
 - (b) Part of Lots 11 and 12, Concession Broken Front and One (Sunny Creek Estates) shall be 171; and
 - (c) Part of Lots 15 and 16, Concession Broken Front and Part of Lot 15, Concession One (Kenron Estates) shall be 450.
- (vii) Notwithstanding Section 10.1, existing mobile home parks shall be permitted to utilize existing approved sewage disposal systems or other sewage disposal systems approved by the Local Health Units and/or the Ministry of the Environment to the satisfaction of the Municipality.

2. Planning District 2

(a) Subdistrict 2A

- (i) This area shall be developed for low and medium density residential land uses in accordance with Section 5.5.7.1 and 5.5.7.2 as well as community and public service facilities in accordance with Section 5.7.3.
- (ii) Single detached residential and free hold townhouse units shall be serviced by municipal water and a communal sewage system.
- (iii) No additional properties shall be permitted to be developed for commercial purposes. Highway Commercial uses existing on the date of this plan shall be permitted in accordance with Section 5.7.1.5 and may be redeveloped for other highway commercial uses in accordance with the

SECTION 6 – PLANNING DISTRICT AREAS

policies of the aforementioned section. *OPA#6 – By-law #15-043 adopted 04.06.2015*

- (iv) Single detached residential and free hold townhouse units shall be serviced by municipal water and a communal sewage system.
- (v) The area serviced by the proposed communal sanitary sewage system and a stormwater management facilities on Part Lot 19, Broken Front Concession, shall be subject to the following:
 - the area that may be serviced by the School Board property for sanitary servicing and stormwater management services shall be restricted to the area identified as Planning District 2 on Schedule “B”;
 - the type, size and capacity of the communal sanitary sewage system and stormwater management system shall be restricted to what is reasonably required to service existing uses and the approved Draft Plan of Subdivision, within the area identified as Planning District 2 on Schedule “B”; and
 - the location and design of the sanitary sewer and stormwater management system and facility shall be restricted in accordance with the Draft Plan conditions approved through the Subdivision Plan.

(b) Subdistrict 2B

- (i) The predominant use of land in areas designated District 2B shall be for those residential uses existing on the date of the approval of this plan subject to the policies in Section 5.5.7.1. Permitted uses shall include: existing residential uses, single detached dwellings on existing vacant land, community facilities, and public uses.
- (ii) Development shall be predominantly for redevelopment purposes with limited new development of existing vacant lands for residential use. Development of such existing vacant lands shall be restricted to single detached dwelling uses. Nothing in the aforementioned shall be construed as permitting the creation of new lots within Sub-district 2B.
- (iii) No additional properties shall be permitted to be developed for commercial purposes. Highway Commercial uses existing on the date of this plan shall be permitted in accordance with Section 5.7.1.5 and may be redeveloped for other highway commercial uses in accordance with the policies of the aforementioned section. *OPA#6 – By-law #15-043 adopted 04.06.2015*
- (iv) Development and redevelopment may proceed on municipal water services and communal sewage disposal systems or municipal water services and private sewage disposal systems.

6.5 Weller's Bay Planning Area Districts

The basis for permitting development in these Districts is based on historical site specific approvals which have not been fully developed at the time of the Plan preparation. Permitting development within these districts shall not serve as indication that any future development will be permitted outside of the boundary of the Weller's Bay Planning Area.

6.5.1 General Policies

- (i) Development in the Weller's Bay Planning Area shall be providing for a residential development by Plan of Subdivision and/or Condominium. Development will incorporate the substantial physical and natural attributes within the Policy Area such as scenic vistas, well-wooded areas, natural heritage features and areas, including Provincially Significant Wetlands, Dead Creek Marsh and the Weller's Bay Complex, and any other aesthetic qualities.
- (ii) Development within the Weller's Bay Planning Area shall be serviced by municipal water services in conjunction with communal sanitary services pending City approval and in accordance with Section 10.1.
- (iii) New development shall proceed only if the City is satisfied that municipal water, communal sanitary services and utility services are or can be made available, are sustainable, and have the capacity to accommodate the proposed development at the time of approval.
- (iv) Frontage on an existing local road is not encouraged. A limited number of lots may be permitted to front upon an existing local road provided the majority of the lots do not front upon County Road 64 and safe access can be provided to the satisfaction of the City.
- (v) Developers of lands within the Weller's Bay Planning Area shall be financially responsible for the provision of municipal water and communal sanitary services.
- (vi) It is intended that once water services, communal sanitary services and corresponding facilities and infrastructure have been installed and operating to the satisfaction of the Municipality, they shall be assumed by the Municipality at no cost through the Plan of Subdivision process.
- (vii) Municipal water and communal sanitary services will be developed to a standard and in locations acceptable to the Ministry of the Environment and the local Health Unit, as agreed to by the City.
- (viii) The City shall ensure that all public works are carried out in accordance with the Environmental Protection Act R.S.O. 1990, Ministry of the Environment regulations and all other applicable Acts, regulations and requirements.

The Weller's Bay Planning Area has been divided into four Sub Planning Districts in order to produce a coordinated development pattern. Each planning district has specific policies that outline its form, use and density.

(a) Subdistrict 1

(i) Residential Uses

Subdistrict 1 consists of lands south of County Road 64 and north of Environmental Protection Lands (District 3) along Weller's Bay. Subdistrict 1 shall also consist of lands north of County Road 64 and west of the former rail bed. The primary land use within Subdistrict 1 will be low-density residential development in the form of single detached dwellings. The density of residential development permitted in Subdistrict 1 shall be limited to 5 units per net residential hectare.

(ii) Community Facility Uses

Community facility uses shall also be permitted in Subdistrict 1 such as schools, education centres, areas to be used for archaeological research, museums and other historical and cultural sites.

(iii) Ancillary Uses

Ancillary uses shall be restricted to those that are compatible with or support residential development. Examples would include small convenience retail, service shops, offices, churches, daycare centres, branch libraries, and home occupations.

Public uses and facilities associated with the water supply, sanitary waste disposal systems and utilities shall be permitted in all areas, subject to compliance with the regulations of the appropriate authorities.

(iv) Open Space

Open Space areas including naturalized areas, public and private parks, woodlots, trails, walkways shall be permitted throughout Subdistrict 1 as required by the municipality in accordance with the Parks Master Plan (2007).

(b) Subdistrict 2

(i) Residential Uses

Sub-district B consists of lands north of County Road 64 and to the east of the former rail bed. The primary land use of Subdistrict 2 will be low-density residential development in the form of single detached dwellings. The density of residential development permitted in Subdistrict 2 shall be limited to approximately 12.5 units per net residential hectare.

(ii) Community Facility Uses

Community facility uses shall also be permitted in Subdistrict 2 such as schools, education centres, areas to be used for archaeological research and museums and other historical and cultural sites.

(iii) Ancillary Uses

Ancillary uses shall be restricted to those that are compatible with or support residential development. Examples would include small convenience retail, service shops, offices, churches, daycare centres, branch libraries, and home occupations.

Public uses and facilities associated with the water supply, sanitary waste disposal systems and utilities shall be permitted in all areas, subject to compliance with the regulations of the appropriate authorities.

(iv) Open Space

Open Space areas including naturalized areas, public and private parks, woodlots, trails, walkways shall be permitted throughout Subdistrict 2 as required by the municipality in accordance with by the Parks Master Plan (2007).

(c) Subdistrict 3

(i) Subdistrict 3 shall include lands along the shoreline of Weller's Bay and shall include all lands within the Weller's Bay Planning Area, which have been established by the Lower Trent Conservation Authority to be within 6 metres of the established flood hazard plus a wave up-rush limit. Subdistrict 3 shall also include those lands at the north-western extent of the Weller's Bay Planning Area. Those lands previously designated as Provincially Significant Wetland on Schedule "D" of the City of Quinte West Official Plan shall remain as an overlay layer within the Weller's Bay Planning Area. Development within Subdistrict 3 shall be in accordance with Section 11.4 and 11.5 of this Plan.

(ii) Permitted uses within Subdistrict 3 may include facilities for passive and active recreational use such as walking trails, open space areas, swimming, fishing and boating, including docks, boat ramps and dry storage for boats subject to approval from the Lower Trent Conservation Authority and other approval bodies.

(iii) No construction of facilities or excavation or placement of fill on the Lake Ontario shoreline shall take place without the prior written approval of the Lower Trent Conservation Authority and other approval bodies as required.

(iv) No building or site alteration with the exception of roads permitted through the Plan of Subdivision process shall be erected below the 76.1 metre contour line adjacent to Lake Ontario. This building setback may not

apply to recreational facilities such as docks or gazebos, subject to approval from the Lower Trent Conservation Authority and other approval bodies as required.

(d) Subdistrict 4

- (i) Subdistrict 4 shall consist of lands along County Road 64 which will be developed for commercial purposes.
- (ii) General commercial uses within Subdistrict 4 shall include but are not limited to the following: business, professional and administrative offices, clinics, service shops, eating establishments, retail stores, and private clubs. Commercial uses shall also include tourist commercial uses such as a tourist establishment (hotels, motels, resorts, spas, etc.), wineries and vineyards, and places of amusement (i.e. theatre, clubs or banquet halls, etc.). The permitted uses within Subdistrict 4 shall be zoned in the implementing Zoning By-law on a site specific basis.
- (iii) Open Space areas including naturalized areas, public and private parks, woodlots, trails, walkways and lands required for drainage and storm water management shall be permitted throughout Subdistrict 4.

7. FUTURE URBAN DEVELOPMENT AREAS

7.1. Goal

It is the intent of this Plan to avoid development and land use patterns that would prevent the efficient and expansion of the existing Urban Settlement Areas by identifying Future Development Areas adjacent to existing Urban Settlement Areas.

The Future Urban Development Area designation, shown on Schedule “B”, is applied to lands that are identified as areas of long term growth for development on full municipal services or municipal water and communal sewage. The Future Development Area designation applies to the South Sidney Future Development Area.

The future land use development of the Future Urban Development Area designations is to be determined through the evaluation report required in Section 4.1.2 (xi) and (xii) of this Plan. Although these areas are not anticipated to be needed for development prior to 2030, the timing of their development is to be reviewed every five years in accordance with the provisions of Section 4.1.2 (viii) of this Plan.

7.2 Objectives

To limit development within the Future Urban Development Area lands until they are needed for future development.

7.3 Permitted Uses

The Future Urban Development Area lands are to be zoned to permit existing uses prior to future urban development on full municipal services or municipal water and communal sewage. Single detached dwellings on existing vacant land are permitted. Such other uses as agriculture, forestry, open space and outdoor recreation are permitted, as well as compatible public uses that do not require municipal water or sewer services.

Prior to the future urban development on full municipal services, lands may be zoned to permit uses of a temporary nature, such as garden suites, that do not require municipal servicing and generally do not involve permanent buildings or structures

7.4 General Development Policies

- (i) Development of existing vacant lands shall be restricted to single detached dwelling use.
- (ii) Future development will take place on full municipal services or municipal water and communal sewage.
- (iii) Development will only be permitted following the completion and processing of an evaluation report in accordance with Sections 4.1.2 (xi) and (xii) of this Plan.
- (iv) The timing of the lands in this Designation being developed will depend on the growth patterns in existing areas serviced with full municipal water and sewer or

- communal sanitary sewage. Timing of development will be reviewed every five years in accordance with the provisions of Section 4.1.2 (viii) of this Plan.
- (v) Consents or any other form of land division will be limited prior to the completion and processing of an evaluation report for the Future Development Areas in accordance with Sections 4.1.2 (xi) and (xii) of this Plan. Consents and any other form of land division is permitted only in the following circumstances:
- (a) Consents that do not create a new lot will be considered if required for such technical or legal reasons as boundary adjustments, easements, rights-of-way, leases in excess of 21 years or for such other purposes as validation of title, partial discharge of a mortgage or power of sale;
 - (b) Consents along common party walls of existing buildings;
 - (c) Consents for the purposes of lot additions and consolidations; and
 - (d) Consents for the purposes of transferring land to a non-profit agency or a land trust.

8. SITE SPECIFIC POLICIES

This Section sets out site specific approvals granted prior to the approval of this plan and which have not been fully developed at the time of the Plan preparation.

8.1 Site Specific Policy Area 1

- (i) Site Specific Policy Area 1 applies to lands described as Part of lots 9 and 10, Concession 2, Part 3 on Reference Plan 38R-8280, west side of County Road 40, north of Highway 401, former Township of Murray. The lands shall be developed for Industrial land uses in accordance with the following policies in addition to any other relevant policies of this Plan.
 - (a) The primary uses permitted in Site Specific Policy Area 1 shall be limited to those industrial uses which do not utilize open storage and may include workshops, warehouse, service shops, and processing, light manufacturing and assembling operations.
 - (b) Highway Commercial uses may be permitted within the Site Specific Policy Area 1 in accordance with Section 5.7.1.5.
 - (c) Development in Site Specific Policy Area 1 shall occur on lots of an appropriate size, generally 0.4 hectares or larger, and with appropriate frontage for a specific industrial use and the lots shall be of sufficient size to support private water and sanitary sewage disposal services.
 - (d) Development in Site Specific Policy Area 1 shall be encouraged to locate on a municipally assumed internal road network which has direct access to an arterial or collector road and is situated within an approved industrial Plan of Subdivision.
 - (e) The area within any Development in Site Specific Policy Area 1 devoted to commercial uses shall be limited to thirty (30) percent of the total area encompassed by the designation. The remainder of the area shall be utilized for industrial purposes.

8.2 Site Specific Policy Area 2

- (i) Site Specific Policy Area 2 applies to lands described as Part of lots 8 and 9, Concession A, Part 1 on Reference Plan 38R-9328, former Township of Murray. The lands shall be developed for Industrial land uses and Highway Commercial uses in accordance with the following policies in addition to any other relevant policies of this Plan.
 - (a) Industrial lands within Site Specific Policy Area 2 shall be generally for “dry” industrial uses that do not require municipal water and sewage systems as part of their operation.
 - (b) “Dry Industry” means any industrial operation that does not use water for processing, manufacturing or production purposes; and requires no water for

cleaning or washing purposes; and does not discharge nor generate any liquid effluent from its operations. These restrictions shall not apply to the operation of washrooms, cafeteria or firefighting purposes.

- (c) “Dry” Industrial uses within Site Specific Policy Area 2 includes, but is not necessarily limited to, warehousing, manufacturing and assembly, research facilities, associated administrative offices, communication facilities, printing and publishing establishments, contractors’ yards, building supply yard, or other similar uses. Open storage areas may also be permitted.
- (d) Industrial uses permitted within Site Specific Policy Area 2 should not exert demands for water beyond that considered necessary for the private use of employees. Uses requiring considerable amounts of water must be accompanied by a hydrogeological report with respect to the adequacy of ground water supply and soil suitability for disposal of wastes by private services. All industrial uses shall comply with the requirements of the Health Unit and the Ministry of the Environment regarding the disposal of wastes and supply of potable water.
- (e) Development in Site Specific Policy Area 2 shall occur on lots of an appropriate size, generally 0.4 hectares or larger, and with appropriate frontage for a specific industrial use. The lots shall be of sufficient size to support private water and sanitary sewage disposal services.
- (f) Highway Commercial uses may be permitted within the Site Specific Policy Area 1 in accordance with Section 5.7.1.5.

8.3 Site Specific Policy Area 3

- (i) Site Specific Policy Area 3 applies to lands described as Part of Lot 38, Concession 3, located on the south side of Roblin Road in former Township of Sidney. The lands shall be developed for “dry” Industrial and Highway Commercial uses that do not require municipal water and sewage systems as part of their operation in accordance with the following policies in addition to any other relevant policies of this Plan.
 - (a) “Dry Industry” means any industrial operation that does not use water for processing, manufacturing or production purposes; and requires no water for cleaning or washing purposes; and does not discharge nor generate any liquid effluent from its operations. These restrictions shall not apply to the operation of washrooms, cafeteria or firefighting purposes.
 - (b) “Dry” Industrial uses within Site Specific Policy Area 3 includes, but is not necessarily limited to, warehousing, manufacturing and assembly, research facilities, associated administrative offices, communication facilities, printing and publishing establishments, contractors’ yards, building supply yard, or other similar uses. Open storage areas may also be permitted.
 - (c) A hydrogeological study indicating that the proposed development can be supported by private services and confirming that private services on

neighbouring properties will not be negatively impacted in consultation with the City of Belleville.

- (d) A traffic study identifying the need for any road or intersection improvements such as road widenings, the installation of traffic lights, and the creation of turning lanes in consultation with the City of Belleville.
- (e) Merging the subject lands with the abutting lands also zoned CH-28.
- (f) Highway Commercial uses may be permitted within the Site Specific Policy Area 1 in accordance with Section 5.7.1.5.

8.4 Site Specific Policy Area 4

- (i) Site Specific Policy Area 4 applies to lands described as 178 Stockdale Road, Part of Lots 5 and 6, Concession 2, former Township of Murray. The lands shall be developed as an extension of the industrial uses of the adjacent agro-business and permit ancillary light manufacturing uses which are directly related to the processing and storage of dry and refrigerated agricultural products in accordance with the following policies in addition to any other relevant policies of this Plan.
 - (a) The uses permitted within Site Specific Policy Area 4 shall include light industrial uses as well as ancillary light manufacturing uses which are directly related to the processing and storage of dry and refrigerated agricultural products.
 - (b) In addition to the applicable development policies of the plan, prior to the submission of an application for Site Plan Control approval within Special Policy Area 4, the following, among other requirements, shall be satisfied at the discretion of the Municipality and other bodies:
 - Site specific development within the Policy area shall be preceded by an Environmental Impact Assessment to assess the potential impacts of development and site alteration on the natural features and their ecological functions in accordance with Section 11.4 of this Plan and to the satisfaction of the Lower Trent Conservation Authority.
 - Site specific development within the Policy area shall be preceded by a Servicing Options Study to the Municipality's satisfaction.
 - Site specific development within the Policy area shall be preceded by a Traffic Impact Study which addresses the potential impact on Stockdale Road, including but not limited to, the need for a turning lane, tapers or any other improvements. The Traffic Impact Study shall be submitted to the Ministry of Transportation for their review and approval addressing the anticipated traffic volumes and the impact upon the highway.

8.5 Site Specific Policy Area 5

- (i) Site Specific Policy Area 5 applies to lands identified as Highway 401 Service Centres and described as Part of Lots 16 and 17, Concession 2, former Township of Murray. The lands shall be developed as Highway Commercial uses in accordance with Section 5.7.1.5 on full municipal water and sewage services and in addition to any other relevant policies of this Plan.
- (ii) No new development is permitted to connect to the municipal water and sewage services extending from Trenton Urban Service Area District 11 to Site Specific Policy Area 5 without an amendment to this Plan.

8.6 Site Specific Policy Area 6

- (i) Site Specific Policy Area 6 applies to lands described as Part of Lot 29, Concession Broken Front, 1977, 1983 and 1989 Old Highway 2, former Township of Sidney. Highway Commercial uses are permitted in accordance with Section 5.7.1.5 and in addition to any other relevant policies of this Plan.
- (ii) In addition to the Highway Commercial uses permitted by Section 5.7.1.5, small scale retail and a business, professional and administrative office, as well as an accessory dwelling unit are permitted in Site Specific Policy Area 6.
- (iii) Development in Site Specific Policy Area 6 shall occur on lots of an appropriate size, generally 0.4 hectares or larger, and with appropriate frontage for a specific industrial use. The lots shall be of sufficient size to support private water and sanitary sewage disposal services.

8.7 Site Specific Policy Area 7

- (i) The approximately 9.0 hectare area of land located in Lot 28, Concession Broken Front (228412 Investments Limited) is recognized as a suitable location for the establishment of recreational and tourist oriented commercial uses. The policies governing this location are as follows:
 - (a) Permitted uses shall not have significant negative impacts on the existing or proposed land use.
 - (b) Within the designated areas the major commercial uses permitted are those uses that are recreational in nature or are oriented to tourists and shall include recreational uses, hotels, motels and restaurants; accessory commercial uses may be permitted only where such uses are complementary to and supportive of the main use and shall be limited to lounge and/or snack bar facilities, tuck shops, gift shops, arts and crafts shops, antique shops and sales, rental and/or small scale repair facilities for equipment used directly in association with a recreational use.
 - (c) Adequate off street parking facilities shall be provided and the number and location of entrances and exits shall be designed in such a manner to minimize traffic hazards.

- (d) Provision shall be made for a continuous strip of land intended for landscaping purposes between the use or parking area and the adjacent public road, except for designated entrances and exits.
- (e) Where necessary, adequate buffer planting and/or screening shall be provided to protect any adjacent existing or proposed residential uses.
- (f) Adequate storm drainage, water supply and sewage disposal systems shall be provided to all developments within the designated area and such services shall be required to meet the standards of the authority responsible for approval.

8.8 Site Specific Policy Area 8

- (i) Notwithstanding any policy of this Plan to the contrary, development created through the Consent process, is permitted on those lands located in Part Lot 22, Concession Broken Front, former Township of Sidney, 1478 Old Highway #2, subject to a minimum lot area of 0.28 hectares (0.7 acres). Permitted uses shall be restricted to single family detached dwellings on municipal water services and private sewage disposal systems.

8.9 Site Special Policy Area 9
OMB Case #PL130080 Decision issued June 19, 2014

- (i) Notwithstanding policies of this Plan to the contrary, on lands fronting on Hamilton Road in the easterly portion of Lot 13, Concession 2, former Township of Sidney (Roll 120421104511610), one (1) residential infilling consent shall be permitted between the existing non-farm residences located on the south side of Hamilton Road, subject to a minimum lot area of 0.4 hectares, and a minimum lot frontage of 45.0 metres. Permitted uses shall be restricted to a single family detached dwelling on private services (individual private well and sewage disposal system).

8.10 Site Specific Policy Area 10
OPA #4 – By-law #14-82 adopted 07.21.2014

- (i) The Site Specific Policy Area 10 applies to lands located in Part of Lots 28, 29 and 30, geographic Township of Sidney, now in the City of Quinte West. In addition to the uses normally permitted in the rural designation, within Site Specific Policy Area 10, a condominium equestrian community is permitted. The condominium equestrian community will consist of a maximum of 18 estate residential lots, common elements associated with the equestrian centre including riding areas, pastures, paddocks and barns.
- (ii) Notwithstanding Section 12.12.1.4 of this Plan, the Site Specific Policy Area 10 allows for the development of a privately serviced condominium equestrian community in which the residential uses are directly linked to the equestrian facilities. All residential unit owners will be required to have shared ownership of the equestrian facilities.

- (iii) An application for condominium approval must be supported by the following supporting technical documentation:
- Hydrogeology Report
 - Stormwater Management Report
 - Traffic Impact Assessment
 - Minimum Distance Separation Calculations
 - Environmental Impact Analysis
 - Concept Plan including Preliminary Engineering Design

The City of Quinte West may require the completion of other technical studies as deemed necessary.

- (iv) A condominium application will be reviewed in accordance with the policies contained in Section 12 of the Official Plan.

8.11 Site Specific Policy Area 11 – 7 Glen Miller Road
OPA #7 – By-law #15-100 adopted 08.10.2015

Lands located on the northeast corner of Hamilton Road and Glen Miller Road described as Part Lot 1 Concession 2, Part Lot 1, Plan 165, 7 Glen Miller Road represent a major land use conflict in the Trenton Urban Service Area which may not be desirable in the long term. These lands are considered a “Brownfield” property due to its’ historic use as the site of an auto wrecker and storage. Redevelopment of the property is impacted by environmental liability, and the financial costs for site remediation. All land usage, development and/or redevelopment shall address issues such as transportation, environmental compliance / impact, servicing and land use compatibility through comprehensive study.

8.12 Site Specific Policy 12 – 18 Stockdale Road
OPA #7 – By-law #15-100 adopted 08.10.2015

Lands located on the northwest corner of Stockdale Road and Old Hwy 33 (18 Stockdale Road) and described as Part of Lot 5, Concession 2, Part 1 on Reference Plan 39R-9195 shall be permitted to develop for industrial purposes in accordance with Section 5.7.2.

8.13 Site Specific Policy 13 – 292 King Street
OPA #7 – By-law #15-100 adopted 08.10.2015

Redevelopment of the golf course lands north of King Street for low and medium density residential uses shall be permitted in accordance with Sections 5.5.7.1 and 5.5.7.2. The location of specific residential densities shall be determined through the subdivision and zoning approvals process and will not require an amendment to this Plan.

8.14 Site Specific Policy 14 – 20 Fourth Avenue
OPA #7 – By-law #15-100 adopted 08.10.2015

Lands located at 20 Fourth Avenue, being the former Trenton Christian School property shall permit a retirement home in accordance with Section 5.5.7.2.

SECTION 8 – SITE SPECIFIC POLICIES

8.15 Site Specific Policy 15 – 447 Dundas Street West
OPA #7 – By-law #15-100 adopted 08.10.2015

Notwithstanding the provisions of Section 4.a)(iii), the commercial uses on lands described as Part of Lot 5, Concession A (formerly Township of Murray), specifically Part 2 of Reference Plan 38R-360, known as 447 Dundas Street West, former City of Trenton, shall be restricted to professional offices.

8.16 Site Specific Policy 16 – 107 Creswell Drive
OPA #7 – By-law #15-100 adopted 08.10.2015

General Commercial development may occur, in accordance with the policies contained in Section 5.7.1.4, on the property described as Part of Park Lots 1, 2, 3, 4, 5 and 6, east of Dufferin Avenue, Registered Plan 164, City of Trenton, County of Hastings, more particularly described as Parts 1 and 2 on Reference Plan 21R-17043, known municipally as 107 Creswell Drive (former muRata Erie property) subject to:

- the implementing site specific Zoning By-law establishing a Holding “H” Symbol on the property which restricts development of the site until the condition of the soil on the site conforms to provincial standards, and until a Site Plan Agreement has been entered into with the municipality.

8.17 Site Specific Policy 17 – 290 Dundas Street West
OPA #7 – By-law #15-100 adopted 08.10.2015

Medium density residential development may occur, in accordance with the policies contained in Section 5.5.7.2 on the property described as Part of Lot 1, Registered Plan 233, former City of Trenton, County of Hastings, and known municipally as 290 Dundas Street West.

