Town of Gananoque

Draft Official Plan Update

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Prepared by: J. L. Richards & Associates Inc.

J.L.Richards
ENGINEERS · ARCHITECTS · PLANNERS

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Land Acknowledgement Statement

The Town of Gananoque acknowledges that we are on traditional territory of the Haudenosaunee (Hoe-den-oh-show-nee) and Anishinabe (A-nish-in-‘a-bay), Huron Wendat, and First Peoples. We do so respecting both the land and the Indigenous People who continue to walk with us through this world.

We are grateful for the opportunity to gather here.

In recognition of the contributions and importance of all Indigenous Peoples, we strongly support Truth and Reconciliation Calls to Action in our nation and commit to support local endeavours where possible.

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1.0 Introduction

The Town of Gananoque (Town) Official Plan (Official Plan | OP | Plan) is an essential planning document which is designed to manage future growth, development and change across our entire municipality. This Official Plan provides a framework which will guide land use decisions within the Town for the next 30 years. Because decisions which implement growth and development have long lasting impacts, it is incumbent on everyone to ensure that those decisions reflect community values and will result in a more livable community which is economically and environmentally sustainable.

1.1 LEGISLATIVE CONTEXT

The Official Plan is a policy document; it is not a By-Law or a regulation. However, it is a legal document and the policies in this Plan have a basis in the R.S.O. 1990 (the Planning Act). There is therefore a need for all decision making authorities to ensure that any By-Laws, permits and authorizations they issue will conform to the intent and direction provided by the policies of this Official Plan.

The Planning Act requires that the Town prepare, adopt and conduct periodic reviews of its Official Plan. The Planning Act also identifies matters of provincial interest which are further defined by the Provincial Planning Statement (PPS). Issued under Section 3 of the Planning Act, the Town's Official Plan must be consistent with the PPS. The Official Plan was drafted, reviewed and Planning Act, adopted in conformity with the requirements of the Planning Act and the content of the Plan is consistent with the PPS which came into effect on October 20, 2024 (2024 PPS).

This Official Plan was prepared by the Town in partnership with the residents of the Town, its community organizations, the provincial government and its agencies. As such, the policies of the Official Plan represent a balance of interests and points of view.

1.2 STRUCTURE OF THE OFFICIAL PLAN

This document shall be known as the Official Plan for the Corporation of the Town of Gananoque. It is divided into seven major components as follows:

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Part 1: Introduction

Part 1 provides an overview of the planning area and the organization of the Plan and explains the political and administrative framework within which land use planning is carried out in Ontario.

Part 2: Vision and Guiding Principles

Part 2 provides an overview of the principles, goals and objectives which provide the basis for the formulation of the policies of the Plan.

Part 3: Land Use Policies

Part 3 is the core of the Official Plan providing the main policies which will guide decisions for the use of land in Gananoque for the next 30 years.

3.1 Our Heritage – Planning the Lowertown District

This section provides policies regarding the future of the Town's built heritage area, Lowertown. The Plan focuses on maintaining character of this unique area while facilitating a gradual evolution to a mixed-use form of development.

3.2 Where We Live – Sustainable Neighbourhoods

This section addresses residential and non-residential development in Gananoque's neighbourhoods, including residential uses, local commercial uses, institutional and recreational uses.

3.3 Where We Do Business – Commercial Lands

This section provides policies regarding the Town's current and future commercial areas.

3.4 Where We Work – Employment Lands

This section provides policies regarding the Town's current and future employment areas.

3.5 Our Rural and Open Spaces – Planning for Balance

This section provides policies on those areas of lands on both the eastern and western boundaries of the Town that are vacant and inaccessible due to either development constraints of organic soils, topography or poor drainage.

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3.6 Our Environment – Planning for Sustainability

This section provides policies which address the need to maintain and enhance our Town's Natural Heritage Features and includes direction to ensure that development can be sustainable.

3.7 Development Constraints – Planning for Public Health and Safety

This section provides policies which support the protection of public health and safety and includes policies on hazard areas such as lands prone to flooding or unstable slopes or where soils may be contaminated as well as policies regarding the control of incompatible uses.