8.18 Site Specific Policy 18 – 80 Catherine Street
OPA #7 – By-law #15-100 adopted 08.10.2015

High density residential development and commercial uses shall be permitted on the lands described as being Part of Lot 49, Lots 52 and 53, Registered Plan 233, City of Trenton, known as 80 Catherine Street, subject to the following conditions:

1. High density residential development is permitted in accordance with Section 5.5.7.3 of this Plan; and
2. The commercial uses will be restricted to:
 - medical clinics;
 - services such as hairstyling, sundries, and banking for the tenants use only;
 - administrative or professional offices for Trenton Memorial Hospital and/or Trenton Memorial Lodge; and
 - the commercial uses be restricted to the west end of the basement level to a maximum of 527.28 square metres.

8.19 Site Specific Policy 19 – 85 Queen Street
OPA #7 – By-law #15-100 adopted 08.10.2015

In addition to the permitted uses in this Planning District, and notwithstanding any other policy of this Plan to the contrary, on the property described as Part of Lot 4, Registered Plan 240, in the former City of Trenton, known municipally as 85 Queen Street, single family and duplex dwelling development is permitted.

8.20 Site Specific Policy 20 – 311 Dundas Street East
OPA #7 – By-law #15-100 adopted 08.10.2015

Notwithstanding Section 10.3.7 of this Plan, as it pertains to property located at 311 Dundas Street East, being Part 1, 2 and 3 on Reference Plan 21R-19090, residential development may be permitted in accordance with Section 5.5.10 of this Plan in addition to the uses permitted by Section 5.7.1.4 of this Plan. Residential development may only be permitted if the following is demonstrated to the satisfaction of the City and the Department of National Defence:

- (a) appropriate acoustic insulation features have been considered in the building design in accordance with Ministry of Environment standards;
- (b) a Noise Impact Assessment study has been completed and shows that the development is not incompatible with the aircraft noise; and
- (c) the developer be required to inform all prospective purchasers of residential units of the potential annoyance cause by aircraft noise.

8.21 Site Specific Policy 21 – 151 West Street
OPA #7 – By-law #15-100 adopted 08.10.2015

A restaurant shall be permitted in addition to the Neighbourhood Commercial uses on the property described as Part of Lots 17 and 18, Registered Plan 236, Part 1 on Reference Plan 21R-11361 located at the southeast corner of Edward Street and West Street.

8.22 Site Specific Policy 22 – 161 Byron Street
OPA #7 – By-law #15-100 adopted 08.10.2015

Medium density residential development, limited to a 3 unit dwelling, shall be permitted in addition to the permitted uses in District 9B, on the property described as Lot 12, RP 112, former City of Trenton, located at 161 Byron Street.
(OPA #2 - By-law #13-154)

8.23 Site Specific Policy 23 – 36 Wolfe Street
OPA #7 – By-law #15-100 adopted 08.10.2015

The development of lands having an area of 3.48 hectares with 218 metres of frontage on the north side of Wolfe Street and described as in Part of Block 29, Registered Plan 137, Part 11, RP21R4564, former Village of Frankford shall be

developed for low and medium density residential land uses in accordance with Sections 5.5.7.1 and 5.5.7.2 and subject to the following additional policies:

- (a) Adequate buffering and a minimum setback of 20 metres shall be provided between light industrial / manufacturing uses and adjacent residential uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and location of a berm or fence.
- (b) Primary access to the subdivision shall be from March Street, via Patrick Drive and Windover Street.

8.24 Site Specific Policy 24 – 324 Riverside Parkway
OPA #7 – By-law #15-100 adopted 08.10.2015

Highway Commercial development will be permitted along the east side of Riverside Parkway, on property described as Lot 3 and Part of Lot 18, Plan 127, 324 Riverside Parkway, former Village of Frankford, in accordance with Section 5.7.1.5.

8.25 Site Specific Policy 25 – 1055 Old Highway 2
OPA #7 – By-law #15-100 adopted 08.10.2015

Urban industrial development limited to warehousing and storage serviced by municipal water and private sewage disposal systems shall be permitted on lands located in Part of Lot 17, Concession 1 and Broken Front, former Township of Sidney, on the north side of Old Highway 2.

8.26 Site Specific Policy 26 – 22499 Loyalist Parkway
OPA #11 – By-law #17-132 adopted 12.04.2017

Notwithstanding Subsections 12.12.2.1 (iv) and (vii) of this Plan as it pertains to property located at 22499 Loyalist Parkway and legally described as Part of Lot 7, Concession B, Plan 38R-4628, Parts 1, 2, 3, and 4, Plan 38R-5744, Part 1, geographic Township of Murray, now City of Quinte West, lot creation is permitted on lands with access to a municipally improved public road via right of way over other lands in municipal ownership.

8.27 Site Specific Policy 27 – 22571 Loyalist Parkway
OPA #12 – By-law #18-092 adopted 08.13.2018

Notwithstanding any provisions of this Plan to the contrary as it pertains to property located at 22571 Loyalist Parkway and legally described as Part of Lot 6, Concession A, being Part 3 on Plan 39R-7341, geographic Township of Murray, now City of Quinte West, lot creation is permitted on lands with access to a municipally improved public road via right of way over other lands in municipal ownership.

9. AREA SPECIFIC POLICIES

9.1 Area Specific Policy 1 Former DOMTAR Wood Preserving Site – Marmora Street – Trenton Ward

9.1.1 General

Area Specific Policy 1 is considered a 'brownfield' property due to its historic use as the site of a wood preserving industrial operation. Redevelopment of the property is impacted by environmental liability, the stigma attached to the former use and the financial costs for site remediation. Area Specific Policy No. 1 is strategically located along the east shore of the Trent River in close proximity to the commercial core area of the Trenton Urban Service Area. The redevelopment or reuse of land located in Area Specific Policy 1 would provide the following benefits:

- (i) Revitalization of the downtown core and surrounding neighborhoods;
- (ii) More effective use of existing municipal infrastructure;
- (iii) Clean-up of an environmentally contaminated site; and
- (iv) Increased tax revenue and job creation.

9.1.2 Policies

All land usage, development and/or redevelopment within Area Specific Policy 1 shall be subject to the following policy:

- (i) Issues such as transportation, environmental compliance/impact, servicing and land use compatibility should be examined through comprehensive study (Community Improvement Plan) to determine long term use for these lands.

9.2 Area Specific Policy 2 - Aikins Road landfill – Sidney Ward

9.2.1 General

The lands identified as Area Specific Policy 2 represent a former waste disposal site previously licenced by the Ministry of the Environment and shall be developed in accordance with the following policies:

- (i) The lands designated as Area Specific Policy 2 require full remediation in accordance with the Ministry of the Environment standards prior to any development occurring.

9.2.2 Permitted Uses

The lands designated as Area Specific Policy 2 shall not be used and the existing derelict building shall not be occupied for any purpose prior to full remediation. After remediation, an Official Plan amendment will be required to designate the lands for future use.

9.2.3 Policies

- (i) The lands shall be fully remediated in accordance with Ministry of the Environment standards prior to being used or occupied.
- (ii) Any future use of the lands shall not permit a Waste Disposal Site.

9.2.4 Implementation

Lands designated Area Specific Policy 2 shall be placed in a special “H” - Holding zone in the implementing Zoning By-law. The zoning shall require full remediation of the lands in accordance with Ministry of the Environment standards prior to any development occurring and will prohibit a waste disposal area. The “H” – Holding zone shall be removed by Zoning By-law amendment prior to any remediation works being undertaken.

9.3 Area Specific Policy 3 – Oak Lake – Sidney Ward

9.3.1 General

Oak Lake was identified (through the completion of a Water Quality Assessment and a Shoreline Sewage Disposal System Inspection Program in 2001) as being at risk with respect to water quality and the Lake’s ability to sustain the current level of shoreline development. The policies of the Oak Lake Special Policy Area are intended to facilitate the improvement of the overall water quality of Oak Lake and to protect the health and safety of the shoreline residents.

Area Specific Policy 3 has been divided into Area Specific Policy “3A” and Area Specific Policy “3B” as follows:

- (a) Area Specific Policy “3A” shall apply to those lands in the vicinity of Oak Lake as identified on Schedule “C” to this Plan; and
- (b) Area Specific Policy “3B” shall apply to the balance of the Oak Lake Drainage Basin as identified on Schedule “C” to this Plan.

All land usage, development and/or redevelopment within Area Specific Policy 3 shall be subject to the following policies:

- (i) For the purposes of the Area Specific Policy 3, development and/or redevelopment shall mean the construction, renovation or alteration of buildings or structures (including private sewage disposal systems).
- (ii) For the purposes of the Area Specific Policy 3, a seasonal residence shall mean a dwelling unit constructed and used as a secondary place of residence for vacation and recreational purposes only and not as a principal residence of the owner or occupant.
- (iii) For the purposes of the Area Specific Policy 3, the term existing vacant lot of record shall mean a legally created parcel of land existing on September 5, 2000

- that is not occupied by a residential dwelling (either permanent or seasonal) as defined by this Plan.
- (iv) In accordance with Section 41 of the Planning Act, RSO, 1990, c.P. 13, as amended and Section 12.5.9 of this Plan, prior to the development of land within the Oak Lake Area Specific Policy, the owner/applicant shall enter into a Site Plan Control Agreement with the City to address the requirements of Section 9.3 of this Plan.
 - (v) The City, in consultation with the Lower Trent Conservation and local Health Unit, shall establish an annual water sampling program for the on-going monitoring of the water quality of Oak Lake.
 - (vi) Amendments to Section 9.3.2.2 (c) of this Plan may be considered by the City where it can be demonstrated, through the completion of a study completed by a qualified professional, that the development of vacant lots within 30 metres of the high water mark of Oak Lake can proceed with no negative impact on water quality and fish habitat.
 - (vii) In reviewing any proposed amendments, consideration shall also be given to ensuring that the proposed new development will not further limit the capability of Oak Lake to sustain existing development.
 - (viii) The City and the Lower Trent Conservation are encouraged to work with the Oak Hill Lake Association and the land owners within the Oak Lake Special Policy Area to develop a land stewardship program to provide educational and practical means for land owners for the improvement of individual properties and every day operational practices to facilitate the
 - (ix) The Oak Lake Area Specific Policy shall be placed in separate zoning categories in the implementing Zoning By-law.

9.3.2 Area Specific Policy “3A”

9.3.2.1 Permitted Uses

Except where specifically referenced to the contrary, the permitted use of all lands within the Area Specific Policy “3A” shall be limited to only those uses that legally existed as of September 5, 2000.

9.3.2.2 Residential Development Policies

Notwithstanding any policies of this Plan to the Contrary:

- (i) The creation of new lots is prohibited within the Area Specific Policy “3A.”
- (ii) The consolidation of lots within the Area Specific Policy “3A” shall be permitted provided:
 - (a) the lot consideration is not for the purpose of, directly or indirectly, the conversion of a seasonal residence to a permanent residence;

SECTION 9 – AREA SPECIFIC POLICIES

- (b) the existing building footprint is maintained or an increased setback is achieved from the high water mark of Oak Lake for the building and sewage disposal system;
 - (c) where the consolidation involves two or more vacant lots, development within 30 metres of the high water mark of Oak Lake is prohibited;
 - (d) a natural vegetative buffer is established along the shoreline abutting such lots to a distance to be determined as part of the Environmental Impact Assessment identified in (v) below; and
 - (e) an Environmental Impact Assessment is completed by a qualified professional to the satisfaction of the City in consultation with the Lower Trent Conservation for the subject property addressing such issues as:
 - the impact of the proposed development on water quality and fish habitat;
 - mitigation measures to be taken for the protection of the water quality and fish habitat of Oak Lake;
 - the identification of the extent and composition of the natural vegetative buffer to be established along the shoreline of the subject property;
 - other matters as deemed necessary by the City in consultation with the Lower Trent Conservation; and
 - (f) the requirements of 9.3.2.2 (viii) of this Plan, if applicable, are adhered to.
- (iii) The development of existing vacant lots of record within 30 metres of the high water mark of Oak Lake is prohibited.
- (iv) The development of existing vacant lots of record greater than 30 metres from the high water mark of Oak Lake shall be permitted subject to the completion of an Environmental Impact Assessment by a qualified professional to the satisfaction of the City, in consultation with the Lower Trent Conservation for the subject property addressing such issues as:
- the impact of the proposed development on water quality and fish habitat of Oak Lake; and
 - mitigation measures to be taken for the protection of water quality and fish habitat of Oak Lake; and
 - the identification of the extent and composition of natural vegetative buffer to be established along the shoreline of the subject property; and
 - other matters as deemed necessary by the City in consultation with the Lower Trent Conservation.
- (v) Notwithstanding (iv) above, on existing vacant lots of record where a private sewage disposal system can be located in excess of 30 metres from the high water mark of Oak Lake, minor encroachments into the required 30 metre setback for a proposed seasonal residential dwelling may be considered without an amendment to the Plan subject to:
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- (a) The completion of an Environmental Impact Assessment is completed by a qualified professional to the satisfaction of the City in consultation with the Lower Trent Conservation for the subject addressing such issues as:
 - the impact of the proposed development on water quality and fish habitat;
 - mitigation measures to be taken for the protection of the water quality and fish habitat of Oak Lake;
 - the identification of the extent and composition of the natural vegetative buffer to be established along the shoreline of the subject property; and
 - other matters as deemed necessary by the City in consultation with the Lower Trent Conservation.
- (vii) The conversion of seasonal residences to permanent residences shall be prohibited within the Oak Lake Specific Policy Area.
- (viii) Additions, renovations and/or alterations to any residence shall only be permitted where:
 - (a) the proposed addition, renovation and/or alteration is not for the purpose of, directly or indirectly, the conversion of a seasonal residence to a permanent residence;
 - (b) the proposed addition, renovation and/or alteration does not create an increase, or potential for increase, in waste water load from such residence;
 - (c) the existing building footprint is maintained or an increased setback from the high water mark of Oak Lake for the building and sewage disposal system;
 - (d) a natural vegetative buffer is established along the shoreline to a distance to be determined as part of the Environmental Impact Assessment identified in (e) below; and
 - (e) an Environmental Impact Assessment is completed by a qualified professional to the satisfaction of the City in consultation with the Lower Trent Conservation for the subject property for all development to be completed within 30 metres of the high water mark addressing such issues as:
 - the impact of the proposed development on water quality and fish habitat;
 - mitigation measures to be taken for the protection of the water quality and fish habitat of Oak Lake;
 - the identification of the extent and composition of the natural vegetative buffer to be established along the shoreline of the subject property; and

- other matters as deemed necessary by the City in consultation with the Lower Trent Conservation.
- (f) Written confirmation is obtained from the local Health Unit stating that the existing sewage disposal system is capable of accommodating the proposed addition, renovation and/or alteration in accordance with all applicable laws and regulations.
- (ix) Notwithstanding subsection (viii) above, renovation and/or alteration shall be permitted without an Environmental Impact Assessment in circumstances where:
 - (a) the proposed renovation and/or alteration is to restore the building to a safe condition provided that it is not for the purpose of, directly or indirectly, conversion from a seasonal residence to a permanent residence; and
 - (b) there is no increase in the size of the building or an increase, or potential for increase, in waste water load.
- (x) Alterations to land within 30 metres of the high water mark of Oak Lake will only be permitted subject to the completion of an Environmental Impact Assessment by a qualified professional to the satisfaction of the City in consultation with the Lower Trent Conservation for the subject property addressing such issues as:
 - the impact of the proposed alteration on water quality and fish habitat;
 - mitigation measures to be taken for the protection of the water quality and fish habitat of Oak Lake;
 - the identification of the extent and composition of a natural vegetative buffer to be established along the shoreline of the subject property; and
 - other matters as deemed necessary by the City in consultation with the Lower Trent Conservation.

9.3.2.3 Agricultural Development Policies

- (i) The City, in consultation with the Lower Trent Conservation and the Hastings Federation of Agriculture, shall conduct an assessment of the impact of agricultural run-off on the water quality of Oak Lake.
- (ii) The City, in consultation with the Hastings Federation of Agriculture, shall encourage all farm operations within the Oak Lake Special Policy Area to complete Environmental Farm Plans in an effort to minimize the impact of sources of nutrients on Oak Lake.

9.3.2.4 Commercial and Industrial Development Policies

- (i) The development of new commercial and industrial land uses within the Oak Lake Area Specific Policy is prohibited.

9.3.2.5 Servicing Policies

- (i) Except where specifically referenced to the contrary, the servicing policies for all lands within Area Specific Policy “A” shall be in keeping with the policies of Section 10.1 of this Plan.
- (ii) The City, in conjunction with the local Health Unit, shall establish a monitoring and inspection program for all private sewage disposal systems located within Oak Lake Area Specific Policy
- (iii) The City shall encourage the replacement of all private sewage disposal systems that are in excess of twenty (20) years in age.

9.3.2.6 Site Plan Control

- (i) Pursuant to the provisions of Section 41 of the Planning Act, RSO, 1990, c.P. 13, as amended, the Oak Lake Area Specific Policy shall be designated as a Site Plan Control Area for residential dwellings containing less than twenty-five (25) dwelling units.

9.3.3 Area Specific Policy Area “B”

9.3.3.1 Permitted Uses

- (i) Except where specifically referenced to the contrary, the permitted use of all lands within the Area Specific Policy “B” shall be in keeping with the underlying land use designation identified on Schedule “A” and referenced in Sections 5.1, 5.2 and 5.8 of this Plan.

9.3.3.2 Residential Development Policies

- (i) Except where specifically referenced to the contrary, the residential development policies for all lands within the Area Specific Policy “B” shall be in keeping with the underlying land use designation identified on Schedule “A” and referenced in Sections 5.1, 5.2 and 5.8 of this Plan.

9.3.3.3 Agricultural Development Policies

- (i) Except where specifically referenced to the contrary, the agricultural development policies for all lands within the Area Specific Policy “B” shall be in keeping with the underlying land use designation identified on Schedule “A” and referenced in Sections 5.1 and 5.2 of this Plan.
- (ii) The City, in consultation with the Lower Trent Conservation and the Hastings Federation of Agriculture, shall conduct an assessment of the impact of agricultural run-off on the water quality of Oak Lake.
- (iii) The City, in consultation with the Hastings Federation of Agriculture, shall encourage all farm operations within the Oak Lake Area Specific Policy to complete Environmental Farm Plans in an effort to minimize the impact of

sources of nutrients on Oak Lake.

9.3.3.4 Commercial and Industrial Development Policies

- (i) Except where specifically referenced to the contrary, the commercial and industrial development policies for all lands within the Area Specific Policy “B” shall be in keeping with the underlying land use designation identified on Schedule “A” and referenced in Sections 5.1 and 5.2 of this Plan.

9.3.3.5 Servicing Policies

- (i) Except where specifically referenced to the contrary, the servicing policies for all lands within Area Specific Policy “B” shall be in keeping with the policies of Section 10.1 of this Plan.
- (ii) The City shall encourage the replacement of all private sewage disposal systems that are in excess of twenty (20) years in age.

9.4 Area Specific Policy 4 – Monogram Place
OPA#7 adopted by By-law 15-100 on August 10, 2015

Lands located in Part of Lot A, Concession 2 and described as Lots 1 to 21 of Plan 21M-117 (Monogram Place) shall be permitted to develop for commercial purposes, as well as for industrial purposes. In addition to other commercial uses, retail commercial uses generally of a comparison retail shopping nature such as food supermarkets, department stores, apparel stores and similar such uses shall be permitted.

9.5 Area Specific Policy 5 – Montrose Road vacant lots
OPA #7 adopted by By-law 15-100 on August 10, 2015

Development for residential purposes shall have a minimum lot area of 0.4 hectares. Notwithstanding the aforementioned, residential development may be permitted on those existing vacant lots of record fronting onto Montrose Road, Parkside Drive and Highway No. 2. The consolidation of such existing vacant lots of record into larger separate or individual land holdings may be required by the municipality as a condition of development.

10. FUNCTIONAL POLICIES

10.1 Servicing

10.1.1 Goal

It is the intent of this Plan to ensure that existing and proposed development within the City has an adequate supply of potable water and is serviced by proven sanitary sewage disposal systems. It is also the intent of this Plan to co-ordinate and sustain land use and development within the City's ability to provide adequate physical services in an orderly, environmentally sound, and fiscally prudent manner. Separation distances and/or other control measures may be required for sensitive land uses in proximity to sewage treatment facilities and waste stabilization ponds. Separation distances are based on the design capacity of the sewage treatment facility and the type of waste stabilization pond and the characteristics of the waste. These distances are outlined in MOE Guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use.

10.1.2 Objectives

- (i) To ensure that an adequate supply of serviced land will be provided to meet future development needs.
- (ii) To accommodate the growth provided by this Plan, the expansion of the Frankford water plant and the Batawa, Trenton and Frankford wastewater treatment plants will be necessary.
- (iii) To conduct improvements and/or expansions to the existing water distribution and sewage collection systems as required and in accordance with the capital works budget
- (iv) To effectively monitor municipal water and sanitary sewage service allocations to maintain sufficient treatment capacities for existing and future development within the Urban Settlement Areas of the City.
- (v) To ensure that no new development is permitted unless sufficient municipal sanitary sewage and water services are available.
- (vi) To discourage development that would result in the premature expansion of municipal services.
- (vii) To ensure sites for new development outside the Urban Settlement Area are capable of supporting private water and private sewage disposal systems over the long term.

10.1.3 General Servicing Policies

- (i) The City will plan for sewage and water services by integrating servicing and land use considerations at all stages of the planning process.
- (ii) The City has a preferred servicing hierarchy of:

- (a) full municipal sewage and water services;
 - (b) communal services;
 - (c) individual on-site sewage and water systems; and
 - (d) partial services in accordance with the Provincial Policy Statement.
- (iii) The City will ensure that sewage and water systems are provided in a manner that:
 - (a) can be sustained by the water resources upon which services rely;
 - (b) is financially viable and complies with all regulatory requirements; and
 - (c) protects human health and the natural environment.
- (iv) Within the Urban Settlement Areas, new development will be focused to those areas where there are planned or available municipal services or where the services can be logically and economically extended.
- (v) Development proposals in the Urban Settlement Areas that require an extension of municipal services will be at the cost of the developer unless otherwise indicated in the City's capital works budget.
- (vi) Municipal services will only be permitted to extend beyond the urban settlement boundary in situations where private services have failed and no other alternatives are available.
- (vii) Any provision and/or major expansion of water and sewage systems may be subject to an Environment Assessment. That process involves a detailed assessment of treatment options with full public participation and consideration of environmental, social and economic impacts. This process shall also identify the project, which will best suit the needs of the subject area(s). The growth designations and servicing options outlined in this Plan may be subject to change given the results of the required Environmental Assessment.
- (viii) Partial services shall only be permitted in the following circumstances:
 - (a) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; and,
 - (b) Within settlement areas, to allow for infilling and rounding out of existing development on partial services provided that:
 - (i) The development is within the reserve sewage system capacity and reserve water system capacity; and
 - (ii) Site conditions are suitable for the long-term provision of such services.
- (ix) The City requires the use of proven innovative technologies in the provision of services.
- (x) The City encourages the pretreatment of sewage to prevent pollutants from entering and passing through the sewage treatment plants.

- (xi) The City must ensure that all infrastructure works are carried out in accordance with the Environmental Protection Act, Ministry of Environment regulations, and any other applicable legislation, regulation or requirement.

10.1.4 Service Capacity and Service Allocation

- (i) Prior to granting final approval for future development proposals, the City shall ensure that there is confirmed uncommitted water and sewage system reserve capacity to accommodate the development. The City will not approve or commit to any future development proposals that would cause the capacity to be further exceeded.
- (ii) The City shall annually monitor its water filtration plants and sewage treatment plants to determine the reserve capacity for each, including the currently unconnected commitments and the uncommitted reserve capacities. Septage from private sewage disposal systems will also be included in the calculation of reserve sewage capacity.
- (iii) The City will consider water conservation strategies and water efficiency methods in conjunction with undertaking an expansion of a water or sewage system to address insufficient capacity.
- (iv) Development will be held through the use of the Holding “H” Symbol to manage the allocation of uncommitted servicing capacity. Phasing provisions will also be incorporated into Subdivision Agreements to guide allocation.
- (v) All residential development containing five (5) or more units and requiring a rezoning or removal of a Holding “H” Symbol will be required to apply for an allocation of sewage treatment capacity and be in accordance with the City’s Sewage Treatment Allocation Policy for Residential Development.
- (vi) An allocation of sewage treatment capacity to a commercial development and private industrial lands requiring a rezoning or removal of a Holding “H” Symbol or Site Plan Control will be considered on its own merits and servicing demands on a case-by-case basis.
- (vii) The City is not obligated to provide an allocation of sewage treatment capacity in the draft approval of a residential Plan of Subdivision, or in the granting of provisional Consent to sever a property, but will be required prior to releasing the final registration of a plan.
- (viii) Following a sewage allocation approval, the proponent may be required to execute a sewage treatment allocation agreement acknowledging that the allocation will expire if the plan has not been registered or the Consent to sever finalized in 12 months or an alternative time period specified by the City.
- (ix) The City may reallocate sewage capacity to other developments in situations where development that has received an allocation does not proceed within the time period to be specified by the City.

- (x) Servicing allocation will not be granted to a limited number of landowners, but will be allocated to those projects that provide the greatest benefit to the City and are most likely to develop in a reasonable time frame.

10.1.5 Private Servicing Policies

In areas without municipal water and sanitary sewer services, the City shall require the installation of individual on-site sewage and water services or communal water and sanitary sewage systems in accordance with the requirements of the appropriate government agency. Ministry of the Environment approval is required under the Ontario Water Resources Act for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day. MOE's Guideline B7 – Reasonable Use also applies and studies shall be required. Where development is serviced by a subsurface sewage system with a design capacity of 10,000 litres per day or less, the MOE's guideline "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment" applies. These studies are required to assess the cumulative impact of development on the water supply and to protect the quality of groundwater.