Part 4: Making it Work – Our Infrastructure

Part 4 provides policies which support the need for appropriate infrastructure networks to ensure sustainable development for the safety and security of residents. Policies include water, wastewater, surface water and transportation infrastructures as well as waste management, communication, energy and other required services.

Part 5: Implementing the Plan – The Planning Toolkit

Part 5 explains the various policy and regulatory tools available to ensure that the Official Plan is properly implemented.

Part 6: Administration of the Official Plan

Part 6 outlines administrative matters regarding the Official Plan, including the criteria to be used in considering Plan amendments; the role of the Official Plan relative to other applicable strategic initiatives adopted by Council; the nature of the Official Plan as a living policy document that will require on-going monitoring and review; and various interpretive matters, including those regarding the Official Plan Schedules, references to the provincial statutory framework, and the use of directive and enabling language in the Plan.

Part 7: Glossary

Part 7 includes definitions of key terms used throughout the Official Plan.

1.3 PLANNING PERIOD

The Gananoque Official Plan is intended to guide land use for a twenty year period, i.e. until the year 2056.

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2.0 Vision, Guiding Principles and the Planning Context

The policies contained in this Plan are based on a review of existing conditions to year-end 2025, past development patterns, current development trends and projections of future conditions to the year 2056. The Plan maintains the best elements of the previous Official Plan and Lowertown Master Plan, provides for new land uses in recognition of the changing face of the Town, implements the direction of the 2024 PPS, provides guidance to Council and its delegates in consideration of their responsibilities, and provides direction and certainty to the Town's residents and businesses.

Future development in the Town of Gananoque must proceed in a manner which is consistent with the policies of this Official Plan. It is recognized that from time to time there will be land use or development proposals which may not appear to be in full conformity with one or more policies in this Official Plan. On such occasions, it will be necessary to ensure that the decisions taken can be reconciled with the long term vision and guiding principles outlined below, which form the foundation of this Plan.

2.1 VISION

Long term planning starts with a vision for the future. Attaining that vision requires that everyone who participates in the long term development of the municipality adhere to a set of guiding principles which in turn are at the core of the policies in this Plan. The following statement is intended to be the expression of Council's vision for the future of Gananoque.

Our Vision: To preserve and enhance the Town's unique "small town" heritage, preserve our historic and environmental character, and provide a high quality of life through a sustainable development pattern.

2.2 GUIDING PRINCIPLES

The following key principles are at the core of the Official Plan's policies. They were developed through consultation with the citizens of Gananoque and all of the policies in this Official Plan are consistent with these guiding principles:

1. We will be dedicated to maintaining and improving Lowertown as a vibrant year-round, mixed-use neighbourhood where people can live, work, and play.

2. The waterfront will be maintained and improved as a community focal point and will be enhanced through balanced, sustainable public and private development which creates an attractive, accessible and useable waterfront for both local residents and visitors.

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3. We are committed to revitalizing our downtown commercial district as a mixed-use pedestrian friendly area while respecting the area's architectural heritage.

4. While striving to maintain historical, architectural character and uniqueness, we are committed to intensifying and enhancing the quality of our residential neighbourhoods through a range of housing options, densities, and transitions from adjoining land uses

5. We are committed to addressing housing affordability and housing needs through a range and mix of housing options.

6. We are committed to supporting a diverse economic development strategy in the Town by:

    a) considering the needs of existing and future businesses;

    b) celebrating the Town's locational characteristics as an investment asset; and

    c) increasing the number and diversity of employment and commercial opportunities by promoting the rehabilitation of industrial properties; intensification of commercial and employment lands; shovel-worthy commercial and employment development on greenfield sites; and late-stage capitalism and post-pandemic work patterns, such as work-from-home employment.

7. We are committed to maximizing the use of existing infrastructure and services to meet the needs of the community, and aligning land use planning with growth-related infrastructure costs and the financial implications of the proposed works.

8. We will plan for a connected system of greenways and parks facilities to serve residents and visitors.

9. We are committed to increasing the diversity of arts, cultural and recreational opportunities.

10. We will protect and preserve lands exhibiting sensitive natural heritage features as it supports a healthy ecosystem, biodiversity and contributes to the Town's quality of life and character.

11. We will protect and preserve lands that have inherent physical and environmental constraints to development, in order to avoid potential risks to public health and safety.

12. We will help future development in the Town adapt to the impacts of climate change at the local level through planning for 'complete communities' and encouraging energy conservation and efficiency by diversifying housing options; encouraging mixed-use developments; reducing car reliance; increasing infrastructure efficiency; and promoting public health and environmental sustainability.

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13. We will ensure public involvement in the planning process to ensure the protection of everyone's property rights.

2.3 BASIS OF THE PLAN

The Official Plan builds on the guiding principles and an understanding of the local and broader context, including anticipated trends and factors that may have an influence on growth and change in the Town within a planning period to the year 2056. To this end pursuant to Section 2.1 of the 2024 PPS, Watson & Associates Economists Ltd. (Watson) was retained by the Town to update the Town's population and employment growth forecasts, using provincial Projection Methodology Guidelines and Ministry of Finance projections for the Leeds and Grenville Census Division (of which the Town is a part) as key reference points. Pertinent findings in Watson's Town of Gananoque Growth Forecast Update, 2021 to 2056 Final Report are as follows:

1. Population growth in the Leeds and Grenville Census Division (LGCD) has strengthened over the past decade, with projections indicating moderate but sustained long-term growth. The Town has shifted from a slight decline in the early 2000s to consistent positive growth since 2011.

2. The Town has maintained a relatively stable share of the LGCD population, generally in the range of 5% since 2011, indicating a stable role within the broader market area.

3. Gananoque functions as part of the wider regional labour and housing market, with commuting connections to the City of Kingston, and offering a small-town setting with a picturesque waterfront as well as an eclectic mix of heritage buildings, new residential areas and industrial properties.

4. Residential building activity between 2015 and 2023 has included periods of strong medium-and-high-density development (including duplexes and quadplexes). This trend has continued since Q2-2024, in that of the 72 new dwelling unit counts, 6% (or 4 units) are low density, 67% (or 48 units) are medium density, and 27% (or 20 units) are high density.

5. The Town's population is expected to increase from an estimated 5,770 residents in 2026 to about 6,590 residents by 2046 and 6,920 residents by 2056. This represents an increase of roughly 1,150 residents between 2026 and 2056, or an average annual growth rate of 0.6% (+/-).

6. The share of older adults in the Town is forecast to continue to rise, particularly in the 75+ cohort, which is estimated to increase from about 17% in 2026 to 23% by 2056. Conversely, the combined share of the children and youth cohorts (0-24) are forecast to decline from about 20% in 2026 to 16% by 2056; and the core working age cohorts (25-54) are expected to remain relatively stable – at about 30% (+/-) – between 2026 and 2056.

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7. New housing starts in the Town are expected to average roughly 125 units per five-year period between 2026 and 2056. Furthermore, the new housing stock is forecast to become more diversified, with a gradual shift away from low-density housing (a decline in total share from 26% to 19%) and a growing role for medium-density (an increase in total share from 44% to 49%) and-high-density housing (an increase in total share from 30% to 32%). This is consistent with the anticipated changes in demographic shares of the Town's population, as higher density housing options are expected to be in demand from both younger households and older residents seeking smaller, more accessible units.

8. Town-wide employment is estimated to have declined from about 3,400 jobs in 2011 to 2,900 jobs in 2016, followed by a recovery to about 3,100 jobs by 2025. Total employment is forecast to continue to increase to about 3,560 jobs by 2056. This represents growth of approximately 470 jobs and a modest average annual growth rate that is generally consistent with the Town's population scale and economic structure.

9. The local employment base is expected to remain oriented toward commercial, institutional, and other service sectors between 2026 and 2056, with a notable shift toward work at home and no-fixed-place-of-work employment. This is consistent with broader shifts in work patterns, the Town's role as a small urban centre in the surrounding area, and its functional links to the broader Kingston regional economy.