10.1.5.1 Individual on-site sewage and water systems

- (i) The development of lands located outside of the identified urban areas will predominantly take place on the basis of private wells and private septic tank and leaching bed/tile fields in accordance with the standards of the authority responsible for their approval.
- (ii) Individual on-site sewage and water services shall be used for new development of five lots or less lots where municipal sewage and water services or private communal sewage and water services are not provided and where site conditions are suitable for the long-term provision of such services.
- (iii) Where development is to take place on the basis of private water and sanitary sewage disposal systems, such systems shall be located wholly within the boundaries of the property on which the development is proposed.
- (iv) It is the intent of this Plan that private on-site sanitary sewage disposal systems primarily consist of septic tanks and leaching beds/tile fields; however, consideration may be given for the use of other proven systems subject to the approval of the appropriate government agency and the City.
- (v) The City will include septage from private sewage disposal systems when calculating reserve sewage capacity.
- (vi) Where a residential Plan of Subdivision in the hamlet area is proposed on individual private water and sewage services, the City shall require the completion of a Hydrogeological Report and Terrain Analysis, by a qualified professional, stating that the site is capable of supporting private water and sanitary disposal services over the long term and shall also include an assessment of the impact of septic effluent on the groundwater in the surrounding area.

- (vii) Where deemed necessary by the City, development applications shall be accompanied by a report prepared by a qualified professional indicating that an adequate supply of potable water is available for each new lot or use and that soil conditions are suitable for the installation of a septic tank and leaching bed/tile fields that conform to the standards outlined by the authority responsible for their approval. The terms of reference and scope of the report will be established by the City for each application depending on the nature and scale of the development.
- (viii) Where deemed necessary by the City, approval of a Consent application may be subject to a condition requiring the applicant to establish a well on the severed lot to confirm water quality and quantity.
- (ix) Abandoned or non properly maintained wells are to be decommissioned (plugged and sealed) in accordance with Ministry of Environment regulations to help protect and preserve groundwater resources and minimize safety risks.
- (x) It is the intent of this Plan that all existing substandard private sanitary sewage disposal systems should be raised to the minimum standards established by the authority responsible for their approval.
- (xi) In the event of the failure of an existing septic system, the City, in accordance with the Ontario Building Code, shall require the owner to construct a new system in accordance with the current regulations. No Minor Variance shall be required for the replacement of an existing substandard system.

10.1.5.2 Communal Systems

- (i) The City discourages communal services and will only consider development on communal services for development of greater than five (5) units where municipal sewage and water services are not provided and no other alternatives are available. It must also be demonstrated through an analysis of development densities and site conditions that the use of communal systems is environmentally and economically feasible.
- (ii) An environmental assessment completed in accordance with the Environmental Assessment Act, shall be undertaken prior to the installation of any communal water and/or sewage disposal systems.

10.2 Utilities

Utilities are essential public services including electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency. The City will coordinate with utility providers to integrate utilities with planning for growth in order to meet current and projected needs in the City of Quinte West.

10.2.1 Goal

To provide residents and businesses of the City of Quinte West with adequate and cost efficient utilities to meet service demands.

10.2.2 Objectives

- (i) To support the development of broadband and telecommunications to enhance service coverage in the local area.
- (ii) To protect existing utility lands/facilities and effectively plan for the expansion and location of future utility facilities.
- (iii) To support utility providers in the supply of utilities to new development in a timely and cost effective manner.

10.2.3 Policies

- (i) Utility facilities, including gas pipelines, telecommunication towers, electricity transmission and distribution facilities, transformers and generators shall be permitted in any land use designation with the exception of Environmental Protection areas where they will be permitted in limited circumstances where there are no reasonable alternatives and provided that such development is authorized under requirements of the Environmental Assessment Act, where applicable.
- (ii) Other utility distribution facilities, including buildings and facilities of electric power providers not used directly for the generation and supply of power, shall comply with the provisions of this Plan and the implementing Zoning By-law.
- (iii) When determining appropriate locations for telecommunication towers, the City encourages telecommunication providers to consider the concerns related to locating in or near existing or future residential areas.
- (iv) The City encourages co-location of telecommunication towers or utility equipment or structures to minimize the need for additional structures.
- (v) Recognizing that the approval of telecommunication towers falls within the jurisdiction of Industry Canada, the establishment of telecommunication towers should take into consideration the City's protocol for the Development or Redevelopment of Telecommunication Towers as part of the review process.
- (vi) It is the intention of the City to participate in all discussions regarding the location of new utility facilities.
- (vii) Utility facilities may be subject to Site Plan Control.
- (viii) Utility facilities shall be located, designed and maintained in a manner which will not detract from the immediate surrounding area.
- (ix) Buffering or screening of utility facilities may be required.

- (x) The City will ensure that adequate utility networks, are or will be, in place to serve anticipated development and that these networks can be phased in a manner that is cost-effective and efficient.
- (xi) Utilities will be planned for and installed in a coordinated and integrated manner in order to minimize disruption.
- (xii) For new development, the City will encourage the underground installation of utility facilities where feasible, and will strive to minimize the impact of transmission lines, towers and satellite dishes or other structures.
- (xiii) Appropriate locations for large, above-ground utility infrastructure and/or cluster sites will be determined early in the planning process and will include looking at compatibility with the surrounding environment and the consideration of innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters etc.
- (xiv) Applicants proposing development adjacent to any utility right-of-way or transmission line are encouraged to consult early in the process with the appropriate utility provider.
- (xv) All development adjacent to utility right-of-ways shall meet the utility provider's required setbacks.
- (xvi) Subject to approval by the appropriate utility provider, The City supports secondary land uses on utility lands and corridors where they are compatible with surrounding land uses, such as active and passive recreation, community gardens, other utilities, and uses such as parking lots and outdoor storage that are accessory to adjacent land uses.
- (xvii) Development shall not be permitted in planned corridors that could preclude or negatively affect the use of the corridor for the purposes(s) for which it was identified.

10.3 Transportation

The City's transportation network reflects the inter-relationship of land use and transportation in the City of Quinte West. The road system is designed to enable the safe and efficient movement of people and goods within the City as well as to facilitate through traffic movement. The City recognizes the potential impacts that result from a reliance on the automobile and will therefore accommodate and encourage a variety of alternative modes of transportation, including rail, transit, cycling and walking. The City also supports the long term protection of the 8 Wing Trenton airport.

10.3.1 Goal

To provide a safe, efficient and cost-effective transportation network that optimizes the movement of people and goods throughout the City.

10.3.2 Objectives

- (i) To ensure that the existing City road network will be maintained and upgraded to meet the current and future transportation needs of the City.
- (ii) To consider transportation in all land-use planning decisions.
- (iii) To identify the functional classification of roads and provide an appropriate standard for each classification.
- (iv) To limit development on roads which are not able to sustain increased usage.
- (v) To protect the integrity of the existing rail corridors and right-of-ways.
- (vi) To protect the long term operation and integrity of existing airports in the City as they provide important transportation opportunities on a national and international scale for the economic development of the City.
- (vii) To promote the enhancement and protection of the Trent-Severn Waterway to ensure it remains a significant cultural and tourism resource for the City.
- (viii) To support the City's Youth Activity Strategy by encouraging and providing for active modes of transportation including walking and cycling.
- (ix) To encourage the establishment of walking trails that connects shoreline areas, existing parks and other significant activity destinations, in accordance with Section 5.4.
- (x) To reduce reliance on the automobile and support the development and use of public transit in the Urban Settlement Areas.
- (xi) To ensure connectivity among transportation systems and modes.
- (xii) To make efficient use of existing infrastructure in the transportation system.
- (xiii) To plan and implement, where feasible, a system of road-based cycling routes to promote connectivity in, and between, communities and the use of alternative modes of transportation.

10.3.3 Roads

10.3.3.1 General Policies

- (i) All vehicular access points shall be in accordance with the City Entrance Control By-law.
- (ii) The City shall not assume or accept as dedication any roads which do not meet the minimum acceptable standards of the City.
- (iii) Any development proposal located adjacent to a major transportation corridor shall incorporate suitable noise control measures to reduce the effects of noise

- generated from major arterial and/or collector roads (as identified on Schedule “F” to this Plan) to a level in accordance with Ministry of Environment guidelines.
- (iv) Council may require the proponent to undertake noise and/or vibration studies by a qualified professional to the satisfaction of the City, to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of the Environment guidelines including publication NPC-300 Environmental Noise Guideline. Noise and/or vibration attenuation measures will be implemented as required to reduce impacts to acceptable levels. OPA#6 – By-law #15-043 adopted 04.06.2015
 - (v) A Traffic Impact Study may be required to be submitted with a development application to evaluate potential impacts to the road system to ensure compliance with the City’s Minimum Roadway and Service Standards and mitigation measures to address them.
 - (vi) The City will protect corridors and right-of-ways for future transportation and infrastructure needs as part of the review of all development applications.
 - (vii) The City will not permit development in planned corridors that could negatively impact the planned use of that corridor.
 - (viii) The City will consider environmental and cultural heritage resources when planning for transportation and infrastructure facilities.
 - (ix) The City will direct development to areas with existing and planned infrastructure in the transportation system to achieve cost efficiency and compact development.
 - (x) Development is discouraged on roads which do not meet the City’s Minimum Roadway and Service Standards and are unable to sustain increased usage.
 - (xi) Improvements to the municipal road system should be made in accordance with the schedule of priorities established by the municipality. These priorities should be based on the nature and extent of the safety hazard and the volume of traffic on the road. Due consideration shall be given to the findings of municipal Roads Needs Studies and the City’s Minimum Roadway and Service Standards, among other things, when prioritizing improvements.
 - (xii) It is the intent of this plan, as traffic conditions warrant, that the construction or installation of bridges, day lighting, jog eliminations, turning movement restrictions, traffic calming and turning circles, traffic markings and proper information signs, channelization or traffic signals shall be undertaken.
 - (xiii) Where there is an existing or anticipated future need for a municipal road widening, extension and/or intersection improvement, appropriate lands should be obtained.
 - (xiv) The implementing Zoning By-law will establish provisions pertaining to setbacks from roads and road accesses.

- (xv) Connectivity with and among transportation systems and modes will be further developed, and where possible, improved, including connections with cross jurisdictional boundaries.

10.3.3.2 Road Classification

The classification of roads within the City shall reflect the predominant function of the roadway. It may be necessary from time to time to adjust the classification of some roads to reflect changing intensity of use and adjacent land use patterns. Any change in function should conform to the intent and purpose of this Plan.

In such cases where a municipal road falls within two (2) separate road classifications, the final classification of the roadway shall be determined by the City using the Average Annual Daily Traffic (AADT) criteria as stated in the City's Entrance Control By-law.

10.3.3.2.1 Provincial Highways

The MacDonald-Cartier Freeway (Highway # 401) is delineated on Schedule "C" as a multi lane controlled access highway. Its function is to carry large volumes of through traffic under free flow conditions. Also delineated is a short section of Provincial Highway 62, on the boundary between the former Sidney Township and former Thurlow Township. This section of Provincial Highway 62 is also designated as a 'Controlled Access Highway' whose function is to carry large volumes of traffic while providing some local access.

Ministry of Transportation permits will be required for any buildings, structures, entrances, signs and illumination located within the limits of the Ministry's permit control area. Under the authority of the Public Transportation and Highway Improvement Act R.S.O. 1990, (P.T.H.I.A.) the Ministry through the issuance of permits controls all land use within 45 metres (150 feet) of the Ministry's property limit, and within 395 metres (1300 feet) of the centre point of Highway 401 and intersecting public roads, and within 395 metres of Highway 62 and intersecting public roads. The MTO Sign Permit control area, if the sign is visible from the Provincial Highway, is 800 metres from the highway corridor. The Ministry's Building and Land Use Permit control area extends to 800 metres (2600 feet) of any limit of a controlled access highway, for the purpose of a shopping centre, stadium, fair ground, race track, drive-in theatre or any other purpose that cause persons to congregate in large numbers.

Land owners shall be required to contact the Ministry of Transportation to obtain all necessary permits for any development prior to any construction and/or grading being undertaken. Placement of buildings, structures, fences, trees/shrubs/hedges and development of lands adjacent to provincial highways must meet regulated setbacks of the P.T.H.I.A., or as outlined in a permit issued by the Ministry of Transportation.

Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation. Direct access will be discouraged and often prohibited.

A Traffic Impact Study must be conducted to address both the impact of any new development upon the provincial highway system and any associated highway improvements that are required. A Traffic Impact Study will require approval from the Ministry of Transportation prior to the approval of any secondary plans or subdivisions.

To ensure that areas adjacent to provincial highways are aesthetically pleasing to the traveling public, the following policies shall apply to development adjacent to the Highway 401 corridor:

- (i) Open storage areas shall be prohibited unless it can be demonstrated that appropriate landscaping and screening to shield the open storage areas will not detract from the intended character of the area;
- (ii) Loading areas will generally be restricted to those areas not facing the highway; and
- (iii) All industrial/commercial activities will be encouraged to locate within enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial/commercial use will be suitably screened and buffered from the highway.

10.3.3.2.2 Arterial Roads

Arterial roads are designed to carry large volumes of inter-municipal and through traffic between major generating areas and/or other arterial roads. Arterial roads are classified as those roads with existing or proposed two (2) or four (4) lanes with design right-of-way widths of 30 to 45 metres.

Intersections of local streets with arterial streets shall be avoided where possible and direct access will generally be restricted and only considered in a situation where access to a collector or local road can not be accommodated. Access to arterial roads will be predominately from collector roads. Access shall not be granted onto any road that could result in a traffic hazard.

10.3.3.3 Collector Roads

Major collector roads are designed to collect and distribute traffic to and from local roads and arterial roads and are classified as those roads with existing or proposed two (2) or four (4) lanes with design right-of-way widths of 26 to 30 metres.

Limited access may be provided to abutting properties subject to appropriate standards. Direct access shall generally be discouraged in the rural areas. Access shall not be granted onto any road that could result in a traffic hazard.

10.3.3.2.4 Local Roads

Local roads are classified as those roads with existing or proposed two (2) lanes with design right-of-way widths up to 26 metres. Local roads are primarily intended to provide direct access to abutting properties and should be designed to discourage

the movement of through traffic and carry low traffic volumes at low speeds. Access shall not be granted onto any road that could result in a traffic hazard.

10.3.3.2.5 Existing Roads

It is not the intention of this Plan that arterial and collector roads that are existing in a built-up area will necessarily be widened, or that direct access will be eliminated or restricted, except where re-development is taking place.

10.3.3.2.6 Private Roads

The City recognizes existing private roads. However, the City shall not permit the construction of new private roads for the purposes of facilitating new development.

10.3.4 Parking

The City aims to achieve a balance between required parking supply and accommodating a streetscape that promotes alternative modes of transportation.

- (i) The City may initiate a Parking Master Plan to provide and manage parking in the City's Urban Settlement Areas.
- (ii) Provision of off-street parking shall be coordinated with the roadways, transit system and pedestrian facilities.
- (iii) Parking fee schedules shall encourage short term parking and discourage long term parking.
- (iv) Provide adequate bicycle parking that minimizes interferences with pedestrian traffic.
- (v) The City shall ensure that physically disabled parking spaces are included where the parking and/or traffic by-law indicates.
- (vi) Parking standards shall be established in the implementing Zoning By-law and the Parking and/or Traffic By-law.
- (vii) The addition and removal of on-street parking will be sensitive to the impact of change on nearby businesses.
- (viii) Parking reductions may be considered when one or more of the following is required:
 - (a) cash in lieu of parking spaces;
 - (b) shared parking; and
 - (c) effective modal use

10.3.5 Alternative Modes of Transportation

The City of Quinte West is dedicated to promoting and encouraging the use of alternative transportation modes to reduce environmental impacts caused by the

automobile. Alternative transportation can include transit, walking, cycling and car pooling. A population that participates in active transportation results in both environmental benefits and provides opportunities to increase residents' physical activity levels and social capital. Residents also have the option to take advantage of the public transit service in the Urban Settlement Area. The City therefore, aims to reduce reliance on the automobile through encouraging and providing for the use of alternative modes of transportation, particularly in the Settlement Areas.

10.3.5.1 Objectives

- (i) To accommodate all forms of alternative transportation modes.
- (ii) To promote the use of the City's open space and trail system.
- (iii) To remove barriers for those who wish to participate in active transportation, including persons with disabilities.
- (iv) To provide suitable separation between pedestrians, cyclists and automobiles.
- (v) To offer multiple-modal access and connectivity to jobs, housing, schools, culture and recreation.
- (vi) To enhance the downtown core's aesthetic qualities to encourage active transportation.
- (vii) To increase the use of alternative modes of transportation through the development of well connected trails, open space, cycling and walking networks.

10.3.5.2 General Policies

- (i) Intensification will be promoted in the Urban Settlement Areas to increase densities and provide convenience for those participating in active transportation.
- (ii) The City will support any appropriate active living promotion strategies from the Health Unit.
- (iii) As opportunities become available, the City will continue to plan and develop:
 - (a) a north-south trail connecting the communities of Batawa, Frankford and Glen Ross
 - (b) an east-west trail connecting Trenton to Prince Edward County/Brighton
 - (c) a west-east trail between Trenton and Belleville as part of the Lake Ontario Waterfront Trail.
- (iv) Mixed use development will be designated in certain districts in the downtown cores to encourage concentrated travel destinations.

- (v) Access to the waterfront, adjacent to the Trenton downtown core, will be preserved such that the full development potential of the waterfront can be realized. The Plan shall discourage any high volume roads along the shoreline.
- (vi) The priority of transportation modes is given as pedestrian, bicycle, transit, high occupancy vehicles and low occupancy vehicles.

10.3.5.3 *Transportation Demand Management*

The City will encourage change in travel behaviour by reducing trip distance, number of trips and types of trips. The following strategies will be promoted:

- flexible working hours
- use of higher vehicle occupancies (car pooling, ride sharing)
- site design and facilities that support alternative modes of transportation
- parking management (park and ride/car pool lots)

10.3.5.4 *Transit*

- (i) Intensification will be encouraged along public transit routes to allow for efficient transit service.
- (ii) The City will support public transit service and to encourage its efficiency may implement:
 - dedicated bus lanes;
 - direct routing privileges;
 - right-of-ways;
 - preferential treatment at intersections; and
 - safety improvements at transit stops.
- (iii) The City will investigate the possibility of developing transit in the rural areas to provide for increased connectivity.

10.3.5.5 *Pedestrian and Cycling Traffic*

- (i) The City will work towards providing well designed and maintained facilities that promote and support safe and convenient walking and cycling forms that connect to places of activity.
- (ii) The City will seek the participation of the public, agencies and community organizations to assist in creating an efficient and safe pedestrian and cycling network.
- (iii) Sidewalks are to be made accessible to accommodate persons with disabilities.
- (iv) Discourage changes to the road network that encourage vehicular traffic at the expense of pedestrian traffic.
- (v) The City, where feasible, will consider utilizing abandoned rail lines for trail development.

- (vi) The City will create an accessible trail system by providing clear signage and connectivity among trails and common destinations.
- (vii) Pedestrian and cycling routes are encouraged to be separated from vehicles by utilizing buffers and separating walkways from travel.
- (viii) The City may provide various traffic calming measures such as speed bumps, narrower lanes and reduced speed postings to encourage and support the downtown core as a centre for residential, business, cultural and recreational activity and to ensure safety throughout the City for cyclists and pedestrians.
- (ix) Identification and promotion of suitable cycling routes in rural areas should be investigated with local cycling organizations and interested residents.
- (x) The City will consider the construction of on-road cycling facilities, such as paved shoulders or curb lanes on major connecting routes.
- (xi) During planning and reconstruction of roadways, consideration will be given to providing wider paved shoulders for walking and cycling.
- (xii) The City may undertake an Active Transportation Plan, to identify and create new connections between bikeways, sidewalks and trails and create a strategy to implement future opportunities supporting active transportation.

10.3.6 Rail

Railways are a significant component to the transportation system as they provide for the efficient movement of people and goods. Development in proximity to rail rights-of-way may conflict due to safety, noise and vibration concerns. It is the intention of this Plan to ensure that all impacts resulting from development near rail rights-of-way will be assessed and mitigated during development proposal reviews to prevent potential land-use conflicts. Specific land use controls respecting rail impacts shall be exercised on lands abutting or adjacent to rail rights-of-way.

Noise and vibration sensitive areas may be considered to be those areas of land abutting or adjacent to rail rights-of-way having a passive recreation, public assemblage, or residential component. Sensitive areas for noise generally include land lying within 300 metres of rail rights-of-way and for vibration, generally include lands lying within 75 metres of rail rights-of-way.

10.3.6.1 Goal

To achieve safe development adjacent to rail rights-of-way, while protecting the continued efficiency of the railway without future land use conflicts.

10.3.6.2 Objectives

- (i) To ensure the protection of existing rail operations and the expansion capacity of rail facilities.

- (ii) To ensure safety in new development or redevelopment in proximity to existing rail rights-of-way and new or expanded rail facilities in proximity to existing residential uses.

10.3.6.3 Policies

- (i) Prior to approval of applications for amendments to this Plan and/or the applicable City Zoning By-law; or Subdivision or Condominium Control:
 - (a) Council may require the proponent to undertake noise and/or vibration studies by a qualified professional 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 vibration attenuation measures will be implemented as required to reduce impacts to acceptable levels. In accordance with LU-131, detailed noise studies may be required for new sensitive land uses within 500 metres from a principal main railway line, 250 metres from a secondary railway line or 100 metres from other railway lines. These distances are guidelines and may vary depending on individual site specific conditions such as the presence of built-up areas or individual structures and topography.
- (ii) Prior to approval of applications for Consent that result in the creation of a new residential lot or unit:
 - (a) the City shall require that an easement registered across the entire property be provided to the appropriate rail authority; and
 - (b) a Noise and Vibration Study as mentioned in policy (i) above, may also be required, as determined in consultation with the appropriate rail authority.
- (iii) As a condition of approval to the above noted applications, the City shall require the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence, and potential impacts, of rail use and operations, as well as mechanisms to ensure the construction and maintenance of any required mitigation measures.
- (iv) As a condition of approval to the above noted applications, the City shall require the establishment of setbacks to address rail safety concerns for any new residential dwelling, building, and an addition to an existing residential structure or a place of public assembly from the rail rights-of-way. The appropriate safety setback shall be determined in consultation with the applicable rail company and will take into account provision for safety berms, fencing, topography and other such measures as deemed appropriate by the rail company.
- (v) The City, in consultation with the appropriate rail operator, will consider increased security measures where development or recreational areas are proposed adjacent to a rail right-of-way to prevent trespassing.
- (vi) The City will consult with the appropriate rail operator regarding any proposed land development and/or infrastructure project which may cause any adverse effects to the railway property.

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- (vii) The City will ensure, in consultation with the appropriate rail operator that any alterations to existing drainage patterns will not adversely affect the railway property.
- (viii) It is the intention of this Plan that new at grade crossings will not be permitted and existing level railways crossings be eliminated by means of grade separations for arterial roads and road closings for local or collector roads. If it is not economically feasible to use either of these methods, other protective measures such as day lighting, signals, gates or combination thereof should be used.
- (ix) Any necessary attenuation measures and any other pertinent measures shall be implemented through conditions in a Subdivision Agreement, Site Plan Agreement or other appropriate agreement with the City, to the satisfaction of the City and in consultation with the appropriate rail operator.

10.3.7 CFB Trenton

Unless specifically stated otherwise in this Plan, the following policies shall apply to lands located within the Noise Exposure Forecast (N.E.F.) contours or Airport Policy Areas “A”, “B” and “C” as shown on Schedule “E” for 8 Wing Trenton to this Plan:

- (i) No new residential development and other sensitive land uses shall be permitted to locate within any of the areas affected by a N.E.F. rating of 30 or higher. Redevelopment of existing residential uses and other sensitive uses or infilling of residential and other sensitive land uses may be considered above 30 N.E.F. if it has been demonstrated that there will be no negative impacts on the long term function of C.F.B. Trenton.
- (ii) Notwithstanding the above, residential development and other sensitive land uses may be permitted in areas with an N.E.F. rating of between 30 and 35 N.E.F. if the following is demonstrated to the satisfaction of the City and the Department of National Defence:
 - (a) appropriate acoustic insulation features have been considered in the building design in accordance with Ministry of Environment standards;
 - (b) a Noise Impact Assessment Study has been completed and shows that the development is not incompatible with aircraft noise; and
 - (c) the developer be required to inform all prospective purchasers of residential units of the potential annoyance caused by aircraft noise.

Within Airport Policy Area “A”, as shown on Schedule “E”, no new buildings or structures shall be permitted to exceed a height of 129 metres above sea level.

Within Airport Policy Area “B”, as shown on Schedule “E”, new buildings or structures shall be required to conform to the height restriction requirements of the Trenton Airport Zoning Regulations, as approved by the Federal Government.

Application of the most stringent height restrictions shall occur where Airport Policy Areas “A” and “B” overlap.

In order to minimize the bird hazard to aviation, the following uses shall not be permitted within Airport Policy Area “C”, as shown on Schedule “E”, including that portion which overlaps with Airport Policy Area “B”:

- a sanitary land fill;
- a food garbage disposal site;
- a sewage lagoon; or
- an open water storage reservoir.

Notwithstanding the above, an owner or lessee of lands located in Airport Policy Area “C”, except for those lands located within the Runway 06-24 Approach Surfaces extending 2 kilometres from the runway ends, may permit the locating of an open water storage reservoir if:

- the total surface area of the reservoir does not exceed one (1) hectare; or
- the reservoir is not used for water storage for a period in excess of 48 hours.

Furthermore the City will ensure that new construction within the influence area of the Base is not incompatible with the requirements of National Defence Headquarters for protection of navigational aids, communications systems and visibility.

10.4 Waste Management

Waste Management is the collection, transport, processing, recycling or disposal and monitoring of waste materials. Waste Management can also include composting and resource recovery. Waste Management sites are necessary for the health, safety and convenience of the residents of the City. Waste is associated with a variety of direct and indirect environmental, health and economic effects and as a result their location and operation must be carefully controlled to ensure that adjacent land uses as well as those in the surrounding area are not negatively impacted.

10.4.1 Goal

To prevent harm to people and the natural environment through an effective waste management system that also minimizes waste in the City.

10.4.2 Objectives

- (i) To support and encourage efforts to establish adequate waste management facilities of an appropriate size and type to provide for the future development needs of the City.
- (ii) To continue to promote and implement a diversified recycling program with respect to waste product types and users in an effort to minimize the impact of solid waste disposal on the environment.