2.3.1 Future Growth and Development

It is the intent of the Official Plan to ensure sufficient land capacity to accommodate projected needs for the next 30 years, including residential growth for the next 15 years. Analyses indicate that the existing serviced land supply within the Town's strategic growth areas are sufficient for projected household and employment growth over the lifespan of the Plan. As shown on Schedule A and discussed below, the strategic growth areas are defined as all of the land located within the Town, with the exception of lands designated Rural.

The following policies shall provide the planning framework as it applies to future growth and development in the Town.

2.3.1.1 Strategic Growth Areas

1. Future urban development shall occur within the Town's strategic growth areas, which is organized into the following two structural sub-components:

    a) within Designated Growth Areas, minimum density targets are applied to accommodate planned growth to 2056 on greenfield sites; and

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b) within Built-Up Areas, minimum density targets are applied to accommodate intensification to 2056 within the existing urban fabric of the community through infill, redevelopment and/or the adaptive re-use of existing buildings.

2. It is the intent of this Plan to achieve an increase in the density and intensity of land use through the use of compact form, a mix of land uses, and redevelopment or re-use of existing vacant or underutilized buildings and properties within the Town's Built-Up Areas. This intensification is encouraged in accordance with the policies of this Plan. In particular, intensification is encouraged on sites:

a) that are no longer viable for the purpose for which they were intended such as former commercial, industrial and institutional sites;

b) where the present use in maintained and the additional of residential uses can be achieved in a safe and complementary manner; and

c) with suitable existing or planned infrastructure and public service facilities.

3. The following criteria shall be used to evaluate applications for intensification and redevelopment:

a) the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;

b) impacts of the proposed development of surrounding natural features and areas and cultural heritage resources;

c) the relationship between the proposed development and any natural or manmade hazards;

d) the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;

e) the impact of traffic generated by the proposed development on the road network and surrounding land uses;

f) the availability of existing or planned, or potential to enhance, active transportation infrastructure; and

g) the compatibility of the proposed development on existing and planned character.

(A) Housing

1. The Town shall enable a diverse range of housing tenures to meet the needs of current and future residents, including purpose-built rental housing and non-market housing,

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while also ensuring that the quality of residential neighbourhoods will be consistent with their existing and planned character.

2. The Town shall support the development and retention of rental housing through land use permissions, site provisions, and approval processes that reduce barriers to delivery.

4. The Town shall support partnerships and delivery mechanisms that expand community and non-market housing options, including collaborations with the United Counties of Leeds and Grenville and community housing providers, to improve housing stability and choice for low- and moderate-income households.

5. The Town shall implement a dwelling mix target for new residential development within the strategic growth areas, expressed below as target ranges, to ensure that new units are delivered in medium-and-higher-density forms consistent with forecasted trends and local housing needs:

    a) low density which includes single detached dwellings, and semi-detached dwellings): 20% to 30%;

    b) medium density which includes townhouses, and apartments in duplexes: 40% to 50%; and

    c) high density which includes bachelor, one-bedroom, and two-bedroom-plus apartments: 25% to 35%.

6. In further support of the dwelling mix targets cited above, future residential development:

    a) within the Town's Designated Growth Areas should plan for the following density targets:

        i. low density residential: 15 units per net hectare;

        ii. medium density residential: 45 units per net hectare; and

        iii. high density residential: 100 units per net hectare; and

    b) within the Town's Built-Up Areas should plan for a minimum intensification and redevelopment target of 30%.

7. New plans of subdivision shall:

    a) calculate the net development density by dwelling type and the average density of the subdivision over the entire area affected by the subdivision; and

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b) include a mix of residential dwelling types and densities on a street-by-street basis.

8. The Town shall monitor annual housing completions by unit type and location and review the dwelling mix target ranges at regular intervals to ensure alignment with observed demand and delivery outcomes.