- (iii) To protect existing and abandoned waste management sites from incompatible land uses.

10.4.3 Permitted Uses

The uses permitted shall be limited to closed or operating waste or sanitary land fill sites certified by the Ministry of the Environment. Permitted waste sites may include sewage treatment plants, waste transfer stations, recycling depots, landfill sites for disposal of domestic waste, inert material landfills, automobile wrecking yards, hauled sewage sludge disposal sites and sewage treatment lagoons.

The disposal of liquid industrial, radioactive or toxic waste shall not be permitted.

10.4.4 General Policies

- (i) The City shall promote waste reduction, recycling and reuse as a way to control municipal costs, minimize environmental degradation and conserve energy.
- (ii) The City may implement new initiatives and programs to promote and encourage waste diversion.
- (iii) The Waste Management designation has been applied to sites actively used for disposal of wastes as of the date of the approval of this Plan and to sites formerly used for the disposal of wastes but which were closed as of the date of the approval of this Plan. A special sub-designation is shown on Schedule “E” to differentiate between the active and inactive solid waste management sites.
- (iv) Waste management sites shall be permitted only where designated on Schedule “E” of this Plan. Although waste management areas have been designated on the basis of property lines, the policies contained herein apply only to the area licensed by the Ministry of the Environment. The remainder of the property will be subject to the policies of the surrounding designation.
- (v) The establishment, operation and final closure of all waste management sites shall be in accordance with the requirements of the City and the Ministry of the Environment and shall conform to the requirements of the Environmental Protection Act and/or the Environmental Assessment Act.
- (vi) Waste management sites shall be adequately screened on all sides, either naturally or by artificial means in order for the operation to not be seen from a public road or not impact on the use of surrounding lands.
- (viii) Within 500 metres of an active or inactive waste management site, the City may permit uses in accordance with the surrounding land use designation in consultation with the Ministry of the Environment and subject to the following policies:
 - (a) Obtain written approval from the Ministry of the Environment indicating that the development satisfies the provisions of the Environmental Protection Act.

- (b) Studies shall be carried out to the satisfaction of the municipality and the Ministry of the Environment that show that the development is compatible with the waste management area and can safely take place. Studies should also include surface runoff, ground settlement, visual impact, soil contamination and hazardous waste.
 - (c) Studies of gas, leachate irrigation and hydrogeology shall generally be required and shall be carried out by a qualified engineer.
 - (d) Remedial measures may be required to the satisfaction of the City and Ministry of the Environment if studies indicate that there is a potential for adverse impacts.
- (ix) No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister of Environment for the proposed use has been given. Lands that contain a closed waste disposal site may be redeveloped in accordance with the following:
 - (a) an amendment to this Plan is required;
 - (b) written approval must be received from the Ministry of the Environment that the proposed development satisfies the provisions of the Environmental Protection Act;
 - (c) submit studies that satisfy the Ministry of the Environment and the City that the development is compatible and can proceed safely;
 - (d) prior to development, lands within known or suspected hazards must be rehabilitated and/or remediated in accordance with the Environmental Protection Act; and
 - (e) once it is confirmed that the area is suitable for development, an amendment to the Zoning By-law will be required.
- (x) In addition to policy (ix) above, re-development of the former Aikens Road Landfill site shall be in accordance with Section 9.2, Special Policy Area 2.
- (xi) Sensitive land uses are discouraged on sites adjacent to an active waste management site or on an inactive waste management site.

10.4.5 Policies for the Establishment of New and Expansions to Waste Management Sites

- (i) The establishment of new waste management sites and the expansions of existing waste management sites shall require an amendment to the implementing Zoning By-law.
- (ii) That a need for the proposed use be identified to the satisfaction of the City.

- (iii) A complete hydrogeology and soil report shall be prepared by qualified professionals to ascertain the suitability of the site for the proposed use.
- (iv) Groundwater contamination shall not occur.
- (v) All new waste management sites shall front upon a road of an appropriate standard to the satisfaction of the Authority having jurisdiction over the road.
- (vi) Sites shall be located in areas where truck and haulage routes will not interfere with residential uses.
- (vii) When considering amendment to the implementing Zoning By-law to permit the establishment of new waste management sites or the expansion of existing operations, no waste management site shall be generally closer than 100 metres to a property boundary; 100 metres from a road allowance; 500 metres from any existing residential use or; 150 metres from any commercial use; notwithstanding the foregoing, the City may vary these distances on a site specific basis, in consultation with the Ministry of the Environment.
- (viii) The requirements of the Environmental Protection Act and the Environmental Assessment Act shall apply to the establishment of any new waste management operation.
- (ix) All new waste management sites shall be zoned in a separate category or categories in the implementing Zoning By-law which will contain appropriate standards and controls to implement the policies established in this designation.

10.4.6 Wrecking Yards

In addition to the policies of this Section, the following policies shall apply to wrecking yards. Wrecking yards include premises where derelict, discarded, abandoned or inoperable motor vehicles and/or other goods, wares merchandise or articles are stored wholly or partly in the open. This shall include junk yards, tire yards, scrap yards or automobile wrecking yards. This Plan recognizes existing wrecking yards and ancillary uses and may permit the establishment of new wrecking yards subject to the following:

- (i) The establishment of any new wrecking yard shall require an amendment to the Official Plan.
- (ii) Any new wrecking yards shall be located an adequate distance away from any existing or proposed residential, commercial, institutional or open space/recreational uses and any other areas where human activities or structures exist or are proposed; this shall generally not be less than 300 metres and the City, in consultation with the Ministry of the Environment, may increase or decrease this distance on a case by case basis.
- (iii) A wrecking yard shall be adequately screened on all sides, either naturally or by artificial means in order that no portion of the operation, including the storage area, can be seen from a public road.

- (iv) Studies may be required to demonstrate to the satisfaction of the City and the appropriate Conservation Authority that any new or expanding wrecking yard will not result in a negative impact on the natural environment, including the contamination of ground and surface water.
- (v) All new and expanding wrecking yards shall be subject to Site Plan Control.
- (vi) Redevelopment of the property located on the northeast corner of Hamilton Road and Glen Miller Road described as Part Lot 1, Concession 2, Part Lot 1 Plan 165, 7 Glen Miller Road, shall be in accordance with Section 6.1, Planning District 2 (b) (iii).

10.4.7 Decommissioning of Contaminated Sites

In cases of contaminated sites, site clean-up shall be in accordance with the Ministry of Environment's Guideline for Use at Contaminated Sites in Ontario. In cases where a site must be cleaned, a record of site condition signed by the Ministry of Environment prior to the issuing of planning approvals should be requested. The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant MOE guidelines and procedures.

Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, a Record of Site Condition (RSC) either prior to the development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the municipality must be received.

When considering applications for development which include sites suspected or known to be contaminated, the municipality will require at its discretion a Phase I ESA be undertaken by the applicant in accordance with Ontario Regulation 153/04 as amended. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report.

As a condition of approval, the municipality will require that remediation, where required, is undertaken to appropriate standards of the MOE, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MOE, as amended from time to time.

Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O.Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the Ministry of the Environment. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O.Reg. 153/04, as amended and with MOE guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition" dated October 2004 or associated guidelines.

A Record of Site Condition may, at the municipality's discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act. This requirement is to ensure, to the municipality's satisfaction, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the MOE.

10.5 Renewable Energy and Air Quality

The City of Quinte West recognizes the increased importance to conserve energy and seek more sustainable forms of energy production. Renewable energy sources are sources of electricity that use naturally occurring fuel sources such as water flows, energy from the sun and wind energy. These forms of renewable energy reduce greenhouse gas emissions, resulting in benefits to our health and environment as well as increase the supply of energy for current and future generations.

10.5.1 Goal

To support the development of sustainable energy systems and reduce negative impacts on air quality.

10.5.2 Objectives

- (i) To use all reasonable and cost effective opportunities to encourage the efficient use of energy, particularly in relation to new development.
- (ii) To promote the development of renewable energy projects, such as solar and wind.
- (iii) To encourage alternative forms of transportation to reduce reliance on the automobile and improve air quality.

10.5.3 Policies

- (i) The City will encourage energy conservation through the support of energy efficient design, such as building orientation, and through alternative energy sources such as water, wind and sun.
- (ii) Renewable energy projects are subject to the provincial approval process and are exempted from municipal review under the Planning Act. Renewable energy projects that are exempt from the Renewable Energy Approval Process are outlined in the Green Energy Act.
- (iii) Renewable Energy Project setbacks are regulated under O. Reg. 359/09 in accordance with the project type, size and location.
- (iv) The proponent of a regulated renewable energy project will consult with the City, as required in the Renewable Energy Approval Process.

- (v) Design will be supported that maximizes the use of renewable energy sources.
- (vi) The City will encourage the efficient use of energy by supporting compact growth, infilling and the use of existing and planned infrastructure.
- (vii) The City will increase opportunities for walking and cycling by supporting mixed employment with residential uses as well as land-use and settlement patterns that will facilitate possible future public transportation routes.
- (viii) The City will work towards utilizing energy conservation and efficiency practices in municipal owned facilities.

10.6 Cultural Heritage Conservation

The City of Quinte West holds a rich abundance of cultural heritage resources. Cultural heritage resources extend beyond individual buildings and can include but are not limited to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural, village, and urban districts or landscapes that provide essential value in the information they reveal about the past. They provide an understanding as to how social, economic, political and environmental influences have characterized and shaped the community. Well maintained historic buildings and landscapes contribute to a sense of place and foster local pride. The resources also aid in the promotion of cultural tourism.

The City recognizes the importance of cultural heritage resources within the municipality and therefore will encourage the identification, conservation, protection, restoration, maintenance, and enhancement of all cultural objects, features and landscapes. All new development permitted by the land use policies and designations of this Plan shall have regard for cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated.

10.6.1 Goal

To ensure that cultural heritage resources in the municipality are managed in a manner which perpetuates their functional use while maintaining their heritage value and benefit to current and future generations of the community.

10.6.2 Objectives

- (i) To protect, conserve and enhance the distinguishing qualities and character of the City's cultural heritage resources, including significant built heritage resources and significant cultural heritage landscapes.
- (ii) To consider cultural heritage resources in all planning and development decisions.
- (iii) To enforce the importance of early identification, protection and management of cultural heritage resources during the land use and development process.

- (iv) To prevent the demolition, destruction or inappropriate alteration of cultural heritage resources.
- (v) To minimize the effects of development on cultural heritage resources.
- (vi) To encourage development adjacent to significant cultural heritage resources to be of an appropriate scale and character.
- (vii) To ensure that any changes to a heritage property are appropriately managed and that these changes respect the property's heritage value.
- (viii) To require the preparation of an adequate heritage/archaeological impact assessment when development proposals affect significant cultural heritage resources or areas containing archaeological potential.
- (ix) To encourage the establishment of an Archaeological Management Plan to outline policies and procedures for identifying and conserving archaeological resources during land use planning and development activities.
- (x) To encourage and foster public awareness, participation and involvement in the conservation of cultural heritage resources.
- (xi) To utilize the City's culturally significant resources to foster tourism.
- (xii) To support the creation of a heritage resource information base, resulting in comprehensive heritage site inventories.
- (xiii) To facilitate research into the cultural heritage of the Municipality and identify methods for its conservation and enhancement.

10.6.3 General Policies

- (i) The City shall enhance the conservation of the municipality's cultural heritage resources by endeavouring to identify and protect building interiors of significant heritage merit.
- (ii) The City will consult with and involve residents of the municipality in heritage planning and programs.
- (iii) The City may continually review and update heritage policies, plans and programs, with a comprehensive review to occur in conjunction with the Official Plan review.
- (iv) The City may investigate and adopt further measures available for the implementation of cultural heritage resource conservation policies. These shall include measures for cultural heritage conservation pursuant to the following legislation: The Ontario Heritage Act, The Planning Act, The Municipal Act, the Environmental Assessment Act, and the Aggregate Resources Act.

- (v) The City shall enter into a data sharing agreement with the Ministry of Tourism and Culture.
- (vi) The City shall protect and enhance the distinguishing qualities and character of cultural heritage landscapes.
- (vii) The City shall participate, wherever feasible, in the conservation of cultural heritage resources by:
 - (a) conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and/or stewardship;
 - (b) conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
 - (c) respecting the heritage resources recognized or designated by federal and provincial agencies; and
 - (d) respecting the heritage designations and other heritage conservation efforts by area municipalities.
- (viii) The City may, by by-law, designate a property within the City of Quinte West to be of cultural heritage value or interest under Part IV of the Ontario Heritage Act.
- (ix) The Clerk, under Section 27 of the Ontario Heritage Act, will record in a register all property designated under Part IV of the Ontario Heritage Act and property that Council endorses as being of cultural heritage value or interest.
- (x) The City will utilize the planning approval process to ensure that properties of cultural heritage interest that are not designated under the Ontario Heritage Act or included in the register are identified, evaluated and appropriately conserved.
- (xi) The City may establish heritage conservation districts under Part V of the Ontario Heritage Act to protect culturally resourceful areas.
- (xii) Demolition of designated heritage buildings under the Ontario Heritage Act is discouraged in order to protect their heritage value and appearance.
- (xiii) Retention and conservation of significant built heritage resources in their original locations will be encouraged.
- (xiv) In the case that demolition or relocation of a built heritage resource is unavoidable; the heritage resource shall be documented and included in the City's archive in accordance with policy 10.6.3 (ix).
- (xv) The City shall support the use of heritage buildings for public uses (eg. tourism bureaus, art display spaces, civic office space etc.)
- (xvi) Site Plan Control provisions will be applied to ensure new development on adjacent properties to a cultural heritage resource is compatible.

- (xvii) Pursuant to the Ontario Heritage Act provisions, the City may enter into heritage conservation easements with private property owners for the conservation of property of cultural heritage value or interest.
- (xviii) The City may require a Heritage Impact Assessment when site alteration or development affects a cultural heritage resource, including adjacent lands to a protected heritage property. Mitigation measures or alternative development approaches to conserve the heritage attributes of the heritage property may be required.
- (xix) A Heritage Impact Assessment must:
 - (a) address the significance and heritage attributes of a cultural heritage resource;
 - (b) identify any impact a proposed development or site alternation may have on the cultural heritage resource; and
 - (c) evaluate and/or recommend alternative conservation methods to mitigate the impact of a proposed development or site alteration on cultural heritage resources.
- (xx) The City may, by by-law, prescribe minimum standards for the maintenance of the heritage attributes of a property designated for containing built heritage resources.

10.6.4 Heritage Conservation Districts

The Ontario Heritage Act recognizes that cultural heritage resources extend beyond individual buildings and have granted Municipalities the authority, through the passing of a by-law, to designate significantly culturally resourceful areas as heritage districts.

- (i) Before the designation of one or more heritage conservation districts, the City will designate, by by-law, the area of interest as a heritage conservation study area for a period of up to one year as part of the preparation of a heritage conservation district plan.
- (ii) A heritage conservation study shall:
 - (a) examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
 - (b) examine and make recommendations as to the geographic boundaries of the area to be designated;
 - (c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under the Ontario Heritage Act.

- (iii) Any designated heritage conservation study area, by by-law, can prohibit the alteration of property, or the erection, demolition or removal of buildings or structures in the heritage conservation study area.
- (iv) The City, if choosing to designate one or more heritage conservation districts, will pass a by-law in accordance with the Ontario Heritage Act to designate one or more heritage conservation districts.
- (v) Properties located in a heritage conservation district may also be designated under Part IV of the Ontario Heritage Act.
- (vi) The City shall adopt a heritage conservation district plan for each heritage conservation district that is designated in the by-law in accordance with the Ontario Heritage Act, which will contain conservation goals and objectives, a description of the cultural heritage interest and attributes, design guidelines for both existing buildings and new construction and how the plan is to be implemented.
- (vii) The City may require a Heritage Impact Assessment for development proposals within a heritage conservation district.
- (viii) Any alterations, additions and demolitions to a property within a heritage conservation district will require a permit from the City, which will only be granted if the proposal is compatible with the character of the area.
- (ix) The City may, by by-law, prescribe minimum standards for the maintenance of the heritage attributes of a property situated in a heritage conservation district.

10.6.5 Ontario Heritage Act

The Ontario Heritage Act provides for the conservation of Ontario's heritage resources. The Act will be utilized to conserve, protect and enhance the cultural heritage resources in the municipality through the designation, by by-law, of individual properties, conservation districts and landscapes, and archaeological sites.

10.6.6 Municipal Heritage Committee

Under Section 28 of the Ontario Heritage Act, the Council may, by by-law, establish a Municipal Heritage Committee to advise and assist Council on cultural heritage and to encourage citizen participation in heritage conservation. The Municipal Heritage Committee will be consulted on cultural heritage designations, heritage conservation districts and any other matters of cultural heritage conservation.

The Municipal Heritage Committee will be circulated notices under regulations of the Planning Act, pertaining to Plans of Subdivisions, Zoning By-laws, Holding By-laws and Interim Control By-laws, if the subject land includes or adjoins a property or district designated under Part IV or V of the Ontario Heritage Act.

10.6.7 Cultural Heritage Master Plans

The City may undertake a Cultural Heritage Master Plan, which is to include, but shall not be limited to:

- summary of the City's cultural history;
- comprehensive mapping and inventories of built heritage resources, cultural landscapes, known archaeological sites and potential archaeological sites;
- identification and evaluation of cultural heritage resources, cultural facilities, and organizations;
- strategies for conserving and enhancing these identified resources;
- basis for determining boundaries of potential heritage districts;
- programs to foster promotion; and
- education and public participation in cultural heritage conservation.

10.6.8 Demolition for Built Heritage Resources

The City shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse versus demolition when considering demolition applications of designated heritage properties.

The City shall ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alteration and that such documentation shall be the responsibility of the applicant in consultation with the Municipal Heritage Committee (or the Ministry of Tourism and Culture)

The City shall ensure that significant records and documentation will be located in an appropriate repository, such as a municipal archive or library.

10.6.9 Archaeological Resources

Archaeological sites consist of any property that contains an artefact, or any other physical evidence of past human use or activity that is of cultural heritage value or interest. An artefact is any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest. The City recognizes that there may be archaeological remains of precontact and historic habitation, or areas containing archaeological potential within the boundaries of the municipality. These sites represent the City of Quinte West's heritage and historical events and therefore is essential that archaeological resources are physically identified, documented and conserved.

A marine archaeological site is an archaeological site that is fully or partially submerged or that lies below or partially below the high-water mark of any body of water. The City may contain marine archaeological resources, including boats, piers, artefacts and any other items of cultural heritage value or interest.

- (i) Development applications under the Planning Act will be screened for archaeological potential in accordance with provincial standards.

- (ii) Where development may have an impact on areas that have potential for marine archaeological resources, a marine assessment must be conducted by a marine archaeologist licensed under the Ontario Heritage Act, at the cost of the applicant, to the satisfaction of the City and Ministry of Tourism and Culture. A Parks Canada marine archaeologist shall be used when development may have an impact on the potential for marine archaeological resources in the Trent-Severn Waterway. Appropriate mitigation measures will be required to prevent any negative impacts on marine archaeological resources.
- (iii) If a property proposed for development affecting areas containing a known archaeological site or has potential for archaeological resources, a licensed archaeologist under the Ontario Heritage Act must be contracted to undertake an archaeological assessment prior to any development or site alteration.
- (iv) Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism and Culture, as well as licensing requirements developed under the Ontario Heritage Act.
- (v) Where a significant archaeological site has been identified on lands proposed to be developed and archaeological resources have been found, they must be conserved through avoidance (retention or preservation of resource) or documentation (excavation and recording of resource).
- (vi) All archaeological assessments and completed mitigation of any resources found must be reviewed and approved by the Ministry of Tourism and Culture to ensure that all cultural heritage concerns have been met.
- (vii) Council may adopt Zoning By-law provisions under Section 34(1) 3.3 of the Ontario Planning Act to prohibit any land use activities or the erection of buildings or structures on land that is the site of a significant archaeological resource.
- (viii) If human remains are encountered either during an archaeological site excavation or during construction or extraction activities, no person shall disturb or order a burial site to be disturbed.
- (ix) The City will consult the Ministry of Tourism and Culture when an unidentified human cemetery or marked or unmarked human burial is affected by land use development and the provisions under the Heritage Act and the Cemeteries Act shall apply.

10.7 Economic Development

10.7.1 Goals

- (i) To develop and promote long term economic vision and unique positioning for the community as a place to do business in order to generate employment opportunities of a diverse nature and achieve long term economic prosperity in the City.

- (ii) The provision of employment opportunities through a balance of commercial, industrial, government/military, tourism and agriculture in areas designated and determined to be best suited for each economic sector.
- (iii) A well rounded, vibrant community providing economic opportunities for people of all ages will be achieved in the City of Quinte West.

10.7.2 Objectives

- (i) To create a climate that is receptive to innovative economic opportunities through co-operation with the local business community, the Quinte Economic Development Commission as well as Provincial and Federal levels of government.
- (ii) To develop a marketing strategy, in co-operation with the Quinte Economic Development Commission, Loyalist College and the local business community, to increase the City's profile on a local, provincial, national and international travel.
- (iii) To establish a comprehensive economic development strategy whereby public/private partnerships are developed to help promote the City as a place to do business.
- (iv) The development of a database on the available resources, services and amenities available to new and existing businesses within the City.
- (v) To maintain a high standard of community infrastructure and facilities to attract and support economic activity.
- (vi) To ensure the availability of sufficient land and services in appropriate locations to accommodate future economic activities.
- (vii) To assume the lead in the promotion and marketing of the economic development opportunities available in Quinte West.
- (viii) To co-ordinate and support community-based economic development initiatives.
- (ix) To promote and protect the agricultural and resource based industries in the City.
- (x) To work towards enhancing the vitality and viability of the City's downtown cores and village centres.
- (xi) To focus on attracting new investment to the downtown cores of Trenton and Frankford and commercial areas of Batawa.
- (xii) To provide opportunities to improve tourism and public access to the waterfronts and riverfronts.
- (xiii) To focus on the retention and expansion of existing businesses and industries.

10.7.3 Policies

- (i) The Downtown Commercial Recruitment Strategy and Action Plan for the City will be implemented to attract new investment to the downtown cores of Trenton and Frankford.
- (ii) The City will support the economic development, technological advancement and growth of businesses by undertaking discussions with utility providers regarding the feasibility of servicing existing and future development areas with leading-edge telecommunications services, including broadband technology.
- (iii) Appropriate land use policies that prevent land use conflicts to the City's agricultural and aggregate resources will be implemented to ensure protection of the resource based industries.
- (iv) A variety of economic opportunities will be permitted and encouraged in the rural areas of the City, including recreation and tourism.
- (v) A variety of agri-tourism activities will be permitted in both the rural and agricultural designations.
- (vi) The City permits and encourages home occupations in appropriate designations as an additional and affordable economic opportunity for residents.
- (vii) The City will continue to work with landowners, business improvement associations, Chamber of Commerce and other community groups to enhance the City's downtown cores by encouraging mixed use development, the use of support programs and recruiting new commercial opportunities.
- (viii) The City will continue to promote grants and loans available through the Community Improvement Plan for property improvements and educate businesses and property owners who are unaware of these financial resources.
- (ix) The City will maintain an ongoing business retention program as an investment attraction and retention initiative for both the industrial and commercial sectors.
- (x) The City will address the needs and concerns of businesses in Quinte West and improve communications between businesses and the City through business retention and expansion projects.
- (xi) The City will work with regional partners to promote the industrial, commercial, agricultural and tourism sectors.

11. NATURAL ENVIRONMENT

11.1 Planning Approach

The City of Quinte West contains a diverse natural environment; composed of natural resources, watersheds and significant natural heritage features and areas. A variety of social and economic benefits result from a healthy natural environment including recreation activities, tourism and resource based industries. In the attempt to achieve a healthy sustainable City, a careful balance of social and economic activities with the environment is required. Development applications will be reviewed to make certain that adverse affects do not occur to the natural environment, which includes ensuring that ecological functions and biodiversity are maintained and/or enhanced, natural resources are not depleted, protection is provided to life and property from natural hazards, and that water supplies for municipal drinking water systems are protected. *OPA#8 – By-law 15-155 adopted 12.07.2015*

In order to properly manage and enhance the existing built Settlement Areas, while protecting or improving the quality and diversity of the natural environment, the City endeavours to take a strategic approach to planning for the long range development of the City of Quinte West. Through the implementation of the policies of this Plan, the City will seek to reinforce the relationship between the built communities and the many features of the natural environment. This integrated planning approach will facilitate sustainable social, economic, cultural and natural environments within the City.

11.2 Planning Co-ordination

The implementation of the City's planning approach to the natural environment shall be achieved through the fostering of strong relationships between the City and the local conservation authorities.

The City and the conservation authorities will co-ordinate their efforts in the review of development applications and the creation of long range planning policies. The co-ordination of these bodies will develop an approach to planning that reflects the desired growth patterns of the City and the needs of the natural environment in the context of the policies of this Plan and the Provincial Policy Statement.

The City will also establish a strong relationship with Parks Canada, to assist in the administration of *Parks Canada's Policies for In-Water and Policies for In-Water and Shoreline Words and Regulated Activities* and *Parks Canada's 2000 Trent-Severn Waterway Management Plan*.

The Ministry of Natural Resources is responsible for the management of Crown land. The policies of this Plan are not binding on Crown land activities and the use of Crown lands will be determined by the Province with regard for the established planning policies of the City.

11.3 Natural Heritage Features and Areas

The City recognizes the importance and value of natural heritage features and areas as well as the need to develop policies that will serve to recognize, protect and where

possible, enhance the natural heritage features and areas for the long term within the City of Quinte West. As such, this Plan recognizes the following natural heritage features and their ecological functions:

- Provincially Significant Wetlands
- Significant Woodlands and Valleylands
- Fish and Significant Wildlife Habitats
- Significant Habitat of Endangered and Threatened Species
- Significant Areas of Natural and Scientific Interest (ANSIs)

11.3.1 Goal

To develop a planning approach for the protection and enhancement of natural heritage features and areas that will serve to reduce the impact of development on such features and their ecological functions.