(B) Economy

1. The Town shall support the development of a strong, diverse economy in building a healthy, sustainable and vibrant community. This Plan celebrates the Town's strategic location and recognizes that the Town's economy is transitioning toward a greater focus on technological and knowledge-based industries; the medical sector; the creative economy; tourism-based businesses; gateway commercial enterprises; niche manufacturing and supply chain businesses; and work at home and no-fixed-place-of-work employment opportunities.

2. The Town shall continue to promote commercial and employment areas and pursue increased levels of job creation in the commercial, institutional, and industrial sectors in order to foster a diversified and vigorous economic base.

3. In further support of the forecasted economic growth in the Town, employment uses (as defined in the 2024 PPS) as well as primary commercial and institutional uses:

   a) within the Town's Designated Growth Areas and Built-Up Areas should plan for the following density targets:

      i. employment uses: 35 jobs per net hectare; and

      ii. primary commercial and institutional uses: 25 jobs per net hectare.

4. The Town shall continue to collaborate and share information and ideas between business, government and non-government organizations on issues of shared interest, including economic issues.

(C) Municipal Infrastructure

1. New development will be considered, approved, coordinated and/or phased according to the adequacy and capacity of municipal infrastructure services required to support it.

2. Municipal infrastructure services shall be designed and provided in a sustainable manner, and shall be strategically located to ensure contiguous growth and support the efficient and effective delivery and management of emergency response services and Public Works operations.

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3. Development proponents shall demonstrate to the satisfaction of the Town that adequate municipal infrastructure services and public utility infrastructure exist and can support proposed developments in a sustainable manner without creating adverse effects on upstream and/or downstream infrastructure systems and other municipal assets as well as public utility infrastructure, existing and future land uses, public health and safety, and the environment.

4. Development proponents shall design, provide and/or be responsible for providing, to the satisfaction of the Town and either directly or through fees, all new municipal infrastructure that must be created, installed, expanded and/or modified to serve proposed developments until the said services are assumed by the Town.

5. Neither the existence of proximate municipal infrastructure services nor the capacity of same shall serve as entitlement or justification to permit proposed developments that are inconsistent with the policies of this Plan and/or create adverse effects on upstream and/or downstream infrastructure systems as well as existing and future land uses, public health and safety, public utility infrastructure and the environment.

(D) Active Transportation

1. The Town shall support the role of active transportation as an alternative to the automobile. This Plan recognize the strong relationship between transportation and land uses by providing residents with the opportunity to live closer to where they work, shop and play.

2. The Town shall support trails and open space networks and supporting facilities that are interconnected and serve transportation, recreation and leisure, and environmental functions.

3. New development or redevelopment shall be encouraged to consider street connectivity and connectivity of active transportation infrastructure, in coordination with the Town.

4. When undertaking public works, the Town may consider the provision of active transportation infrastructure, considering the associated technical logistics, costs and benefits in doing so.

(E) Arts, Culture and Recreation

1. The Town shall support arts, culture and recreation facilities, programs and services in building a healthy, sustainable and vibrant community. This Plan recognizes the need:

    a) to provide arts, culture, and recreation services and programs by both maximizing the use of existing facilities and community resources, and planning long-term to ensure such facilities and resources meet the future needs of the community; and

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b) to outline a framework for conserving the Town's cultural heritage resources.

(F) Environment and Energy

1. This Plan recognizes that in order to build a sustainable and vibrant community, significant environmental features and functions need to be protected from development and site alteration that will have adverse environmental effects.

2. This Plan recognizes that the supply and efficient use of energy is critically important to the future of the Town by encouraging the efficient use of energy resources through community and site design as well as building techniques designed to conserve energy.

2.3.1.2 Rural Lands

1. This Plan recognizes that the lands designated Rural on Schedule A are outside of the Town's strategic growth areas. These lands are vacant and inaccessible due to various development and servicing constraints. As such, the Town intends to:

   a) conserve these lands to preserve their natural heritage attributes and combat the effects of climate change;

   b) work in partnership with the Township of Leeds and the Thousand Islands to preserve and enhance the inventory of naturalized open space in the Rural area; and

   c) provide opportunities for agricultural and forestry activities to occur on Rural lands while having regard to long-term community growth and sustainability factors.

2.3.1.3 Future Expansion

1. Regarding the Town's buildout potential to 2056, relative to its strategic growth areas and the development density and intensification-redevelopment targets cited above:

   a) the Town's current committed service capacity can support housing development up to and beyond 2056, as outlined in Table 2.3.1.3-1 below:

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Table 2.3.1.3-1: Projected Servicing Capacity

Descriptor	Total Units	Calculation Marker
The Town's 2026 dwelling unit supply (based on known development projects) equals 275 dwelling units, of which: 25% (or 69 units) are low density, 48% (or 133 units) are medium density, and 27% (or 73 units) are high density	275	A
The Town's remaining committed service capacity in 2026 equals 879 dwelling units	879	B
The Town's total remaining dwelling unit supply as of 2026 equals 1,154 dwelling units	1,154	C = A + B
New housing starts in the Town are expected to average roughly 125 units per five-year period between 2026 and 2056 (or 725 units)	725	D
The remaining dwelling unit supply in the Town (relative to its committed service capacity to accommodate future growth) equals 429 units	429	E = C - D

b) the Town's current vacant land inventory can support forecasted development needs up to and beyond 2056, as outlined in Table 2.3.1.3-2 below:

Table 2.3.1.3-2: 2056 Projected Land Needs Relative to 2026 Vacant Land Supply

Land Use	2056 Projected Land Needs (Gross Hectare)	2026 Vacant Land Supply (Gross Hectare)			Land Supply Deficiency at 2056?
		Designated Growth Areas	Built-Up Areas	Total	
Employment	0.9	61.2	0.4	61.6	No
Primary Commercial and Institutional	4.2	3.5	2.6	6.1	No
Residential	29.8	43.8	23.6	67.4	No

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2. An expansion of the Town's strategic growth areas shall require a Secondary Plan and associated provisions in the Development Permit By-Law which demonstrates:

    a) the proposed expansion is required as a result of insufficient lands in the strategic growth areas to accommodate projected needs through greenfield development, intensification and redevelopment;

    b) municipal infrastructure and public services are available; and

    c) impacts to land uses can be mitigated.

3. The Town may permit adjustments to the Town's strategic growth areas boundary outside of a comprehensive review provided that these conditions are demonstrated and there would be no net increase to the strategic growth areas.

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3.0 Land Use Policies

3.1 OUR HERITAGE – PLANNING THE LOWERTOWN DISTRICT

Lowertown is one of Gananoque's greatest assets. Over the years there has been a significant amount of effort dedicated to facilitating its renaissance into a unique mixed-use waterfront heritage district. A former industrial waterfront and working class residential area, Lowertown has slowly developed a community focus with its publicly owned spaces and its commercial and cultural attractions. The importance of Lowertown to the future of Gananoque is reflected in the fact that all of the Guiding Principles of the Official Plan have a direct application to this district. Public investment in waterfront properties and the implementation of the previous Lowertown Master Plan is further evidence of the Town's commitment to completing the transformation of this district into a regional destination.

The policies which apply to the Lowertown Policy Area designation as shown on Schedule A are based on the Plan's 13 Guiding Principles. They are also closely based on the content of the previous Lowertown Master Plan which was adopted by Council and much of which is now included in the Town's sanctioned land use policies.

3.1.1 Goal and Objectives

Goal: Create a vibrant, year-round, mixed-use Lowertown neighbourhood on an active waterfront where people live, work and play.

Objectives:

1. Protect and enhance existing residential uses in a mixed-use setting.
2. Encourage new medium and high density residential uses in a mixed-use setting.
3. Preserve waterfront views, by ensuring that higher density uses shall be set back from the water.
4. Protect and enhance existing viable businesses in a mixed-use setting.
5. Encourage the rehabilitation and/or conversion of vacant industrial buildings.
6. Encourage appropriate new, street-related retail and commercial uses.
7. Protect and enhance existing recreation, greenspace, tourism, and cultural uses in a mixed-use setting.
8. Provide opportunities for new water-related recreation activities.

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9. Enhance pedestrian, active transportation and vehicular circulation and orientation.