11.3.2 Objectives

- (i) To identify and preserve existing natural heritage features and areas within the City.
- (ii) To minimize the conflict between incompatible land uses and natural heritage features and areas.
- (iii) To encourage the general public and the private development industry to participate in the co-ordination and implementation of sound management initiatives and practices as they relate to the identified natural heritage features and areas within the City of Quinte West.

11.3.3 General Policies

- (i) The City will work to maintain, restore or where possible, improve the diversity and connection of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems, while recognizing linkages between and among natural heritage features and areas, surface water features, ground water features and hydrologic functions.
- (ii) The City will require, where appropriate, linkages to be incorporated within developments to open space, such as connecting walkways to natural areas.
- (iii) Land uses will only be permitted within and adjacent to particular natural heritage features and areas, if the use is compatible with the long term protection of the natural heritage features and areas.
- (iv) Pre-consultation is encouraged with the appropriate Conservation Authority prior to circulation of the development application, to discuss the development proposal and identify the issues and concerns for protection of the natural heritage feature on the subject site.
- (v) Applicants of a Planning Act application, that include regulatory authorizations under the Development, Interference with Wetlands, and Alterations to

Shorelines and Watercourses Regulation of the Conservation Authorities Act, are required to pre-consult with the appropriate Conservation Authority.

- (vi) The natural heritage policies are not intended to limit the ability of existing agricultural uses to continue.

11.3.4 Environmental Impact Studies (EIS)

An Environmental Impact Study (EIS) is a mechanism for assessing the potential impacts to determine the suitability of a development proposal. An EIS is required when development or site alteration is proposed within or adjacent to an area identified as a sensitive/significant natural heritage feature(s) either by the Provincial Policy Statement, Official Plan and/or the appropriate Conservation Authority's watershed data. An EIS may also identify new features or areas that require evaluation. The City encourages consultation with the appropriate Conservation Authority early in the EIS development process.

- (i) An EIS will be required where potential exists for a negative impact on the natural heritage features and areas and/or their functions. An EIS may also be required in the absence of known natural heritage feature information, particularly in areas with known species at risk or significant wildlife habitat. If possible, it will be determined at the pre-consultation stage with the appropriate Conservation Authority and the City whether an EIS will be required as part of a development proposal. If an EIS is determined to be required during pre-consultation, it must be provided by the applicant as part of the complete application, as outlined in Section 12.4. The City and appropriate Conservation Authority may also determine that an EIS is required following the submission and review of a development application.
- (ii) All EIS reports required by subsection (i) above, shall be prepared by a qualified professional at the appropriate time of year using appropriate survey methodology and approved by the City and completed to the satisfaction of the City and appropriate Conservation Authority.
- (iii) All EIS reports shall be approved by the City, in consultation with the appropriate Conservation Authority and if applicable, the Ministry of Natural Resources and shall address the following:
 - (a) a detailed description of the development proposal and purpose;
 - (b) a description of existing on-site and adjacent conditions and land uses including the land use designations identified on Schedule "A" to this Plan and zoning in the implementing Zoning By-law;
 - (c) maps and diagrams illustrating the development location;
 - (d) the delineation of the natural heritage area including an inventory of natural heritage features and ecological features and functions on or adjacent to the site, subject to the development proposal;

- (e) identify if suitable habitat exists on the site for known species at risk, as well as suitable habitat for species at risk that may be observed during the preparation of the study;
- (f) the identification and assessment of any and all land uses or activities that may negatively impact the natural heritage feature, area or their ecological functions;
- (g) a detailed description of the potential negative impacts to the natural heritage feature(s) and/or area(s) and the mitigation measures and monitoring program to be undertaken as part of the development proposal which will ensure no negative impacts to the natural heritage features, areas or their ecological and/or hydrological functions, and;
- (h) any other site specific information deemed necessary by the City in consultation with the appropriate Conservation Authority.

11.3.5 *Natural Heritage System*

A natural heritage system connects green and natural areas that provide ecological functions and enable the movement of species. Natural features, functions and linkages are incorporated into the natural heritage system and their interconnectivity is recognized. Utilizing the natural heritage system approach is effective in the protection of specific natural heritage features and areas, due to the acknowledgement that individual areas and features are ecologically connected to other physical features and areas in the overall landscape.

The City intends to collaborate with the Conservation Authorities, the agricultural community and any other relevant stakeholders to develop a current natural heritage system strategy.

11.3.6 *Cold Water Streams*

Cold water streams are a limited and sensitive resource and species found in these streams are more sensitive to habitat changes than those found in warmer waters. Coldwater streams can experience degradation from both natural and man-made influences and these influences may have a cumulative impact that results in the fragmentation and loss of healthy habitat. The City intends to coordinate with local Conservation Authorities and surrounding municipalities to assist in the implementation of a cold water stream strategy to ensure sustainable cold water streams for future generations.

11.3.7 *Wetlands*

Wetlands are lands that are transitional between terrestrial and aquatic systems, where the water table is at or near the surface. Wetlands are hydrologically, ecologically, socially and economically important through their ability to maintain and improve water quality, protect shorelines from erosion, aid in flood control, provide fish and wildlife habitat, provide conditions for vegetation and allow for recreational activities such as hunting and fishing. The continued protection of these significant natural features will be

promoted by the City in the review of all development proposals submitted to the City for approval.

Several wetland areas in the City have been evaluated through the provincial Wetland Systems Evaluation System as being Provincially Significant. Evaluated wetlands that have been classified as provincially significant are designated Environmental Protection on Schedule “D” to this Plan. The City also contains several unevaluated wetlands, which upon evaluation, may become provincially significant.

The following policies shall apply to the significant wetlands identified on Schedule “D” to this Plan:

- (i) No development or site alteration will be permitted within a provincially significant wetland.
- (ii) No new development, redevelopment of existing development or site alteration will be permitted within 120 metres of a provincially significant wetland unless it has been determined through the completion of an EIS (in accordance with Section 11.4.4 of this Plan) that no negative impacts will occur on the wetland features or on its ecological functions.
- (iii) Any proposed modification to the boundary of a provincially significant wetland as identified on Schedule “D” to this Plan shall only be considered after consultation with, and the concurrence of, the Ministry of Natural Resources.
- (iv) The City shall amend the Plan accordingly when a boundary change is identified in (iii) above.
- (v) The City may also identify and subsequently protect and conserve wetlands that it considers to be of local or regional significance.

11.3.8 Significant Woodlands and Valleylands

Significant woodlands and valleylands provide for a variety of ecological functions. Woodlands include treed areas, woodlots or forested areas. The loss of woodlands is one of the primary threats to biological diversity. Woodlands also prevent soil erosion, affect water quality and quantity, provide for habitat and the sustainable harvest of woodland products. Valleylands also affect the watershed system and provide for habitat. They are a fundamental component to the overall connectivity of a natural heritage system and can be essential for that system, particularly in highly fragmented areas. The following policies shall apply:

- (i) The City will identify significant woodlands and significant valleylands, in consultation with the Ministry of Natural Resources and the appropriate Conservation Authority, for the purpose of protection as specified in the Provincial Policy Statement (PPS). Where the identified woodlands and valleylands impact upon identified prime agricultural lands, consultation shall also be sought from the agricultural community.
- (ii) Where identified, new development and site alteration may require assessment of potential significant woodland and valleyland values.

- (iii) Upon identification of the City's significant woodlands and valleylands, development and site alteration will not be permitted within these identified areas unless it has been demonstrated through the completion of an EIS (in accordance with Section 11.4.4 of this Plan) that there will be no negative impacts on the natural features or their ecological functions.
- (iv) Upon identification of the City's significant woodlands and valleylands, development and site alteration within 120 metres of significant woodlands and valleylands shall not be permitted unless the ecological function of the adjacent lands has been evaluated through an EIS and has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

11.3.9 Fish & Significant Wildlife Habitat

Protecting fish and wildlife habitat is essential for maintaining biodiversity, as fish and wildlife have a fundamental role in ecological and biological processes. Fish and wildlife also provide a number of economic and social benefits. The habitats of species of special concern and other sensitive species are also considered to be significant wildlife habitat and these species are listed in the Ministry of Natural Resources' 'Species at Risk in Ontario' list. Certain species are categorized as special concern because of characteristics that make them particularly sensitive to human activities or natural events, even though their species at risk status has not yet been elevated to endangered or threatened. The main cause for these species becoming endangered or threatened is habitat loss, alteration and fragmentation. Aquatic biodiversity can also be impacted from adjacent development due to the runoff of sediments and nutrients and the removal of aquatic vegetation.

It is the intent of this Plan that the City will undertake an exercise to identify and designate, in consultation with the Ministry of Natural Resources and appropriate Conservation Authority, fish and significant wildlife habitat areas for protection and conservation from incompatible land uses and activities.

The following policies shall apply to the identified fish and significant wildlife habitats within the City:

- (i) The City intends to develop a Natural Heritage System Strategy, which will assist in the protection of significant wildlife habitat through protecting natural corridor linkages in order to maintain, restore and/or improve the diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural heritage systems.
- (ii) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- (iii) A 30 metre setback, which shall remain undisturbed and naturally vegetated, is required for new development along watercourses to protect and maintain fish habitat.
- (iv) Where identified, an assessment of potential significant wildlife habitat values may be required. Upon identification of significant wildlife habitats, development

and site alteration shall not be permitted in significant wildlife habitat areas unless it has been determined through the completion of an EIS that there will be no negative impacts on the natural features or their ecological functions.

- (v) Development or site alteration on adjacent lands to be identified within 120 metres of fish and significant wildlife habitat areas may be permitted where it has been demonstrated through the completion of an EIS (in accordance with Section 11.4.4 of this Plan), that the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.
- (vi) Upon identifying habitat for species of special concern, the City will consult with the Ministry of Natural Resources for technical advice when development or site alteration is proposed near the site to ensure protection.

11.3.10 Significant Habitat of Endangered and Threatened Species

The loss of habitat is the primary cause for many plants and animals being listed as at risk of extinction or of disappearing from the province. It is therefore necessary to protect significant habitat of endangered and threatened species to prevent the elimination of species and to contribute to their recovery. Endangered and threatened species are those listed in the 'Species at Risk in Ontario' list. The *Endangered Species Act* protects listed endangered and threatened species and habitats, which apply to any development proposed adjacent to or within protected habitat.

- (i) Development and site alteration will not be permitted in significant habitat of endangered and threatened species.
- (ii) Development and site alteration shall not be permitted within 120 metres of significant habitat of endangered and threatened species unless the ecological function of the adjacent lands has been evaluated through an EIS and has been demonstrated that there will be no negative impacts on the habitat or its ecological functions.
- (iii) New development proposals will be assessed to identify potential presence or absence of species at risk and potential habitat of endangered and threatened species. Where potential habitat exists, a more detailed site assessment will be required by a qualified professional.

11.3.11 Areas of Natural and Scientific Interest (ANSIs)

Areas of Natural and Scientific Interest (ANSIs) are privately or publicly owned lands, and associated waters, that have been selected on the basis of earth science features, which represent Ontario's geological diversity (such as bedrock and land forms such as moraines) or life science features, which represent segments of Ontario's biodiversity and natural landscapes (such as forests, valleys and wetlands, as well as their native plants, animals and supporting environments) that have provincially important heritage, scientific or educational values. It is the intent of this Plan to ensure that there will be no negative impact on both earth and life science ANSIs from incompatible development.

The following policies shall apply to the ANSIs identified on Schedule "D" to this Plan:

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- (i) Development and/or site alteration may be permitted in, or adjacent to identified Provincially Significant ANSIs where it has been demonstrated through pre-consultation with the Municipality or through the completion of an EIS study (in accordance with the policies of Section 11.4.4 of this Plan) that the proposed development and/or site alteration will have no negative impact on the natural features or their ecological functions for which the specific area has been designated. Established agricultural activities are permitted without an EIS.
- (ii) For the purposes of this Plan, adjacent lands shall mean those lands within 120 metres of an identified significant life science ANSI and 50 metres of an identified significant earth science ANSI where it is likely that development or site alteration would have a negative impact on the ANSI.
- (iii) A property or properties may be added to an ANSI if it is documented that the additional lands enhance the ecological function of the ANSI. A property or properties may be removed from an ANSI if it can be shown that the lands do not contribute to the ecological function of that ANSI. The addition of and removal of land to or from the ANSI is subject to policy (v) below.
- (iv) Any proposed modification to the boundary of a provincially significant ANSI as identified on Schedule “D” to this Plan shall only be considered when there is a scientific or technical basis and after consultation with the landowner, and the concurrence of, the Ministry of Natural Resources.
- (v) The City shall amend the Plan accordingly when a boundary change is identified in (iv) and (v).
- (vi) The City may also identify and subsequently protect and conserve all ANSIs that it considers to be of local or regional significance.

11.4 Hazard Areas

11.4.1. Natural Hazard Areas

Natural hazard areas are those sites and lands which may pose a threat to life and property if developed on. These constraints can include flood plains, unstable and/or steep slopes, erosion hazards and dynamic beach hazards. Flood plains are identified on Schedule “D.”

11.4.1.1 General Policies

- (i) Pre-consultation is encouraged with the appropriate Conservation Authority prior to circulation of the development application to discuss the development proposal and identify the issues and concerns for protection of life and property adjacent to hazard lands on the subject land.
- (ii) Applicants of a Planning Act application that include regulatory authorizations under the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation of the Conservation Authorities Act, are required to pre-consult with the appropriate Conservation Authority.

- (iii) Development shall generally be directed to areas outside of:
 - (a) hazardous lands adjacent to Lake Ontario if impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
 - (b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
 - (c) hazardous sites.
- (v) Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
 - (a) an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
 - (b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
 - (c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

11.4.1.2 Flood Plains

It is the general intent of this Plan to protect people and property from the risks imposed by inappropriate development in the portion of the Environmental Protection areas identified as having inherent physical environmental hazard due to flood susceptibility which is severe enough to cause property damage and/or potential loss of life.

For the purposes of this Plan, floodplains will be considered as a one-zone floodplain unless otherwise designated by the City and appropriate Conservation Authority. When a one-zone concept is applied, the flood hazard limit is determined and the entire floodplain defines the floodway.

A two-zone floodplain identifies the floodway and the flood fringe. The floodway refers to that portion of the floodplain where development and site alteration would cause a threat to public health and safety and property damage. The flood fringe is the portion of the flood plain where development and site alteration may be permitted, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the appropriate Conservation Authority

The City, in collaboration with the appropriate Conservation Authority, may designate two-zone floodplain areas in accordance with the Ministry of Natural Resources Guidelines and Procedures, where significant urban land uses currently exist within the floodplain, and where there is potential for further infilling and redevelopment with no

adverse effects on flood flows. Two-zone floodplain areas will be in conformity with mapping approved by the appropriate Conservation Authority. Portions of Mayhew Creek and Cold Creek currently have approved two-zone floodplain areas. The two-zone floodplain of Mayhew Creek is restricted to the former City of Trenton and Cold Creek is restricted to the Village of Frankford. The City will establish provisions in the Zoning By-law where a two-zone concept has been designated.

The delineation of the flood susceptible areas for the City of Quinte West is based upon:

- engineered flood line mapping for Potter Creek, Dead Creek, Mayhew Creek, Masse Creek, Cold Creek, Glen Miller Creek, Meyers Creek, D.N.D. Creek, Oak Lake and the Trent River;
- lands adjacent to lakes, rivers, streams, or creeks for which engineered flood line mapping is not available shall require site inspections by the appropriate Conservation Authority to determine adequate development setbacks, and depending upon the degree of development, a flood study may be required to delineate the flood plain;
- lands within 30 metres of the normal high water mark of Lake Ontario and the Bay of Quinte and/or land below the engineering flood line mapping of these features, whichever is the greater; and
- all flood susceptible areas have been designated Environmental Protection on Schedule “D” of this Plan.

The following requirements shall apply for those lands located within the areas described above:

- (i) Development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the flooding hazard.
- (ii) Where the two zone concept for flood plains is applied, and where the effects and risk to public safety are minor and managed or mitigated in accordance with provincial standards, development and site alteration may be permitted, if also in accordance with the following:
 - (a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
 - (b) vehicles and people have a way of safely entering and exiting the area during times of erosion and other emergencies;
 - (c) new hazards are not created and existing hazards are not aggravated; and
 - (d) no adverse environmental impacts will result.
- (iii) The erection of new buildings or structures or the removal or placing of fill in areas regulated will not be permitted without the prior written approval of the appropriate Conservation Authority.

- (iv) Where the two zone concept for flood plains is applied, and where a major alteration is necessary to overcome the hazards within engineered flood lines, an amendment to this Plan will be required.
- (v) An amendment to this Plan will not be required for minor filling within the flood plain, provided the appropriate Conservation Authority has granted approval for the alteration.

11.4.1.3 Other Natural Hazard Areas

All natural hazard areas, other than flood plains (erosion hazards, dynamic beach hazards, steep slopes, unstable slopes or soils and/or unstable bedrock, and lands having organic soils, poor drainage or high water table), are monitored by the appropriate Conservation Authority. The following policies shall apply to such lands:

- (i) No development and site alteration shall be permitted in, or adjacent to such areas other than which can be safely managed on the lands. In most instances, uses should be restricted to natural conditions.
- (ii) When an application proposes new development on or immediately adjacent to slopes equal to or greater than 3:1 or when proposed immediately adjacent to sites where active or historic erosion has been observed, a geotechnical investigation by a qualified engineer will be required to assess the stability of the slope and/or soils and its suitability for development and to determine appropriate mitigation measures. The geotechnical investigation shall be prepared to the satisfaction of the City and appropriate Conservation Authority.
- (iii) If an existing building or structure within a natural hazard area is destroyed or requires restoration, such work may be permitted in consultation with the City and the appropriate Conservation Authority.
- (iv) Additions to buildings or structures may be permitted where it can be demonstrated that the hazardous conditions or exposure to risk is not increased. Geotechnical and other studies, which address the hazardous conditions, may be required prior to permitting any such development to occur.

11.4.2 Human-Made Hazards

- (i) Development on, abutting or adjacent lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed pursuant to an inspection by a qualified individual.
- (ii) Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

11.5 Water Quality and Quantity

The City of Quinte West is dedicated to protecting the quality and quantity of its water resources. Groundwater and surface water resources are significant contributors to the ecosystem and drinking water supply. These resources must be monitored and safeguarded in order to prevent contamination and to ensure the water supply will sustain current and future residents of the City. The *Clean Water Act (2006)* was enacted to ensure the sustainability of clean, safe drinking water and requires Source Water Protection Plans to be developed and implemented for every watershed in Ontario. The Trent Source Protection Plan and Quinte Region Source Protection Plan have been completed and approved. The City will implement the source protection planning policies to protect the integrity of the water supplies for municipal drinking water systems and ensure access to safe drinking water. *OPA#8 – By-law 15-155 adopted 12.07.2015*

11.5.1 Goal

To protect and conserve both the quality and quantity of the City of Quinte West's water resources.

11.5.2 Objectives

- (i) To ensure the protection and enhancement of the City's sensitive ground and surface water features and their hydrologic functions and linkages.
- (ii) To utilize a watershed based approach when making planning decisions.
- (iii) To promote water conservation efforts and support the sustainable use of water resources.
- (iv) To prevent new development and land use activities from negatively impacting the water quality and quantity of both groundwater and surface water.
- (v) To work co-operatively with the Source Water Protection Committees, the Conservation Authorities, and the City's Risk Management Official in the implementation of the Source Water Protection Plans in order to protect municipal surface water intakes, well heads, and related lands from development that may have adverse or negative impacts on the water quality. *OPA#8 – By-law 15-155 adopted 12.07.2015*

11.5.3 General Policies - OPA#8 – By-law 15-155 adopted 12.07.2015

- (i) The City will consider water quality and quantity issues at a watershed scale during the planning review process.
- (ii) The City will work with Conservation Authorities, Federal and Provincial Ministries, adjacent municipalities and other agencies on cross boundary water/subwatershed plans, which may by amendment, be incorporated into this Plan.

- (iii) The appropriate Conservation Authority will be consulted on planning applications that have potential to impact water quality and quantity to determine the appropriate studies to be completed.
- (iv) Mitigation measures and/or alternative development approaches may be required to protect, restore and enhance sensitive surface water features, sensitive groundwater features and their hydrologic functions.
- (v) The City will encourage the conservation of water resources by supporting voluntary water-use reduction strategies.
- (vi) Stormwater management systems that protect water quality and quantity will be supported as per policies in Section 11.5.5.
- (vii) The City will encourage sustainable agricultural practices that protect water resources.
- (viii) All land usage, development and/or redevelopment proposed for Oak Lake must be in accordance with the policies outlined in the Oak Lake Special Policy Area.
- (ix) New development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water mark of a waterbody or watercourse with non-disturbance of the native soils and very limited removal of shoreline vegetation; also:
 - a) location of the septic system tile field as far back as possible from the waterbody or watercourse
 - b) storm water management must be provided via infiltration galleries, grassed swales and ditches and other best management practices;
 - c) large development proposals (i.e. greater than five (5) lots, resort/condominium development) must be supported with a site evaluation report in consultation with the Ministry of the Environment, in order to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation; and,
 - d) for existing lots of record, new development/redevelopment shall be set back 30 metres if possible, otherwise as far back as the lot permits.

11.5.4 Source Water Protection Policies - OPA#8 – By-law 15-155 adopted 12.07.2015

- (i) The City will assist the Source Water Protection Committees, where appropriate, on the identification and assessment of threats to drinking water sources in order to protect and where appropriate, enhance the quality of the City's drinking water sources.
- (ii) The City will amend the Zoning By-law to implement policies and recommendations outlined in the Source Water Protection Plans. The

assessment reports prepared by local Source Protection Committees identify and assess threats to drinking water sources listed in the committee's terms of reference. The information they contain was used to prepare the source protection plans. These plans set out what actions are required to address threats to drinking water sources. This information will be used by land use planning approval authorities to assist them in their decision-making process.

- (iii) Drinking water threats as defined by Provincial regulations and/or as determined by the City's Risk Management Official include but are not limited to the following uses or activities:
- a) The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*.
 - b) The establishment, operation or maintenance of a system that collects, stores, transmits, treats, or disposes of sewage.
 - c) The application of agricultural source material to land.
 - d) The storage of agricultural source material.
 - e) The management of agricultural source material.
 - f) The application of non-agricultural source material to land.
 - g) The handling and storage of non-agricultural source material.
 - h) The application of commercial fertilizer to land.
 - i) The handling and storage of commercial fertilizer.
 - j) The application of pesticide to land.
 - k) The handling and storage of pesticide.
 - l) The application of road salt.
 - m) The handling and storage of road salt.
 - n) The storage of snow.
 - o) The handling and storage of fuel.
 - p) The handling and storage of a dense non-aqueous phase liquid.
 - q) The handling and storage of an organic solvent.
 - r) The management of runoff that contains chemicals used in the de-icing of aircraft.
 - s) An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
 - t) An activity that reduces the recharge of an aquifer.
 - u) The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard.

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

- (iv) The Trent Source Protection Plan and Quinte Source Protection Plan identify the following types of vulnerable drinking water areas that are delineated and mapped in the associated Assessment Reports:
- a) Surface Water Intake Protection Zones (IPZs); and
 - b) Wellhead Protection Areas (WHPAs)

The Trent and Quinte Source Protection Plans contain policies that address significant, moderate and low threats to source water. Policies within the Plans may restrict or even prohibit drinking water threat activities, or they may address threat activities through provincial instruments, education, outreach, or incentives. Source protection planning is intended to be a continuous improvement process.

- (v) The following IPZs and WHPAs have been identified within Quinte West through the Trent Source Protection Plan and have been mapped on Schedule E of the Official Plan:
- Trenton Municipal Surface Water System IPZ;
 - Frankford Municipal Surface Water System IPZ;
 - Bayside Municipal Surface Water System IPZ; and
 - Stirling Municipal Well System WHPA

The Quinte Source Protection Plan does not identify an IPZ or WHPA within Quinte West.

The IPZs have been subdivided further based on the following factors:

- IPZ-1: the area immediately adjacent to the intake that is considered the most vulnerable for surface water supplies due to its proximity to the intake and because contaminants of concern would experience little to no dilution before reaching the intake.
- IPZ-2: the area extending upstream from the IPZ-1 that is within a 2 hour time of travel. Where the IPZ-2 abuts land, the area within 120 metres of the highwater mark of the related surface water body is included in the delineation.

The WHPAs have been subdivided further based on the following factors:

- WHPA-A: the area within a 100 metre radius from the wellhead that is considered the most vulnerable area for ground water intakes.
- WHPA-B: the area within a travel time of up to and including 2 years (excluding WHPA-A).
- WHPA-C: the area within a travel time of up to and including 5 years (excluding WHPA-A and WHPA-B).
- WHPA-D: the area within a travel time of up to and including 25 years (excluding WHPA-A, WHPA-B and WHPA-C).
- WHPA-E: the area extending upstream from the point nearest in the surface water body nearest the well that is within a 2 hour time of travel. Where the WHPA-E abuts land, the area within 120 metres of the highwater mark of the related surface water body is included in the delineation.

- (vi) All development and planning applications within any IPZ-1; WHPA-A, WHPA-B; WHPA-C; WHPA-E; and within IPZ-2 of the Trenton and Frankford Municipal Surface Water Systems require a Section 59 Restricted Land Use Notice issued under the *Clean Water Act, 2006*, from the City's Risk Management Official for

an application to be deemed complete in accordance with Section 12.4 of this Plan.

The Section 59 Restricted Land Use Notice is required because certain activities, as set out in the approved Trent Source Protection Plan, within IPZ-1, WHPA-A, WHPA-B, WHPA-C, WHPA-E and IPZ-2 of the Trenton and Frankford Municipal Surface Water Systems may be prohibited or require a risk management plan.