10. Encourage appropriate cultural activities and facilities.

11. Identify, protect and enhance the natural heritage system and features.

3.1.2 Lowertown Policies

3.1.2.1 Lowertown's Natural Heritage Systems – Erosion Hazards, Water Quality, and Landscaping

1. Significant physical and biological features along the waterfront, as shown on Schedule B, shall be preserved by preventing development in these areas or through the incorporation of these features into plans for waterfront parks and open space.

2. Development between the stable top of bank and shoreline shall not be permitted, unless the Province and the Eastern Lake Ontario Regional Conservation Authority (ELORCA) deem it feasible, and provided the development is consistent with this Plan.

3. Development shall not be permitted in areas with flooding or erosion hazards.

4. Development shall be set back from the stable top of bank, and from flooding and erosion hazards, in accordance with the requirements of the Development Permit By-Law and of the ELORCA.

5. The use of stormwater management practices and other pollution control measures shall be required for all new development or re-development to protect water quality. Where possible, means to mitigate flooding and erosion hazards should be undertaken through stormwater management practices.

6. Shoreline protection measures shall be designed to visually complement the waterfront and undertaken in a manner that will have minimum adverse effects on the environment. Where shoreline protection works standards are undertaken by the Town or the ELORCA or any other public agency, the Town shall incorporate a pedestrian walkway as part of the overall design of the shoreline protection works standards.

7. Landscaping plans for publicly owned waterfront open space shall encourage the enhancement of natural habitat by means such as the use of native plants in addition to ensuring a design consistent with the open space design.

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3.1.2.2 Public Access and Use

Planning for public use of and access to the shoreline shall recognize areas of existing private use and ownership of the shoreline and shall incorporate ways to ensure these uses are compatible.

1. Acquisition of land for public walkways, or to create new or to add to existing windows-to-the-river shall be required where new development or re-development provides an opportunity to do so.

2. Waterfront parks and related facilities shall be designed to provide safe, attractive and inviting places for public use and to visually separate private and public open spaces. Landscape plans that enhance the attractiveness of the waterfront and add significantly to the experience, enjoyment and appreciation of the waterfront shall be implemented. These plans will preserve environmentally sensitive vegetation and landforms.

3. Shoreline structures shall be located in such a manner as to minimize the visual impact on neighbouring properties, and avoid sensitive environmental features, both on-shore and in-water. The Development Permit Bylaw shall provide standards to require a minimum visibility triangle to regulate the visual impact of shoreline structures on neighbouring properties.

4. Parking areas shall be designed and landscaped to complement the environment, provide flexible parking options with efficient use of space, and maximize the recreational and cultural open space uses of district.

5. A balanced network for pedestrians, cyclists and motorists shall be implemented as development and re-development occurs. Development shall consider connectivity and the extension of existing walkways, new or enhanced vehicular access points and intersections.

6. A continuous pedestrian walkway through the Lowertown district shall be implemented through development and/or re-development.

7. Streetscaping and landscaping shall be designed in accordance with Urban Design Guidelines, as implemented by the Town, to improve pedestrian and vehicular circulation. Consideration shall be given to providing open public spaces that maximize the ecological sustainability and maintenance of natural assets, and encourage a cohesive community character.

8. Access and enjoyment of the natural features of the Town, such as shorelines of the St. Lawrence River and Gananoque River, trails and open areas will be enhanced and protected by:

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a) improving physical and visual access from adjacent public streets, parks and open spaces;

b) ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access and views between these natural features and the public realm;

c) providing for public access along, into and through these natural open spaces, where appropriate; and

d) minimizing shadows on natural features to preserve their utility and ecological health.

3.1.2.3 Permitted Uses

1. All of the Lowertown designation is considered to be a mixed-use development area and all of the following uses shall be permitted subject to all other applicable policies as well as development permit system controls such as:

   a) Low, medium and high density residential;

   b) Additional residential units subject to the policies of Section 3.2 of this Plan;

   c) Tourism commercial uses;

   d) Service commercial uses;

   e) Arts and cultural uses;

   f) Office commercial uses;

   g) Home-based businesses and home industries;

   h) Park and open space uses; and

   i) Schools, daycares, and other compatible institutional uses.