- (vii) A by-law will be established to require existing sewage systems (as defined in the Ontario *Building Code Act*, 1992 S.O. 1992, Chapter 23 as amended) within IPZ-1, WHPA-A, and WHPA-B to connect to a municipal sewage collection system, where financially and technically feasible.
- (viii) Where connection to a municipal sewage collection system is feasible given financial and technical constraints and where a sewage system may be needed (as defined in the Ontario *Building Code Act*, 1992 S.O. 1992, Chapter 23 as amended), new development within IPZ-1, WHPA-A, and WHPA-B, is required to be serviced by a municipal sewage collection system.
- (ix) Where connection to a municipal sewage collection system is demonstrated not to be feasible and a sewage system is needed (as defined in the Ontario *Building Code Act*, 1992 S.O. 1992, Chapter 23 as amended), new development within IPZ-1, WHPA-A, and WHPA-B will be required to be serviced by a sewage system constructed to standards of the Ontario Building Code to ensure that the activity is not a significant drinking water threat.
- (x) Waste water collection facilities that collect or transmit sewage containing human waste that could be future significant drinking water threats and would require a Prescribed Instrument are required to comply with construction standards that will ensure that the activity is not a significant drinking water threat.
- (xi) The application of road salt that could be a future significant drinking water threat shall be reviewed to ensure the percent of impervious surface given the Trent Assessment Report during the planning process for the construction of road, other impervious land surfaces used for vehicular traffic and parking, and all impervious pedestrian paths.
- (xii) The storage of road salt that could be a future significant drinking water threat will not be permitted (prohibited under the Trent Source Protection Plan).
- (xiii) No new sewage and/or waste disposal facilities that could be a significant threat (as per the Trent Source Protection Plan) and would require a prescribed instrument are permitted within IPZ-1, IPZ-2, WHPA-A, WHPA-B, WHPA-C, and WHPA-E, with the exception of wastewater collection facilities, replacement of an existing sewage facility and mobile PCB waste reduction units.

11.5.5 Stormwater Management

Stormwater is composed of precipitation and snowmelt that soaks into the ground or flows off the land into sewers, streams, wetlands and lakes. Stormwater also includes runoff from a number of activities, including agricultural, industrial and domestic uses,

which can affect water quality due to water being taken and returned as wastewater. Development also affects the quantity of stormwater due to reduced infiltration of precipitation and snowmelt, which results in increased stormwater runoff. The purpose of stormwater management is to ensure streams, lakes and aquatic life remain healthy and to mitigate the effects of urban development. Stormwater management maintains the natural hydrologic cycle, which prevents stream erosion and an increased risk of flooding, as well as protecting water quality. The City of Quinte West recognizes the importance of stormwater management and requires it for all development proposals that have the potential to affect the quality and quantity of water.

11.5.5.1 Policies

- (i) Stormwater Management Plans are to be submitted in accordance with the complete application policies outlined in Section 12.4.
- (ii) The City may not require a Stormwater Management Report when the proposed development is considered to be minor.
- (iii) Stormwater management options will be discussed with the City and appropriate Conservation Authority prior to undertaking detailed design and analysis.
- (iv) Stormwater Management Plans are to be in accordance with the Bay of Quinte Remedial Action Plan Stormwater Guidelines and the Ministry of Environment's Storm Water Management Planning and Design Manual, 2003 or its successor.
- (v) Stormwater Management Plans are to be completed to the satisfaction of the City, appropriate Conservation Authority and any other applicable Ministry and/or Agency.
- (vi) A Stormwater Management Plan must be reviewed and approved by the Ministry of Transportation for those developments adjacent to or in the vicinity of a provincial highway where drainage would impact a highway downstream.
- (vii) An Official Plan amendment or Zoning By-law amendment shall not be approved when the development will result in flooding, erosion or adversely impact surrounding properties, natural environment or existing drainage patterns.
- (viii) Stormwater management facilities shall control quantity of stormwater runoff by ensuring that post development peak flows do not exceed pre-development levels and directed to a legal and adequate outlet. However, any outlet deficiencies should be corrected at or before the time of upstream development. Additional costs would be assessed to the development subject to any cost sharing agreement negotiated with the City.
- (ix) Stormwater management facilities shall ensure that post development water quality is maintained or improved. The level of stormwater quality treatment will be dependant on the characteristics of the receiving body and consider the sensitivity of aquatic habitat.
- (x) Any outlet(s) to a regulated receiving body, under the Conservations Authorities Act, will require authorization from the appropriate Conservation Authority.

- (xi) Where a Stormwater Management Plan is required, the following shall be addressed:
 - (a) the means whereby stormwater quality and quantity will be addressed;
 - (b) how stormwater will be managed (including lot creation and drainage plans);
 - (c) location and description of any and all outlets which may require permits from the appropriate Conservation Authority; and
 - (d) the means whereby erosion, siltation and their effects will be contained and minimized on site both during and after construction.
- (xii) The City and/or the appropriate Conservation Authority may identify additional requirements. The complete content and scope of the Stormwater Management Plan will be determined when reviewing a development proposal.
- (xiii) Developers are responsible for designing and constructing the approved facilities and for ongoing maintenance and performance monitoring costs until facilities are assumed by the City.
- (xiv) The City will give preference to developments that are able to reduce surface run-off and developments that utilize naturalistic stormwater management techniques (vegetation, natural areas etc.).
- (xv) The City encourages the integration of lot level controls into Stormwater Management Plans.
- (xvi) The City may develop Master Drainage Plans, watershed plans or sub-watershed plans. Upon approval of these plans, the stormwater management guidelines outlined must be followed in conjunction with accepted Ministry of the Environment stormwater management planning and design guidelines.

11.5.6 Bay of Quinte Shoreline Development

The City will undertake an amendment to the Plan to address shoreline development principles and policies for development along the Trent-Severn Waterway, in consultation with Parks Canada.

The following section outlines Shoreline Development on the Bay of Quinte. The Bay of Quinte has been identified by the International Joint Commission as an “Area of Concern” on the Great Lakes system. The provisions for the protection of the Bay of Quinte ecosystem shall be in accordance with the Bay of Quinte Remedial Action Plan (B.Q.R.A.P.). The City of Quinte West will undertake such actions as Council considers necessary for the implementation of the B.Q.R.A.P., which aims to restore and protect the Bay of Quinte. In general it is the intent of this Plan:

- (i) To protect all Provincially Significant wetlands, fish and significant wildlife habitats and shorelines from the impacts of agriculture, urban development,

- shoreline alteration and other impacts which threaten areas along the Bay or adjacent to watercourses discharging into the Bay.
- (ii) To improve water quality through remedial actions and the maintenance of that enhanced quality level as development occurs by addressing potential development impacts such as nutrient, sediment, phosphorous, toxic and bacterial loading.
 - (iii) To conserve and manage natural resources to ensure a desirable urban environment and encourage the augmenting of these resources where appropriate.
 - (iv) To encourage the appropriate agency or agencies to enforce remedial action against known sources of contamination and to encourage cooperation between the City and the appropriate agency or agencies for the purposes of ensuring the environmental objectives of the B.Q.R.A.P. are met.
 - (v) To protect the water quality and quantity characteristics of any watercourse which discharges to the Bay and maintain the natural habitat conditions for all wetland areas of significance.

11.5.7 Trent River Contaminated Sediments

As a result of historical industrial discharges, sediments accumulation in shallow waters along the east bank of the Trent River mouth has resulted in the contamination of sediments. Since the risks associated with removing them exceeds any environmental gains, the City, will ensure the long term protection of the contaminated sediments. The City, in consultation with appropriate agencies and/or ministries and in accordance with the Sediment Management Strategy – Administrative Controls Protocol, will assess development activities in the area of concern to reduce the disturbance of contaminated sediment. The area of concern to be monitored is identified in Schedule “E.”

12. IMPLEMENTATION

12.1 General

The Plan shall be implemented by the means and powers conferred on the City by the Planning Act and other such legislation as may be applicable. Specifically, the policies of the Plan shall be implemented through the municipal Zoning By-law, Minor Variances, Plans of Subdivision/Condominiums, Consents and the imposition of Site Plan Control requirements.

The Council, the Planning Advisory Committee and the Committee of Adjustment for the City of Quinte West shall only implement the policies of the Plan where it has the legal jurisdiction to do so. It is not the intention of the Plan to restrict the statutory rights, powers or prerogatives of any legal authority or jurisdiction except as the City itself has the legal authority to do so.

The Plan implements a framework that has been designed to guide the future growth and development of the City. The level of detail in the Plan is intended to be sufficient to achieve the goals and objectives of the Provincial Policy Statement and the City as identified in this Plan.

12.2 Official Plan Review

In order to ensure the continued relevance and practicality of the Plan in relation to changes in demographic, economic, social and technological circumstances, the City shall carry out a review of the goals, objectives and policies of the Plan not less frequently than every five years, or more frequently should changing technical, physical, social or economic conditions warrant. Such a review shall be in accordance with the requirements of the Planning Act, including being consistent with the Provincial Policy Statement, having regard to matters of provincial interest, conforming or not conflicting with provincial plans and reviewing policies and designations pertaining to employment lands. The City shall have regard for the purpose and scope of the Plan, the general principles established hereunder, the land use and transportation policies and changes which may occur in planning legislation enacted by the Province of Ontario.

In order to facilitate the review of, or an amendment to the Plan, the City shall establish an ongoing monitoring program to evaluate such matters as:

- (i) population changes;
- (ii) employment changes;
- (iii) land Use changes;
- (iv) rate of development;
- (v) housing densities, housing mix, housing needs and conditions, lot inventories and vacancy rates;
- (vi) municipal assessment and the residential vs. non-residential assessment balance;

- (vii) sewage and water capacity utilization;
- (viii) changes in Federal and Provincial programs;
- (ix) recreation and cultural facilities;
- (x) volume, nature and location of industrial and commercial development;
- (xi) preservation of significant natural heritage features and areas; and
- (xii) traffic volumes and conditions.

12.3 Amendments to the Plan

Pursuant to Section 17 of the Planning Act and Ontario Regulation 525/97, amendments to this Plan passed by the City are exempt from the approval of the Minister of Municipal Affairs and Housing.

The Plan articulates and implements the long range growth and development vision of the City and has been developed to accommodate the anticipated residential, commercial and industrial growth within the City over the next 20 year time horizon. It is not the intention of the City for the Plan to be amended from its present form unless substantial evidence is presented in support of such an amendment.

All applications submitted to the City for the purposes of amending this Plan, shall be accompanied by supporting documentation to the satisfaction of the City, and shall be subject to the following procedure to ensure that all amendments to the Plan are justified and that the general public receives adequate notification.

Applicants are required to consult with the City before submitting an Official Plan amendment. In addition to the information and material set out in Ontario Regulations 543/06, the City may require additional studies, information and/or material to be submitted with an Official Plan amendment application in accordance with Section 2.5 of this Plan.

(a) **Required Supporting Documentation:**

The City shall require the submission of the following supporting documentation prior to giving consideration to an amendment to the Plan:

- (i) the need for the proposed use;
- (ii) alternative locations for the proposed use;
- (iii) compatibility of the use with surrounding uses;
- (iv) current and previous uses of subject and adjacent lands;
- (v) vehicular and pedestrian access;

- (vi) services required by the proposed use, in particular the adequacy of water supply and the ability to dispose of sewage;
- (vii) site features and constraints concerning matters of provincial interest;
- (viii) site suitability for the proposed use, in particular the size and physical suitability of the site;
- (ix) drainage shall be reviewed to ensure that the site will not be subject to flooding and will not create flooding or nuisance drainage on adjacent properties;
- (x) financial impact on the City; and
- (xi) impact on resources including: agricultural lands, aggregate resources, aesthetic views from major public routes, groundwater supplies, natural heritage resources, cultural heritage resources, forestry resources and the extent to which the development achieves the objectives of the Remedial Action Plan for the Bay of Quinte.

(b) Notification of Agencies and Public

Agencies with legislative responsibility for the review of the proposal shall be advised and offered the opportunity to comment on areas of concern. Prior to approving any amendment to the Plan, the City shall prepare the amendment and notify affected ratepayers of its content requesting comments and/or discussion of the amendment. The Notice of a Public Meeting shall generally be given in accordance with the requirements of the Planning Act.

(c) Public Meeting

The City shall hold at least one Public Meeting in accordance with the Planning Act to review such an amendment.

(d) Technical Amendments

The City may forego public notification and public meeting(s) in connection with Technical Official Plan or Zoning By-law amendments, if such will not affect the provisions and intent of the Official Plan or Zoning By-law as previously enacted. A Technical Amendment may involve the following:

- (i) altering the numbering or arrangement of any provision;
- (ii) correcting punctuation or altering language to obtain a uniform mode of expression;
- (iii) correcting clerical, grammatical, dimensioning or typographical errors; or
- (iv) changes in format.

12.4 Consultation and Supporting Studies

12.4.1 Pre-Consultation

The City requires, by by-law, pre-consultation for all development applications for which the City is the approval authority, unless the Director of Planning and Development Services or designate determines that pre-consultation is not necessary based on the scale of the development or the complexity of planning issues associated with the proposed application.

12.4.2 Supporting Studies and Information – OPA#8 – By-law #15-155 adopted 12.07.15

In accordance with the Planning Act, the City may require that additional studies, information and/or material be accompanied with an application for an Official Plan amendment, Zoning By-law amendment, Plan of Subdivision or Condominium, Site Plan or Consent application. The supporting studies and information required shall be determined by the City in consultation with other appropriate agencies, and the applicant prior to the submission of the application as part of the pre-consultation process.

The required studies and information must then be provided by the applicant as part of the complete application. Studies may be in addition to other requirements listed in the Ontario Regulation 525/97, as amended from time to time, under the Planning Act.

- (i) The Planning Committee may refuse to accept an application as complete when the requested studies or other information required by this Plan or the Planning Act are not submitted as part of the application.
- (ii) In some circumstances, the City may determine that a study is required following the submission and review of a development application.
- (iii) All studies are to be prepared by qualified professionals to the satisfaction of the City.
- (iv) The City may choose to have any study submitted be peer reviewed at the expense of the applicant.
- (v) The submission of a study allows for the City to make informed decisions and does not ensure development proposals will be approved
- (vi) Aside from the studies listed below, the City may request any additional information or studies that are considered relevant to the application.
- (vii) Development and planning applications within any IPZ-1; WHPA-A; WHPA-B; WHPA-C; WHPA-E; and within IPZ-2 of the Trenton and Frankford Municipal Surface Water Systems require a Section 59 Restricted Land Use Notice issued under the *Clean Water Act, 2006*, from the City's Risk Management Official for an application to be deemed complete.

The following studies and information may be requested, but are not limited to:

- Affordable Housing Report
- Aggregate Impact Assessment Report
- Agricultural Impact Assessment Report
- Air Quality/Dust/Odour Study
- Archaeological Report and Impact Mitigation Report
- *Clean Water Act*, Section 59 Restricted Land Use Notice from the City's Risk Management Official
- Community Services and Facilities Study
- Compatibility Assessment
- Concept Plan
- Conservation Plan
- Construction Management Plan
- Contaminated Site Assessment
- Decommissioning Plan
- Design Guidelines
- Ecological Site Assessment
- Economic Cost Benefit Impact Analysis
- Emergency Management Plan
- Employment/Residential Land Needs Analysis
- Environmental Impact Study/Audit/Statement
- Environmental Site Assessment(s)/Audit and/or Previous Land Use Inventory and/or Site-Specific Risk Assessment
- Erosion and/or Sedimentation Plan
- Fisheries Impact Study
- Floodplain Management/Slope Stability Report
- Geotechnical Study
- Height and Density Assessment/Analysis
- Heritage Conservation Report
- Heritage Impact Assessment
- Hydrogeological Report
- Illumination Study
- Influence Area Study for development in proximity to an open or closed waste management facility, industry, pit or quarry.
- Lake Capacity Assessment
- Land Assembly Documents
- Landscaping Plan
- Market Impact Study
- Minimum Distance Separation Formulae
- Natural Site Features Inventory and Preservation Study
- Noise and Vibration Impact Study
- Nutrient Management Plan
- Park Concept Plan
- Parking and/or Loading Study
- Planning Justification Report
- Record of Site Condition
- Servicing Options Report
- Site Rehabilitation Plan
- Soil Assessment
- Stormwater Management Report/Master Drainage Plan

- Structural Engineering Analysis of existing buildings and structures
- Sun/Shadow Study
- Surface Water Impact Study
- Terrain Analysis Report
- Top-of-Bank Demarcation
- Topographic Plan of Survey/Survey Sketch
- Transportation/Traffic Impact Study and/or Access Analysis
- Tree Inventory and Tree Preservation Protection and Replacement Plan
- Urban Design Study
- Vegetation Enhancement Study
- Visual Impact Study
- Water and Sewer Servicing Capacity Studies
- Wave Up-rush Study
- Wind/Climate Impact Study

12.5 Development Controls

12.5.1 Municipal Plan Review

The City of Quinte West is responsible for the review functions of the following applications:

- Official Plan amendments;
- Zoning By-law amendments;
- Draft Plan of Subdivision/Condominiums;
- Consents;
- Minor Variances;
- Validation of Title;
- Part Lot Control;

As part of the review of the above referenced applications made under the Planning Act, the City shall ensure that all municipal land use planning decisions are consistent with applicable Provincial Policy Statements.

12.5.2 Minimum Distance Separation Formulae

The Minimum Distance Separation (MDS) formula is a tool to determine a required distance between a livestock facility and another land use (ie. residential, industrial, and commercial). The objective of MDS is to prevent land use conflicts and minimize nuisance complaints pertaining to odour.

The MDS formula is divided into 2 separate categories as follows:

- (i) MDS I provides the minimum separation distance for new development from existing livestock facilities and/or permanent manure storages; and
- (ii) MDS II provides the minimum distance separation for new, enlarged or remodeled livestock facilities and/or permanent manure storages from existing or approved development, lot lines and road allowances.

The City shall apply the MDS formulae when reviewing all applications for development adjacent to livestock facilities and when reviewing all applications for building permits for new, enlarged or remodeled livestock facilities.

The City shall also apply MDS I when reviewing applications for new development on existing lots of record as defined by this Plan.

12.5.3 Zoning By-law

The comprehensive Zoning By-law as adopted by the City will be amended to conform to the policies stated herein as the principle means for implementing this Plan. As set out in the Planning Act, this By-law may regulate the use of land, and the character, location, construction and the use of buildings and structures, as well as provisions for parking and loading space, among other things.

12.5.3.1 General

- (i) Following the adoption of this Plan, the City will undertake a Comprehensive Review of the City's Zoning By-laws, to ensure that they conform to the Plan no later than three years after the revised Plan comes into effect.
- (ii) Until such time that the Zoning By-law Comprehensive Review is completed, the existing Zoning By-laws shall remain in effect. However, any amendment to the existing Zoning By-laws shall be in conformity with this Plan.
- (iii) It is not intended that all the land use areas designated on Schedule "A" will be zoned for such uses immediately by the implementing Zoning By-law. Certain areas designated for specific land use in this Plan may be placed in a "Development" zone which will restrict uses to existing uses, or in a "H" - Holding zone in accordance with the Planning Act, which will restrict development until the standards appropriate to the designated use can be provided.
- (iv) At such time that prescribed conditions are established by the Minister of Municipal Affairs and Housing pass a by-law under Section 34(16) of the Planning Act, the City may impose one or more prescribed conditions on the use, erection or location of buildings or structures. The City may require the owner of land to which the by-law applies to enter into an Agreement with the City relating to the condition. The Agreement may be registered against the land to which it applies and may enforce the Agreement against the owner, and any and all subsequent owners of the land.
- (v) The City may establish a Development Permit System, by by-law, for one or more development permit areas to replace individual Zoning, Site Plan and Minor Variance processes.
- (vi) The City requires applicants of a Zoning By-law amendment to consult with the City before submitting an application. In addition to the information and material set out in Ontario Regulation 545/06, the City may require additional studies, information and/or material to be submitted with a Zoning By-law amendment application in accordance with Section 2.5 of this Plan.

12.5.3.2 *Continuation, Enlargement or Extension of Legal Non-conforming Uses*
OPA #7 – By-law #15-100 adopted 08.10.2015

It is not necessarily the intent of this Plan to prevent the continuation, enlargement or extension of existing uses which do not conform to designations or provisions of this Plan, nor zoned in the implementing Zoning By-law as a permitted use. The City may, at its discretion;

- permit an enlargement or extension of the building or structure; or permit a similar or more compatible use through the approval of a minor variance under Sections 45(1) or (2) of the Planning Act; or
- zone certain existing land uses so as to recognize the use existing as of the date of adoption of this Plan and thereby provide for the continuation, extension or enlargement of such existing uses under Section 34(10) of the Planning Act.

Minor enlargements, extensions or alterations, will be dealt with under Section 45(1) or (2) of the Planning Act in accordance with policies in Section 12.11.2 of this Plan.

An application under Section 34(10) of the Planning Act will be handled in accordance with the following:

- (i) This Plan may permit the continuation, enlargement or extension of those uses legally existing as of the date of adoption of this Plan, provided that the continuation, enlargement or extension of any land use, building or structure does not result in any adverse effects on the use of adjacent lands or the implementation of the provisions of this Plan.
- (ii) The City may recognize the use of land, buildings or structures for the purposes for which they were legally used at the date of passing of the implementing Zoning By-law.
- (iii) In considering an application for an amendment to the implementing Zoning By-law, the City shall consider the intent and purpose of this Plan with a view to the feasibility and desirability of municipal acquisition of the lands and the possibility of holding, selling, leasing or redeveloping the property in accordance with the provisions of this Plan. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, enlarge and extend adjacent to similar and compatible uses and in accordance with the intent of this Plan.
- (iv) Where an application for an amendment to the implementing Zoning By-law is made to allow for the continuation, enlargement or extension of any land, building or structure for a purpose which legally existed as of the date of the adoption of this Plan but which is not recognized in this Plan nor the implementing Zoning By-law, the City shall have regard for the following matters prior to enactment of an amendment to the implementing By-law:
 - (a) that the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan are maintained;

- (b) that the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of the enactment of the implementing Zoning By-law;
 - (c) that the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours or other similar offensive characteristic;
 - (d) that site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristic;
 - (e) that the use will not result in increased traffic volumes through residential areas and that adequate off-street parking and loading facilities are available and that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements; and
 - (f) that the proposed extension or enlargement is in keeping with Federal and Provincial legislation and will not result in a negative impact on the natural environment.
- (v) The City shall notify all property owners within the area affected by an application submitted, to solicit their views as to the extension or enlargement of such existing uses.
- (vi) The City shall not pass an amendment to the implementing Zoning By-law until it is satisfied that such extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.

12.5.4 Temporary Use By-law

Notwithstanding any other policies of this Plan, the City may pass a by-law under Section 34 of the Planning Act, authorizing the use of land buildings or structures for a temporary use for a period of up to three (3) years and may grant extensions of such a Temporary Use By-law for periods of up to three (3) years each.

Prior to the passing of a Temporary Use By-law, the City shall be satisfied the temporary use meets the following criteria:

- (i) that it is compatible with neighbouring land use activities;
- (ii) that adequate parking can be provided on site;
- (iii) that adequate site servicing can be provided;
- (iv) that an adverse impact on traffic will not be created;
- (v) that the construction of a permanent building or structure is not required; and

- (vi) that the use is in general conformity with the intent and policies of this Plan.

12.5.5 Interim Control By-law

Council may pass an Interim Control By-law to control the use of land, buildings, or structures within designated areas of the City in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council. An Interim Control By-law approved by Council shall be in effect for a period of up to one year from the date of passing of the by-law and may extend for a maximum of one additional year.

12.5.6 Holding Provision

The City may zone lands for their intended use while at the same time imposing a holding provision by the use of the Holding “H” Symbol, pursuant to the provisions of the Planning Act.

Permitted uses within an area subject to holding provisions shall be limited to the uses existing at the time of the passing of the By-law and the Holding By-law may be utilized to restrict the expansion of existing uses. This allows the City to plan for future development of land while delaying the actual development until such time as deemed appropriate. The use of holding provisions shall be in accordance with one or more of the following criteria:

- (i) To prevent or limit the use of land in order to achieve orderly phased development.
- (ii) To ensure that the servicing and design criteria established by the City have been met and any required special studies completed prior to removing the Holding “H” Symbol.
- (iii) To allow for the implementation of special design features in specific locations or developments.
- (iv) Where development is to occur by Registered Plan of Subdivision.
- (v) Where a Site Plan Agreement is a requirement of the development process as outlined in Section 12.5.9 of this Plan.
- (vi) To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the Planning Act have been compiled with.

The City may pass an amending By-law to remove the Holding “H” Symbol and permit development to proceed in accordance with the zoning category assigned. Prior to adopting a By-law to remove the Holding “H” Symbol, the City shall be assured that the proposed development is orderly and timely, is in conformity with requirements of the Plan and Zoning By-law, that all the necessary agreements have been registered on title according to the provisions of this Plan and, as may be applicable, the conditions of

Draft Plan approval have been complied with and any required special studies completed.

12.5.7 Increased Height & Density

The City, under the authority of the Planning Act, may permit increases in the height and/or density of development beyond that otherwise permitted in a residential development, in return for the provision of services, facilities and matters that serve to benefit the public.

(i) Requirements

The owners of the subject lands shall address one or more of the following requirements to the satisfaction of the City in order to be eligible for increases in the height and/or density of development beyond that otherwise permitted:

- (a) affordable housing, assisted housing or housing for those with special needs;
- (b) community facilities such as parks with a special emphasis on waterfront lands, day nurseries or community centres;
- (c) preservation of architectural, historic, archaeological and scenic features; or
- (d) preservation and protection of special fishery or other significant habitat and/or wetland; or
- (e) dedication or provision of open space, recreation facilities; waterfront lands or open space trails;
- (f) mixed use development; and
- (g) meeting objectives of the City's Community Improvement Plan.

(ii) Zoning By-law

The increased height and density provisions will be implemented through the implementing Zoning By-law. The Zoning By-law will outline the detailed development standards upon which the bonus provisions will be based and identify the areas or zone classifications where such bonus provisions may apply. In no case shall density bonuses exceed 20% of the maximum standard permitted in this Plan.

(iii) Agreement

The City may enter into an Agreement with the owners of the subject lands to be developed regarding the provisions for which increased height or density bonuses may be earned. Such agreements shall be registered on the title of the subject lands.

12.5.8 Cash-in-lieu of Parking

The City may enter into an agreement with owners of land, and may be registered on the title of the subject lands to permit a cash-in-lieu payment for parking facilities in

accordance with the requirements of the Planning Act. The Agreement may be registered on the Title of the subject lands.

In determining whether to use this alternative for new industrial or commercial development or redevelopment, the City shall consider the effect of a reduced level or lack of parking facilities at a particular site or the surrounding neighbourhood. Consideration shall also be given to whether the City can provide the required number of parking spaces on another site with the funds obtained in-lieu of parking. In situations where the impact of reduced or lack of parking for new industrial or commercial development or redevelopment may be significant, the City shall give public notice of the consideration of a cash-in-lieu of parking agreement.

The City, before entering into an agreement of cash-in-lieu of parking for new industrial and commercial development or redevelopment, shall be satisfied that those of the following requirements which are relevant to the specific application area will be fulfilled in order to safeguard the wider interest of the general public:

- (i) That a reduced level or lack of parking facilities at a particular site are considered to ensure that the impact of any such exemptions from the normal parking requirements will not cause a nuisance to the surrounding neighbourhood, (eg. cars parked on residential streets).
- (ii) In situations where the impact may be significant, Public Notice be given of the City's consideration of the cash-in-lieu of parking agreement.

12.5.9 Site Plan Control

All lands within the corporate boundaries of the City of Quinte West are designated as a Site Plan Control Area. The City will control the provision of certain site related facilities and features associated with all development through the mechanism of the Site Plan Control By-law and Site Plan Agreements as provided for in the Planning Act.

The intent of Site Plan Control is to provide an approach to improve land use efficiency and servicing and to encourage a more attractive form of development. The City may require, as a condition of development or redevelopment, a Site Plan Control Agreement setting out the conditions of development. The Planning Act requires proposed Site Plan Control Areas to be shown or described in the Plan. The following subsections identify the areas and uses subject to Site Plan Control, why it is required, what the intent is and the general objectives applicable to the areas or lands adjacent to the Site Plan Control Areas.

12.5.9.1 Objectives

- (i) Site Plan Control shall be used to protect existing uses from new development where it is likely that, due to its nature would have a detrimental physical or visual impact.
- (ii) Site Plan Control shall be used to ensure adherence to property development standards, to minimize land use incompatibility between new and existing development and to provide functional and attractive on site facilities such as

landscaping and lighting with special attention given to fences, hedges, trees and shrubs and other landscaping.

- (iii) Site Plan Control shall be used to ensure the safe and efficient movement of vehicular, emergency and pedestrian access as it relates to the development and surrounding area by providing adequate parking, loading, access driveways, walkways, curbing, service areas, wheel chair ramps, lighting, and signage.
- (iv) Site Plan Control shall be used to ensure the conveyance of any required easements to the City for maintenance or improvements to drainage works, watercourses, utilities, roadways and similar undertakings.
- (v) Site Plan Control shall be used to ensure proper grading, storm drainage and maintenance in regard to surface water and erosion and to protect natural physical features and vegetation by minimizing undue alterations or grading in areas having flood susceptibility, steep slopes and/or sensitivity to erosion.
- (vi) Site Plan Control shall be used to control the placement, massing and conceptual design of buildings, utilities and related facilities.
- (vii) Site Plan Control shall be used to ensure facilities are designed to have regard for accessibility for persons with disabilities.
- (viii) Site Plan Control shall be used to minimize the impact of development or the potential impact on development, in areas susceptible to flooding, through appropriate building location and final grade elevations.
- (ix) Site Plan Control shall be used to implement recommendations from any required study, including an Environmental Impact Study to ensure that no negative impacts occur to significant natural features or their ecological functions.

12.5.9.2 *General Policies*

Site Plans are to be prepared in accordance with the City's Site Plan Control Guidelines in order to prevent delays in the approval process. In an area subject to a Site Plan Control By-law, the City may require, as a condition of development, that one or more Agreement be entered into between the City and an owner of land in the area, which may be registered on Title. Such an Agreement may stipulate, through the text of the Agreement and/or through the use of plans and drawings; the location and maintenance of all works and facilities, the provision and approval of plans and drawings and to ensure development proceeds in accordance with the approved plans and drawings. The applicant may be required to post sufficient security for any works required by the Site Plan Control Agreement.

- (i) Plans and drawings being submitted as part of an application for Site Plan Control, including residential buildings containing less than twenty-five units, shall include the following:
 - (a) The location of buildings and structures to be erected and location of all facilities and works to be provided, including but not limited to:

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- landscaping and buffering;
 - grading and drainage (storm water management);
 - vehicle access and off-street circulation, loading and parking;
 - signage and lighting;
 - pedestrian access;
 - facilities for the storage of garbage and other waste materials; and
 - facilities designed to have regard for accessibility for persons with disabilities.
- (b) Plan, elevation and cross-section views may be required for each building to be erected. These drawings must be sufficient to display:
- the massing and conceptual design of the proposed building(s);
 - the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which the public have access;
 - the provision of interior walkways, stairs, elevators and escalators to which the public have access from streets, open spaces and interior walkways in adjacent buildings;
 - 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 adjoining highways, including without limitation trees, shrubs, hedges, plantings or other landscaping, 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.
- (ii) A land owner may be required to dedicate land for the purpose of road widening. Such land dedications for road widening may be taken from either or both sides of a road, except where, for topographic reasons, widening is only possible on one side and then the entire requirement may be taken from that side.
- (iii) Buffering through Site Plan Control may contain additional requirements than what is regulated in the Zoning By-law.
- (iv) The City requires applicants to consult with the City before submitting a Site Plan Control application. Additional studies, information and material may also be required to be submitted with a Site Plan application in accordance with Section 2.5 of this Plan.

12.5.9.3 Exemptions

Unless specifically stated otherwise in this Plan, the renovation, rehabilitation, alteration or enlargement of a building or structure which does not have the effect of increasing the size or usability of the building or structure by more than 10% shall be exempt from Site Plan Control. Where an expansion of an existing use exceeds 10% of the useable floor area, the City shall ensure the proposed use will not unduly detract from adjacent uses.

12.6 Community Improvement

12.6.1 Goals

This Plan recognizes that the built-up areas of the City are aging and that there is a need to provide for the upgrading and improvement of the physical infrastructure, buildings, recreational facilities and the arrangement of existing land uses. The following goals are therefore desired for Quinte West.

- (i) To create a community that satisfies the social, physical or psychological needs of people;
- (ii) To stabilize and enhance existing development by providing a safe, convenient and attractive environment for residents; and
- (iii) To provide for and encourage the ongoing maintenance, improvement, rehabilitation and renewal of the City's residential, commercial and industrial areas.

12.6.2 Objectives

- (i) To encourage the maintenance and improvement of the existing housing stock in a safe and attractive form and in compliance with the provisions of the Maintenance and Occupancy Standards By-law;
- (ii) To encourage the construction of a variety of housing options, including housing type and cost;
- (iii) To encourage the provision, maintenance and upgrading of the physical infrastructure and public services and utilities;
- (iv) To encourage the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
- (v) To ensure the population is served by an adequate provision of community and recreational facilities;
- (vi) To alleviate or eliminate any problem resulting from existing incompatible land uses;
- (vii) To preserve historically and architecturally significant buildings;
- (viii) To preserve and enhance the commercial areas of the downtown cores of Trenton and Frankford as the primary retail areas, respectively, of the Trenton and Frankford Urban Areas;
- (ix) To encourage land-use intensification through infilling, conversions, redevelopment and development of underutilized or vacant properties;
- (x) To encourage the redevelopment of environmentally contaminated sites; and

- (xi) To increase employment and economic activities in the City, through the development, redevelopment and revitalization of commercial and industrial areas.

12.6.3 Community Improvement Project Area

It is the intent of this Plan to designate, by by-law, the whole or part of the City of Quinte West as a Community Improvement Project Area under Section 28(2) of the Planning Act in accordance with the policies of this Plan.

12.6.4 Community Improvement Plan

- (i) A Community Improvement Plan may be developed, in accordance with the Planning Act, for particular areas in the City that require rehabilitation, redevelopment, maintenance, and other forms of improvement. The following criteria will be considered in identifying areas to be selected for the preparation and adoption of a Community Improvement Plan:
 - (a) the existence of sanitary and storm sewers and water systems requiring upgrading or construction;
 - (b) the existence of roads, curbs, sidewalks or other municipal services and/or utilities requiring construction or upgrading;
 - (c) areas requiring the alleviation or elimination of drainage related problems;
 - (d) the presence of incompatible land uses;
 - (e) the existence of insufficient or inadequate parks and community facilities;
 - (f) the presence of vacant lots and underutilized buildings;
 - (g) the presence of housing, buildings, building facades and property that require repair, rehabilitation, remediation, redevelopment or significant aesthetic improvements;
 - (h) commercial areas that require significant streetscape improvements;
 - (i) opportunity for improved bicycle and pedestrian circulation;
 - (j) areas that would benefit from energy efficiency improvements;
 - (k) areas in need of improved housing options, including the provision of affordable housing;
 - (l) the potential exists for job creation as a result of rehabilitation, redevelopment and other forms of improvement;
 - (m) inadequate access to waterfronts;
 - (n) accommodates transit supportive land uses;
-

- (o) lack of off street parking and/or on street parking;
 - (p) historically and architecturally significant building(s); and
 - (q) the potential exists to improve tourism.
- (ii) The City, under Section 28 of the Planning Act, may establish a Brownfield Community Improvement Plan to encourage the redevelopment of brownfields.

12.6.5 Implementation

- (i) The City may acquire land where a Community Improvement Plan is in effect and may initiate the following on these lands:
 - (a) clearing, grading or otherwise preparing the land for community improvement;
 - (b) constructing, repairing, rehabilitating or improving the property in conformity with the Community Improvement Plan; and
 - (c) selling, leasing or disposing of these lands for use in conformity with the Community Improvement Plan.
- (ii) The City may permit flexible zoning controls, such as parking provisions and increased height and density, where objectives of community improvement are met.
- (iii) The City will continue to require the repair and maintenance of property that does not meet standards set out in the Minimum Standards of Maintenance and Occupancy By-law.
- (iv) The City may incorporate urban design guidelines into Community Improvement Plans.
- (v) The City will support the Trenton Downtown Business Improvement Area and other organizations in the effort to beautify and promote lands within a Community Improvement Plan.
- (vi) The City may provide grants and loans to registered owners, assessed owners, tenants and their assignees of lands and buildings, in conformity with the Community Improvement Plan to assist in the cost of improvement.
- (vii) The City may register grant and loan agreements against the land to which it applies.
- (viii) The City will participate in senior level government programs that provide financial assistance to implement Community Improvement Plans.

12.7 Minimum Standards of Maintenance & Occupancy By-law

To ensure adequate construction standards in new development and to encourage the rehabilitation of existing buildings and property, the City shall endeavor to develop appropriate property maintenance standards to ensure that the detracting influence of substandard structures is minimized. Without limiting the generality of the foregoing, the City may pass a Minimum Standards of Maintenance and Occupancy By-law under the Building Code Act, which prescribes standards for the maintenance and occupancy of property.

12.8 Home Occupation

Home occupations allow for residents to establish a business within their dwelling; resulting in convenience, less reliance on the automobile and an affordable economic opportunity. Home occupations can include such uses as hairdressing, dressmaking, catering, dog grooming, arts or music instruction and the repair or making of household items. Home occupations will be subject to the following policies:

- (i) A Home Occupation is to be limited in scale and accessory to the primary residential use.
- (ii) Home Occupations are permitted in the rural, agricultural, hamlet and residential designations.
- (iii) A Home Occupation must meet provisions in the implementing Zoning By-law.
- (iv) An applicant proposing to operate a Home Occupation is encouraged to first consult with the City.
- (v) A Home Occupation shall not impact the residential character of the dwelling or surrounding neighbourhood.
- (vi) A Home Occupation shall not result in negative impacts to the community in terms of noise, parking, odours, traffic congestion, signage or any other public nuisance.
- (vii) The implementing Zoning By-law will regulate the establishment of a Home Occupation including permitted uses, number of employees, permitted dwelling types, storage and the maximum floor area to be used for the business. *OPA#6 – By-law #15-043 adopted 04.06.2015*

12.9 Accessibility

Providing for an Accessible City assists in building a strong and inclusive community. The City of Quinte West is dedicated to creating a barrier-free City in order to remove obstacles and allow for equal opportunity and participation of residents and visitors who have a disability. The City will work towards preventing the creation of new barriers and to reduce and remove existing barriers for people with disabilities. To assist in the implementation of a barrier-free City, the City of Quinte West has established an Accessibility Advisory Committee and a Municipal Accessibility Plan, in accordance with the Ontario Disabilities Act. In attaining its goal for establishing a barrier-free

environment to City-owned property, the City shall endeavor to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. Council recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes. Council encourages this practice for privately-owned heritage buildings that are open to and used by the public.

12.9.1 Goal

To establish a City that is barrier-free and accessible to persons with disabilities and special need groups.

12.9.2 Objectives

- (i) To have universal access to all public spaces, facilities and services in the City.
- (ii) To encourage all private developments to become accessible for all residents in the City, including those with disabilities.
- (iii) To encourage the participation of persons with disabilities in the process of developing a barrier-free City.

12.9.3 Policies

- (i) The City, in consultation with the Accessibility Advisory Committee, will ensure that all new public facilities are designed for persons with disabilities, and that existing public facilities are improved to meet accessibility standards in accordance with the Ontario Building Code and AODA regulations, as applicable.
- (ii) The City will consider Accessibility for persons with disabilities and other special needs groups in all land-use planning and development decisions.
- (iii) All development shall be designed to have regard to the Accessibility needs of persons with disabilities and other special needs groups.
- (iv) The City's Accessibility Advisory Committee may review Site Plans and drawings for new developments to ensure they are accessible for persons with disabilities.
- (v) The City may consult with the Accessibility Advisory Committee to seek guidance on matters relating to accessibility policies, practices, services and programs.
- (vi) In accordance with the Ontario Disabilities Act, the City will prepare an annual Municipal Accessibility Plan to identify, remove and prevent barriers for people with disabilities.
- (vii) The City will continue to support the Accessibility Advisory Committee and its inclusion of persons with disabilities to assist in the creation and review of annual Accessibility Plans.
- (viii) The City will improve its customer service standards by ensuring both existing and new municipal services are accessible and equal to all residents of the City,

in accordance with standards outlined in the Accessibility for Ontarians with Disabilities Act.

- (ix) The City will address additional standards under the Accessibility for Ontarians with Disabilities Act once they become adopted in regulation.

12.10 Public Participation

The City of Quinte West recognizes the importance of public involvement in planning decisions affecting the City. The public's knowledge and values should be sought in municipal planning as it is valuable information for the City to obtain when evaluating development and land use proposals.

12.10.1 Goal

To contain an informed and actively involved community in the land use planning and decision making process.

12.10.2 Objectives

- (i) To ensure that community values are reflected in planning decisions.
- (ii) To pursue several opportunities to engage the public and encourage involvement in the planning and the decision making process.

12.10.3 Policies

- (i) Document public input and ensure comments received are considered in decision making.
- (ii) At least one (1) Public Meeting will be held for Zoning, Official Plan and Secondary Plan amendments, Plans of Subdivision, as well as for a Community Improvement Plan and any amendments made to it.
- (iii) A Special Meeting, Public Meeting and Open House will be held for a comprehensive review of an Official Plan, Secondary Plan and Comprehensive Zoning By-law.
- (iv) Public Meetings are not required for minor technical changes to the Official Plan and Zoning By-law, including format changes and grammatical errors.
- (v) The public will be notified of any planning proposal in accordance with the notice requirements in the Ontario Planning Act and its associated regulations.
- (vi) The public will be supplied details regarding a planning proposal and provided with the opportunity to speak for or against any planning proposal at the Public Meeting.
- (vii) On a case by case basis, additional notification beyond the statutory requirements in the Ontario Planning Act may be considered.

12.11 Committee of Adjustment

A Committee of Adjustment has been established by Council in accordance with provisions of the Planning Act to make decisions on specific applications. The Planning Act requires that decisions on applications be consistent with Provincial Policy in effect at the time of the decision, with respect to the following:

- (i) applications to allow a Minor Variance to the Zoning By-law or any other by-law which implements the Plan;
- (ii) applications for the extension or enlargement of a legal nonconforming use;
- (iii) applications to allow a change in the use of land or buildings from one legal non-conforming use to another use, that in the opinion of the Committee is similar to the existing legal non-conforming use or that is more compatible with the use permitted by the by-law; and
- (iv) applications to grant a Consent.

12.11.1 Minor Variances

The Committee of Adjustment has the authority to grant Minor Variances to the provisions of all City of Quinte West Zoning By-laws or any other by-law which implements the Plan, such as, but not limited to, the Sign By-law. Applicants are encouraged to consult with the City before submitting an application for Minor Variance.

In considering whether a variance is desirable for the appropriate *development* or use of the land, building or structure, the Committee of Adjustment will have regard for, but will not necessarily be limited to the following:

- (i) In considering whether a variance is desirable for the appropriate development or use of the land, building or structure, the Committee of Adjustment shall have regard to, but not be restricted to, the following matters:
 - (a) the proposed application meets the general intent and purpose of this Plan and the implementing Zoning By-law or applicable by-law;
 - (b) that the applicant can not acquire sufficient land to comply with the minimum requirements of the Zoning By-law without undue hardship;
 - (c) the ability of the site to function in an appropriate manner in terms of vehicular access, parking or any other matter and means of improving such function;
 - (d) that the building coverage is not excessive, and adequate landscaping can be provided on the lands subject to the application;
 - (e) that the lot size and proposed development will be compatible with surrounding uses, buildings or structures and development standards associated with adjacent properties, and if necessary, incorporate means of alleviating adverse effects on abutting land uses;

- (f) that the proposed development will not negatively impact on the natural environment;
 - (g) the resulting development has adequate municipal water and sewage services within the urban boundary, or is capable of providing individual on-site water and sewage services outside the urban boundary;
 - (h) whether the application and the cumulative impact of the proposed variance would be more appropriately addressed by a Zoning amendment to the applicable Zoning By-law; and
 - (i) the degree to which such approval may set an undesirable precedent for the immediate area.
- (ii) The Committee of Adjustment may attach such conditions and time deadlines as it deems appropriate to the approval of the application for a Minor Variance including any reasonable requirements, recommendations of City Departments, or the submission of studies as listed in Section 12.4 of this Plan that may be required to properly evaluate the application.

12.11.2 Enlargements, Extensions or Alterations of Legal Non-Conforming Uses

In certain circumstances, it may be appropriate for the Committee of Adjustment, under Section 45(2) of the Planning Act, to consider a minor enlargement, extension or alteration to a legal non-conforming use in order to avoid undue hardship.

When reviewing an application for a minor enlargement, extension or alteration of a legal non-conforming use, the Committee shall take into consideration the following matters:

- (i) The proposed enlargement, extension or alteration will not unduly aggravate the situation created by the existence of the non-conforming use;
- (ii) The proposed enlargement, extension or alteration will not negatively impact the natural environment;
- (iii) The proposed enlargement extension or alteration represents a reasonable increase to the size of the building or structure or the proposed change in use of land, building or structure is similar to the purpose of the existing use or is more compatible with the uses permitted in the implementing Zoning By-law.
- (iv) The enlargement, extension or alteration of the building or structure does not go beyond the limits of the land owned and used in connection therewith on the day the By-law was passed.
- (v) The use of the existing building or structure and the proposed extension or enlargement is not offensive with regard to noise, vibration, fumes, smoke, dust, odour or lighting and is in compliance with the requirements of all other applicable legislation and statutes;

- (vi) The abutting land uses will be afforded reasonable protection by the provision of appropriate landscaping, screening, buffering and setbacks;
- (vii) The enlargement, extension or alteration will not have a significant traffic generating capacity;
- (viii) The provision of adequate parking and loading facilities (where applicable);
- (ix) The property can be adequately supplied by all municipal services such as water, sanitary and storm water sewers and roads, or private servicing if outside the urban boundary; and
- (x) The proposed enlargement, extension or alteration will not perpetuate the non-conforming use, which is meant to disappear over time.

12.12 Lot Creation

The creation of new lots may occur either by way of a Consent for land severance or by way of a Registered Plan of Subdivision.

The division of land through the Consent process is generally intended for the creation of not more than 1 or 2 new lots, lot additions or technical amendments. The division of land through the Plan of Subdivision process is generally intended for the creation of 3 or more new lots.

All new lot creation within the City shall be consistent with the Provincial Policy Statement and conform with the following policies, as well as, all other applicable policies of this Plan.

12.12.1 Subdivision Policies

12.12.1.1 General Subdivision Policies

The City has been delegated the authority to approve Plans of Subdivision by the Ministry of Municipal Affairs and Housing.

The City requires applicants of a Plan of Subdivision to consult with the City before submitting a Plan of Subdivision application. In addition to the information and material set out in Ontario Regulation 544/06, the City may require additional studies, information and/or material to be submitted with a Plan of Subdivision application in accordance with Section 12.4 of this Plan. The City shall review all subdivision applications for conformity with the policies of this Plan; land use compatibility; consistency with the Provincial Policy Statement; need/market for the proposed development, where appropriate; and the social and financial implications of the proposed development on the City. All information required to address these issues shall be provided by the proponent prior to acceptance of the application by the City.

- (i) The City shall consider for approval only those Plans of Subdivision which:
 - (a) are consistent with the provisions of the Provincial Policy Statement and other applicable Provincial and Federal Legislation/regulations;

- (b) comply with the provisions of this Plan; and
- (c) can be adequately supplied with municipal services to the satisfaction of the City.
- (ii) As conditions of approval for Plans of Subdivision, the City shall require the proponents to enter into appropriate Agreements with the City that shall be registered against the Title of the subject lands. The Agreements shall address such issues as, but not limited to, infrastructure, financial requirements, transportation networks, drainage, grading and landscaping, sidewalks and dedication of land for public use. The agreements shall also include any other requirements necessary to implement the provisions of the Provincial Policy Statement and this Plan.
- (iii) The approval of a Draft Plan of Subdivision will lapse at the expiration of the time period specified by the City, being not less than three (3) years.
- (iv) Where a Draft Plan of Subdivision is proposed adjacent to a Provincial Highway, Artery, or Major Collector, the layout of the subdivision should be designed such that the lots back onto the Provincial Highway, Artery, or Major Collector and front onto a local internal street. *OPA#6 – By-law #15-043 adopted 04.06.2015*

12.12.1.2 *Condominium Development*

Ontario's Condominium Act, 1998 indicates that Section 51 of the Planning Act (Plan of Subdivision approvals) is applicable for a Plan of Condominium application. The types of condominiums permitted under the Condominium Act include:

- leasehold condominiums
- common elements condominiums
- phased condominiums
- vacant land condominiums
- standard condominiums

A Plan of Condominium may be exempt from the Planning Act if the City determines the exemption is appropriate. Exemptions may be considered if Site Plan Control approval is granted or the residential building has been constructed or a building permit issued.

12.12.1.3 *Urban Subdivision Development*

- (i) Residential, commercial and industrial development by Registered Plan of Subdivision or Condominium may be permitted in residential, commercial and employment land designations in the urban service areas.
- (ii) Residential designations include a variety of housing forms and types, from single detached dwellings to multi-unit residential housing. Other uses permitted may include public parkland, common open space, public recreational or other facilities, which form an integral part of the overall design concept.

- (iii) An application for draft approval for any Subdivision or Condominium development shall meet the following criteria to the satisfaction of the City:
 - (a) The method by which storm water drainage is to be addressed to the satisfaction of the City and the appropriate Conservation Authority;
 - (b) The impact of the proposed development on the existing City road network;
 - (c) That the subdivision or condominium can be supported by adequate municipal water and wastewater systems;
 - (d) Community and emergency services can be provided;
 - (e) The proposed subdivision or condominium is considered to be in the public interest and not premature;
 - (f) That the subdivision or condominium design is in a form and density to make efficient use of existing infrastructure and to be compatible with adjacent lands; and
 - (g) Any other information as may be required by the City's Subdivision or Condominium Approval Procedures Manual, as amended from time to time.
- (iv) The City shall only approve urban subdivision development that is appropriate with respect to the proposed scale and location and the financial implications on the City.
- (v) Prior to the approval of a Plan of Subdivision or Condominium, the City shall be satisfied that the servicing standards as contained in Section 10.1 of this Plan have been met.
- (vi) The City discourages frontage on an existing local road. A limited number of lots may be permitted to front upon an existing local road provided the majority of lots do not front upon the existing local road and safe access can be provided to the satisfaction of the City.
- (vii) Where necessary, dedication for appropriate road widening and/or one foot reserves may be required as a condition of approval to an application for Draft Plan of Subdivision.
- (viii) Access onto existing municipal roads shall be in conformity with the policies and provisions of the City Entrance Control By-law and successors thereto.
- (ix) Wherever possible urban subdivision or condominium developments should be in proximity to an identified collector or arterial road, however, direct access to this collector or arterial road shall be discouraged.
- (x) The cost of road improvements to accommodate such development shall be borne by the developer and shall not impose a financial hardship on the City.

- (xi) Urban subdivision or condominium development shall be sympathetic to existing natural and manmade features that may enhance the development through their retention. Such special features may be retained in the completed development and through appropriate siting of buildings.
- (xii) Where possible the City may require the dedication of natural heritage features and areas as public open space within any subdivision or condominium development or shall require that such features be retained and protected as private open space.
- (xiii) The location of subdivision or condominium development shall comply with the Minimum Distance Separation (MDS) formulae.
- (xiv) A Plan of Subdivision or Condominium application that would have the affect of extending the urban boundary may only be evaluated at the time of an Official Plan Comprehensive Review and in accordance with Sections 4.0 and 7.0;
- (xv) A Plan of Subdivision or Condominium proposal must be in accordance with the City's Strategy for Growth policies outlined in Section 4.0.
- (xvi) The City may attach such conditions as it deems appropriate to the approval of a Plan of Subdivision or Condominium.
- (xvii) A Plan of Subdivision or Condominium proposal must be in accordance with the City's Park policies in Section 5.4.5 and the City's Parks Master Plan is to be considered. OPA#6 – By-law #15-043 adopted 04.06.2015

12.12.1.4 Rural Residential Subdivision Development

- (i) Rural residential subdivisions are not permitted under the policies of the Plan. Prohibiting rural residential subdivisions will focus growth into Settlement Areas, limit residential development in rural areas, avoid unjustified and/or uneconomical expansion of infrastructure and maintain rural character.

12.12.1.5 Hamlet Residential Subdivision Development

- (i) Residential development may be permitted on lands designated Hamlet by Registered Plan of Subdivision. Other uses permitted may include public parkland, common open space, public recreational or other facilities, which form an integral part of the overall design concept.
- (ii) An application for draft approval for any Hamlet residential subdivision shall be accompanied by supporting documentation (to the satisfaction of the City) including the following:
 - (a) A Hydrogeological Study prepared by a qualified professional in accordance with accepted practices and Ministry of Environment Guidelines dealing with the ability of the proposal to sustain development on individual sub-surface sewage systems and individual wells over the long term;

- (b) The method by which storm water drainage is to be addressed to the satisfaction of the City and the appropriate Conservation Authority;
 - (c) The impact of the proposed development on the existing City road network; and
 - (d) Any other information as may be required by the City's Subdivision Approval Procedures Manual, as amended from time to time.
- (iii) The City shall only approve Hamlet residential development that is appropriate with respect to the proposed scale and location and the financial implications on the City.
- (iv) Frontage on an existing local road is not encouraged. A limited number of lots may be permitted to front upon an existing local road provided the majority of lots do not front upon the existing local road and safe access can be provided to the satisfaction of the City.
- (v) Where necessary, dedication for appropriate road widening and/or one foot reserves may be required as a condition of approval to an application for Draft Plan of Subdivision.
- (vi) Access onto existing municipal roads shall be in conformity with the policies and provisions of the City Entrance Control By-law and successors thereto.
- (vii) Wherever possible Hamlet residential developments should be in proximity to an identified collector or arterial road, however, direct access to this collector or arterial road shall be discouraged.
- (viii) The cost of road improvements to accommodate such development shall be borne by the developer and shall not impose a financial hardship on the City.
- (ix) Hamlet residential development shall be sympathetic to existing natural and manmade features that may enhance the development through their retention. Such special features may be retained in the completed development and through appropriate siting of buildings.
- (x) Where possible the City may require the dedication of natural heritage features and areas as public open space within any residential development or shall require that such features be retained and protected as private open space.
- (xi) The location of residential development in the hamlets shall not interfere with or restrict the agricultural use of any surrounding properties and shall comply with the Minimum Distance Separation (MDS) formulae.
- (xii) A Plan of Subdivision or Condominium proposal must be in accordance with the City's Park policies in Section 5.4.5 and the City's Parks Master Plan is to be considered. *OPA#6 – By-law #15-043 adopted 04.06.2015*

12.12.1.6 *Non-Residential Subdivision Development Policies*

- (i) Non-residential subdivision development may be permitted on lands designated Rural and Hamlet by Registered Plan of Subdivision. The uses permitted shall be restricted to small-scale commercial and light industrial uses.
- (ii) Non-residential rural subdivision development shall be encouraged to locate in proximity to existing rural Settlement Areas and shall generally be directed away from existing urban areas.
- (iii) A non-residential rural subdivision shall be of a size and scale as to maintain and enhance the predominantly rural character of the surrounding area.
- (iv) An application for draft approval for any non-residential subdivision shall be accompanied by supporting documentation (to the satisfaction of the City) including the following:
 - (a) a Hydrogeological Study prepared by a qualified professional in accordance with accepted practices and guidelines dealing with the ability of the proposal to sustain development on individual sub-surface sewage systems and individual wells over the long term;
 - (b) the method by which storm water drainage is to be address to the satisfaction of the City and the appropriate Conservation Authority;
 - (c) the impact of the proposed development on the existing City road network; and
 - (d) any other information as may be required by the City's Subdivision Approval Procedures Manual, as amended from time to time.
- (v) The City shall only approve non-residential subdivision development that is appropriate with respect to the proposed scale and location and the financial implications on the City.
- (vi) Access onto existing municipal roads shall be in conformity with the policies and provisions of the City Entrance Control By-law and successors thereto.
- (vii) Non-residential subdivision developments shall be in proximity to an identified collector or arterial road, however, direct access to this collector or arterial road shall be discouraged.
- (viii) The cost of road improvements to accommodate such development shall be at the sole cost of the developer and shall not impose a financial hardship on the City.
- (ix) Where necessary, dedication for appropriate road widening and/or one foot reserves may be required as a condition of approval to an application for Draft Plan of Subdivision.

- (x) The City may require that natural heritage features and areas within any non-residential subdivision development be retained and protected as private or public open space.
- (xi) The location of non-residential subdivision development shall not interfere with or restrict the agricultural use of surrounding properties.
- (xii) Non-residential subdivision development shall be zoned in a separate zoning classification in the implementing Zoning By-law where suitable provisions and regulations shall be prescribed to govern the development and use of such lands.

12.12.2 Consents

The City has delegated approval-granting authority for all Consent applications (including new lot creation, lot additions, easements, rights-of-way, long term leases, etc.) to the Committee of Adjustment.

The granting of Consents by the Committee shall be determined by applying the provisions of the Planning Act, Provincial Policy Statement and Section 12.2.2 (and all other relevant policies of this Plan). Under no circumstances shall the Committee approve an application for Consent that is contrary to the Provincial Policy Statement, this Plan or other applicable legislation.

12.12.2.1 General Consent Policies

For the purposes of this Plan, the word “Consent” shall mean, in accordance with Section 50 of the Planning Act, the creation of a new lot, long term lease, mortgage or partial discharge of mortgage, foreclosure or exercise of power of sale, rights-of-way and easements over 21 years and lot additions (lot boundary adjustments).

- (i) Applicants are encouraged to consult with the City before submitting an application for Consent. In addition to the information and material set out in Ontario Regulation 547/06, the City may require additional studies, info and/or material to be submitted with a Consent application in accordance with Section 12.4 of this Plan.
- (ii) Consents for lot boundary adjustments, which do not serve to create new lots, shall not make a property ineligible for a severance provided the intent of the Plan is maintained.
- (iii) An application for Consent shall only be considered when the Committee of Adjustment is satisfied that a Plan of Subdivision is not required to ensure proper and orderly development of the lands, and where it is in accordance with this Plan.
- (iv) An application for Consent shall not be considered where it has the effect of creating a land-locked parcel of land such that either the severed or retained lot does not have frontage on a public road.

- (v) All applications for Consent shall conform to the designations and policies contained in Sections 5.0, 6.0 and 11.0 of this Plan and shall not hinder the future potential for the comprehensive use of the surrounding areas.
- (vi) An application for Consent that is located adjacent to a natural heritage feature or area, as defined in Section 11.4 of this Plan, shall not be considered by the Committee until such time as it has been demonstrated to the satisfaction of the City and the appropriate Conservation Authority that the proposed development will not negatively impact on the adjacent natural heritage feature or area.
- (vii) All lots created by Consent shall have frontage on an improved public road of a standard sufficient to support the proposed development as determined by the City.
- (viii) The creation of lots fronting on and having direct access to an arterial or collector road shall generally be discouraged.
- (ix) All lots created by Consent shall have a means of safe ingress/egress during flooding events.
- (x) A Consent shall not be granted which would create a traffic hazard or serve to further an existing traffic hazard as a result of limited sight lines, curves, grades or other hazards as identified by the City's Public Works Services.
- (xi) All Consents shall conform to the policies and provisions of the City's Entrance Control By-law and all successors thereto.
- (xii) The creation of a new public road to facilitate a new lot shall only be permitted as a minor extension to an existing public road and shall only extend across the frontage of the property for a length to be determined by the City.
- (xiii) A Consent application which requires the extension, or upgrade to, an existing public road shall require the approval of the City's Public Works Services to consideration for approval by the Committee of Adjustment, which shall be at no cost to the City.
- (xiv) Where approval is received for the upgrade or extension to an existing public road, a condition shall be placed on the approval of any Consent requiring the Applicant to enter into an Agreement with the City for the construction of the road to a standard acceptable to the City's Public Works Services.
- (xv) Where necessary, dedication for appropriate road widening, daylighting triangles or one foot reserves may be required as a condition of approval to an application for Consent.
- (xvi) Applications for Consent for non-residential purposes may require the submission of a Site Plan drawn to scale, which indicates the true dimensions of the lot, the proposed location, height, floor area and dimensions of any building or structure proposed for such lot; the dimensions of any yards, setbacks, landscaped open space; and, the location of all existing buildings or structures

- adjacent to the lot which is to be severed, along with the location of any watercourses, wet areas or steep slopes.
- (xvii) All Consents shall be in compliance with the provision of any Site Plan, Plan of Subdivision or any other development Agreement(s) registered against the Title of the subject lands.
 - (xviii) A Consent shall only be granted where the City, other governmental agency, or the board or commission responsible is able to provide all necessary services such as fire protection, school facilities and busing, police protection, street lighting and other similar utilities, as may normally be provided or required.
 - (xix) All applications for Consent shall comply with the Minimum Distance Separation (MDS) formulae.
 - (xx) One Consent application shall not create more than two (2) lots being the severed lot and the retained lot.
 - (xxi) All severed and retained lots created shall conform to the lot area and frontage requirements of the implementing Zoning By-law.
 - (xxii) The Committee of Adjustment may attach any other conditions as may be authorized under the Planning Act, or any other statute which may include, but not be limited to:
 - (a) the zoning of the severed and retained lot to an appropriate zone category;
 - (b) the payment of levies to the City to cover the costs of additional municipal services to be provided as may be deemed necessary by the City;
 - (c) the dedication of land to the City for park purposes, or, as an alternative, the payment of cash-in-lieu of such dedication;
 - (d) the submission of a registered reference plan prior to the Consent being finalized;
 - (e) demonstration of an adequate potable water supply in accordance with Ministry of the Environment Guidelines and to the satisfaction of the City when private services are applicable;
 - (f) the submission of a grading and drainage plan satisfactory to the City; and
 - (g) the ability of the subject property to support private sewage disposal systems over the long term or connect to the municipal sewer system for property in the Urban Service Areas.

12.12.2.2 Rural Consent Policies

- (i) In the Rural Designation, only one lot may be created from any lot in existence as of the date of approval of this policy by the Ontario Municipal Board being July 17, 2013 and no further severance will be permitted from either the severed or retained land.
- (ii) An application for Consent that creates or extends strip development shall not be permitted. For the purposes of this Plan, “strip residential development” is defined as a series of five (5) or more developed or undeveloped residential lots located on one side of a public road concentrated within a 300 metre distance. The 300 metre distance shall be measured between the two lot lines located at either end of the strip. No new residential lot shall be created within a 300 metre distance of a strip residential development located on the same side of the road.
- (iii) An application for Consent that intensifies or further clusters strip development shall not be permitted. For the purposes of this Plan, a cluster is defined as a series of ten (10) or more developed or undeveloped residential lots measured from the four corners of the proposed lot to a point 150 metres away in all directions. . No new lot shall be created within an area of cluster development.
- (iv) The frontage, size and shape of any lot created shall be appropriate for the proposed use. In this regard, a new residential lot in a rural area shall have a minimum lot area of 0.4 hectares, a minimum lot frontage of 45 metres, unless otherwise permitted through the applicable Zoning By-law. The 0.4 hectare minimum area must be free of any physical constraints.
- (v) An application for Consent for a previously severed lot shall not be encouraged except where it can be demonstrated that the proposed Consent is in keeping with the appropriate development of the site. In determining the appropriate development of the site, the Committee shall consider the following:
 - (a) the cumulative environmental impact of the proposed development;
 - (b) the amount of previous Consent activity and density of development in the area;
 - (c) the number of existing Lots of Record in the area; and
 - (d) the condition of, and accessibility to roads.
- (vi) As part of the review of all Consent applications on private services, the Committee shall be satisfied that the lot is capable of supporting private water and private sewage disposal systems (septic systems) over the long term. The Committee of Adjustment may require the preparation of a Hydrogeologic Assessment to verify the adequacy of the lot for water supply and sewage disposal and to demonstrate no negative impact on the water supply of nearby development.
- (vii) Applications for Consent will be considered in recognition of the number of accesses being created on City roads. Generally, each lot shall have a direct

individual access; however, in order to ensure the proper functioning of the road system, the City may require the use of shared entrances along common lot lines by abutting property owners or other such measures as determined by the City's Public Works Services.

12.12.2.3 *Agricultural Consent Policies*

New lot creation in areas of the City designated as Agriculture on Schedule "A" to this Plan shall generally be discouraged and shall only be considered by the Committee of Adjustment in the following situations:

- new lots for agricultural uses;
- new lots for agricultural-related uses;
- a residence surplus to a farming operation as a result of a farm consolidation and/or expansion; and
- infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

Notwithstanding the foregoing, the Agricultural Designation shall not serve to preclude the issuance of building permits on existing Lots of Record provided such lot:

- complies with the provisions of the implementing Zoning By-law;
- complies with the Minimum Distance Separation Formulae (MDS); and
- the lot conforms to the definition of existing Lots of Record contained in Section 14.0 of this Plan.

(i) Agricultural Consents

The creation of new lots for agricultural uses shall be permitted provided that both the severed and retained lot are of a size appropriate for the type of agricultural use or uses common in the area and are sufficiently large to maintain flexibility for future changes in the type and size of agricultural operations. The minimum lot area for new and retained agricultural lots shall be 40.0 hectares and a minimum lot frontage of 100 metres. Agricultural uses shall be permitted upon existing lots of record less than 40.0 hectares in size.

For the purposes of this Plan, agricultural uses shall include the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment. However, a secondary dwelling on a farm built for the purpose of accommodating a farm labourer will not be severed from the farm unit. *OPA#6 – By-law #15-043 adopted 04.06.2015*

(ii) Agricultural-related Consents

The creation of new lots for agricultural-related commercial and industrial uses shall be permitted where it has been demonstrated to the satisfaction of the Committee of

Adjustment that the proposed use is directly related to agriculture, is directly related to the farm operation, requires location in close proximity to the farm operation and is of a size and scale as to not restrict the existing or future agricultural operations.

Permitted agricultural-related commercial and industrial uses shall generally be encouraged to consolidate into groups within or adjacent to existing communities or in areas of lower agricultural land. Regard shall be had to the following matters in reviewing applications for the development of such uses:

- (a) the compatibility of the proposed use with surrounding land uses; and
- (b) the siting and design of the proposal to ensure the provision of adequate off-street parking and loading facilities, appropriate setbacks, landscaping and buffering between the farm related commercial or industrial use and adjacent uses.

Farm related commercial or industrial uses shall be subject to Site Plan Control, as outlined in Section 12.5.9 of this Plan.

The minimum size of lots for agricultural-related uses shall be established in the implementing Zoning By-law, but lots shall not be larger than necessary to accommodate the use.

(iii) A Residence Surplus to a Farming Operation

In the Agricultural designation, a maximum of one (1) residential Consent as a result of farm consolidation shall be permitted from a property existing as of the date of approval of the Plan by the Minister of Municipal Affairs and Housing, provided that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance through restrictions in both the Zoning By-law and an Agreement registered on Title.

12.12.2.4 *Hamlet Consent Policies*

- (i) In the Hamlet Designation there is no limit to the number of Consents permitted. Applications for the creation of more than two new residential lots by way of the Consent process shall only be permitted where the following have been addressed to the satisfaction of the City:
 - That a Plan of Subdivision is not required to ensure proper and orderly development of the lands;
 - The completion of a study by a qualified professional addressing the cumulative environmental impact of the proposed development on the surrounding area. The study shall include an analysis of the impact of the proposed development on groundwater quality and quantity along with other such matters as deemed appropriate by the City;
 - The level of previous Consent activity and the existing density of development in the area;
 - The number of vacant existing Lots of Record in the area; and
 - The condition of, and accessibility to, existing municipal road networks.

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- (ii) Applications that would have the affect of extending the boundary of a Hamlet designation may only be evaluated at the time of a comprehensive review.
- (iii) As part of the review of all Consent applications on private services, the Committee shall be satisfied that the lot is capable of supporting private water and private sewage disposal systems (septic systems) over the long term. The Committee of Adjustment may require the preparation of a Hydrogeologic Assessment to verify the adequacy of the lot for water supply and sewage disposal and to demonstrate no negative impact on the water supply of nearby development.
- (iv) Applications for Consent will be considered in recognition of the number of accesses being created on City roads. Generally, each lot shall have a direct individual access; however, in order to ensure the proper functioning of the road system, the City may require the use of shared entrances along common lot lines by abutting property owners or other such measures as determined by the City's Public Works Services.

12.12.2.5 *Urban Consent Policies*

- (i) Multiple residential and non-residential Consents are permitted in the urban designation. Applications for the creation of more than two (2) new lots by way of the Consent process shall only be permitted where, in addition to criteria outlined in Section 12.12.2.1, the City is satisfied that:
 - (a) a Plan of Subdivision is not required to ensure proper and orderly development of the lands;
 - (b) that the land parcels to be created by Consent will not restrict or hinder the ultimate development of the lands;
 - (c) that an undue extension of any major service is not required;
 - (d) that the size and shape of the lot is appropriate for the intended use, is compatible with adjacent lots, and will not impact the proper servicing and development of adjacent lots.
 - (e) that the lot can be supported by adequate municipal water and wastewater systems.
- (ii) Applications that would have the affect of extending the urban boundary may only be evaluated at the time of a comprehensive review and in accordance with Section 4.0.
- (iii) Consents that have the effect of intensification in the urban area are encouraged.

- (iv) The minimum lot area and frontage requirements for new lots in the Urban Designation shall be regulated in the implementing Zoning By-law.

13. INTERPRETATION

13.1 Land Use Boundaries

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, railways or other similar physical barrier. It shall not be necessary to make amendments to this Plan for minor variations in the approximate boundaries provided the intent of the Plan is maintained.

13.2 Permitted Uses

Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and not to be interpreted as all encompassing unless otherwise stated as such. However, all uses shall be in conformity with the general intent and policies of the appropriate land use designations of this Plan.

13.3 Accessory Uses

Where a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, subordinate, accessory and essential to that use, building or structure also be permitted.

13.4 Figures & Quantities

All figures and quantities in this Plan are in the metric form and minor variances from these figures may not require an amendment to this Plan provided the general intent and purpose of this Plan is maintained.

14. DEFINITIONS

Adjacent lands:

means

- a) those lands, contiguous to a specific *natural heritage feature or area*, where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* for specific natural heritage features are generally as follows:
- | | |
|--|-------|
| ➤ provincially significant wetlands and significant coastal wetlands | 120 m |
| ➤ fish habitat | 120 m |
| ➤ significant wildlife habitat | 120 m |
| ➤ significant areas of natural and scientific interest (earth science) | 50 m |
| ➤ significant areas of natural and scientific interest (life science) | 120 m |
| ➤ significant habitat of threatened and endangered species | 120 m |
| ➤ significant woodlands | 120 m |
| ➤ significant valleylands | 120 m |
- b) those lands contiguous to a *protected heritage property*.

Adverse effects:

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

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to property or plant and animal life;
- harm or material discomfort to any person;
- an adverse effect on the health of any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for human use;
- loss of enjoyment of normal use of property; and
- interference with normal conduct of business.

Affordable:

means

- a) in the case of ownership housing, the least expensive of:
1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*.
- b) in the case of rental housing, the least expensive of:
1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
 2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural uses:

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

Agriculture-related uses:

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

Archaeological resources:

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

Areas of archaeological potential:

means areas with the likelihood to contain archaeological resources. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of mineral potential:

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

Areas of natural and scientific interest (ANSI):

means areas of land and water containing natural landscapes or features that have been identified as having unique life science or earth science values related to protection, scientific study, or education.

Bed and Breakfast:

an owner-occupied detached dwelling offering short-term lodging for compensation to the travelling and vacationing public. Guest rooms or suites are limited to a maximum of three (3) in the Zoning By-law, and may include a private bath, but must not include cooking facilities. Breakfast and other meals, services, facilities or amenities may be offered exclusively to guests.

Brownfield sites:

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources:

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

Coastal wetland:

means

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

Community improvement:

means the planning or re-planning, design or redesign, re-subdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.

Community improvement plan:

means a plan for the community improvement of a community improvement project area.

Community improvement project area:

means a municipality or an area within a municipality, the community improvement of which in the opinion of the Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

Comprehensive review:

means for the purposes of policies 1.1.3.9 and 1.3.2 in the Provincial Policy Statement, 2005, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

- a) is based on a review of population and growth projections and which reflect projections, considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth through *intensification* and *redevelopment*;
- c) confirms that the lands to be developed do not compromise *specialty crop areas* in accordance with policy 2.3.2;
- d) is integrated with planning for *infrastructure* and *public service facilities*; and
- e) considers cross-jurisdictional issues.

Conserved:

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

Cultural heritage landscape:

means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, while together form a significant type of heritage form, distinctive from that of its constituent elements or parts.

Deposits of mineral aggregate resources:

means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available:

for the purposes of policy 1.4.1(a) of the *Provincial Policy Statement, 2005*, means land designated in the official plan for urban residential uses. Where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated for the purposes of this definition.

Designated growth areas:

means lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2 of the *Provincial Policy Statement, 2005*, but which have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 1.4.1(a) of the *Provincial Policy Statement, 2005*, as well as lands required for employment and other uses.

Development:

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act* but does not include activities that create or maintain *infrastructure* authorized under an environmental assessment process; or works subject to the *Drainage Act*.

Dynamic beach hazard:

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

Ecological function:

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

Employment area:

means those areas designated in an official plan for clusters of business and economic activities, including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities.

Endangered and threatened species:

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

Erosion hazard:

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

Existing lots of record:

means a parcel of land existing as of the date of the approval of this Plan by the Minister of Municipal Affairs and Housing, where such parcel has been legally created and is capable of being transferred independently to another owner.

Fish:

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

Fish habitat:

as defined in the *Fisheries Act*, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life process.

Flood plain:

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

Flooding hazard:

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

- (a) Along the shorelines of the *Great Lakes – St. Lawrence River System* and *large inland lakes*, the flooding hazard limit is based on the *one hundred (100) year flood level* plus an allowance for *wave uprush* and *other water-related hazards*.
- (b) Along *river, stream, and small inland lake systems*, the *flooding hazard limit* is the greater of:
 - 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - 2. the *one hundred (100) year flood*; or

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

except where the use of the *one hundred (100) year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Garden suite:

means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a legally existing single detached residential structure and that is designed to be temporary and portable.

Ground water feature:

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

Group home:

means a single housekeeping unit in a residential dwelling for the accommodation of 3 to 10 persons, exclusive of staff, in which individuals live under supervision for reasons of their emotional, mental, social or physical condition. Group homes shall be licensed and/or approved for funding under Federal or Provincial statutes and maintained in compliance with municipal by-laws.

Hazardous lands:

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

Hazardous substances:

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

Heritage attributes:

means the principle features, characteristics, context and appearance that contribute to the cultural heritage significance of a *protected heritage property*.

Home Occupation:

means any occupation or business conducted for gain or profit as an accessory unit within a dwelling house or dwelling unit and incidental to the main residential use and conducted by the inhabitant of the dwelling.

Hydrologic function:

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

Individual on-site sewage services:

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

Individual on-site water services:

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

Infrastructure:

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

Intensification:

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

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

Low and moderate income households:

means

- a) in the case of ownership housing, households with incomes in the lowest 60% of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the *regional market area*.

Mineral aggregate operation:

means:

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

Mineral aggregate resources:

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material described under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes.

Minimum distance separation formulae:

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

Multi-modal transportation system:

means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal sewage services:

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

Municipal water services:

means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

Natural heritage features and areas:

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

Negative impacts:

means:

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

- b) in regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity.
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Normal farm practices:

means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with the proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or make use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

One hundred year flood:

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

One hundred year flood level:

means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equaled or exceeded in any given year; and
- b) for large inland lakes, lake levels and wind setups that have a 1% chance of being equaled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Partial services:

means

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

Portable asphalt plant:

means a facility:

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

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

Portable concrete plant:

means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area:

means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and generally associated Canada Land Inventory Class 4-7 soils; and lower soil classifications may be considered prime agricultural lands if any other land use designation will create fragmentation of surrounding Class 4 to 7 soils considered to be prime agricultural lands. Additional areas may be considered prime agricultural lands where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province and the City.

Prime agricultural land:

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

Private communal sewage services:

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

Private Communal water services:

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

Protected heritage property:

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

Public service facilities:

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and quantity of water:

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

Recreation:

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

Redevelopment:

means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfields*.

Renewable energy source:

Means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy, tidal forces and such other energy sources as may be prescribed by the regulations, but only if the energy sources satisfies such criteria as may be prescribed by the provincial or federal regulations for that energy source.

Residence surplus to a farming operation:

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

Residential intensification:

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

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

Rural areas:

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

Secondary uses:

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

Sensitive:

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

Sensitive land uses:

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

Settlement areas:

means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2 of the Provincial Policy Statement, 2005. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Shipping containers:

means any container that was used for the transport of goods by means of rail, truck or by sea that is strong enough to be suitable for repeated use and include, but not limited to, inter-modal shipping containers, the body of a transport trailer or a straight truck box.

Significant: means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) in regard to the habitat of *endangered* and *threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered* or *threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history;
- d) in regard to other features and areas in policy 2.1 of the Provincial Policy Statement, 2005, ecologically important in terms of features, functions, representation or

amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

- e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
- f) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event or a people.

Significant Drinking Water Threat:

means a significant drinking water threat as defined in the Trent Source Protection Plan. OPA#8 – By-law #15-155 adopted 12.07.2015

Site alteration:

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

Special needs:

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.

Specialty crop areas:

means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or combination of both; and/or
- b) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Surface water feature:

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

Transportation demand management:

a set of strategies that results in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation,

route, or cost. Examples include: carpooling, vanpooling, and shuttle buses; parking management; site design and on-site facilities that support transit and walking; bicycle facilities and programs; pricing (road tolls or transit discounts); flexible working hours; telecommuting; high occupancy vehicles lanes; park-and-ride; incentives for ride-sharing, using transit, walking and cycling; initiatives to discourage drive-alone trips by residents, employees, visitors and students.

Transportation systems:

means a system consisting of corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.

Utility:

An essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency.

Valleylands:

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

Vulnerable:

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

Waste management system:

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

Watercourse:

means an identifiable depression in the ground which a flow of water regularly or continuously occurs.

Watershed:

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

Wave uprush:

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

Wayside pits and quarries:

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right of way.

Wetlands:

means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused 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 which, no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife habitat:

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands:

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