3.1.2.4 Development and Re-Development Policies

1. The Town acknowledges that Lowertown is substantially built-out. Where development or re-development is proposed, the policies of this Plan and the Development Permit By-Law shall apply.

2. Council will apply the Urban Design Guidelines as implemented for the Town for all proposed development or re-development.

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3. Medium and high density residential development will be carefully considered with respect to visual and character impacts on existing low density residential areas within Lowertown. High density development shall not be permitted where lots have frontage on the St. Lawrence River or the Gananoque River.

4. Medium and high density residential and mixed-use developments shall be considered on sites which provide focal points within the community and can demonstrate compatibility with adjacent land uses through massing, balance, height, architectural style, setbacks, siting, landscaping, parking and pedestrian spaces.

3.1.2.5 Implementation

1. The delineation of land uses through the Development Permit By-Law shall be based on architectural form as well as present and future land use compatibility.

2. Further to the Community Improvement Area policies included in Section 5 of this Plan, all of the lands designated Lowertown Policy Area are considered a high priority as a Community Improvement Project Area.

3. To maintain the historic appearance of this area, demolition and building permits shall be strictly controlled and monitored by the Town.

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3.2 WHERE WE LIVE – SUSTAINABLE NEIGHBOURHOODS

Gananoque's residential neighbourhoods range from heritage homes in the Lowertown district, to apartment dwellings in multi-storey buildings, to a variety of residential subdivisions, to mixed-use buildings with local commercial, institutional and residential uses. The intent of the Official Plan's residential neighbourhood policies is to create complete communities, which offer mixed land uses; provide a diverse range of rental and ownership housing types that are attainable and affordable to a range of household income levels; support multiple modes of transportation; and provide housing types that are inclusive of all ages and abilities. This includes providing new residential opportunities through intensification, infill, redevelopment and/or the adaptive re-use of existing buildings to allow a mix of commercial and residential uses to anticipate future needs. The Residential Policy Area is shown on Schedule A.

3.2.1 Goal and Objectives

Goal: Promote a balanced supply of housing to meet the present and future social and economic needs of all segments of the community while providing opportunities to develop new residential uses in mixed-use buildings as well as non-residential neighbourhood components such as schools, community facilities, places of worship, parks and local commercial uses.

Objectives:

1. Promote and support development which provides for attainable and affordable housing, freehold and\or rental housing with a full range of density types, and prevent the loss of such housing options.

2. Designate a sufficient supply of land to meet the Town's residential market-based, attainable, and affordable housing needs.

3. Ensure that land use policies and the Development Permit By-Law facilitate the creation of affordable and attainable housing, a balanced supply of housing and choice within the marketplace.

4. Ensure that residential intensification, infilling and redevelopment within existing neighbourhoods is compatible with existing and planned character.

5. Allow for the redevelopment of vacant buildings for residential purposes in a mixed-use environment.

6. Encourage housing opportunities, including more intensive forms of housing, that are in proximity to work, shopping, and recreation.

7. Promote the design of complete streets to reduce the need to drive and encourage walking, cycling, and active transportation.

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8. Permit a range of activities in residential areas, including home-based businesses, local commercial, bed and breakfasts, Heritage Tourist Inn group homes, churches, schools, community facilities and open space.

9. Promote green infrastructure and urban street trees in general and support the protection of heritage trees, in particular.

3.2.2 Residential Policies

3.2.2.1 Permitted Uses

1. Permitted residential uses shall include low-medium-and-high-density residential housing.

2. High density residential development shall:

   a) be encouraged in locations having greater amenities or services such as areas along arterial or local collector roads and/or in proximity to Commercial and Open Space designations; and

   b) be subject to a Development Permit and supporting studies to demonstrate adequate water and wastewater services, sufficient parking facilities, and compatibility with the character of the surrounding neighbourhood.

3. Land uses which complement residential neighbourhoods are also permitted. These include home-based businesses or home industry uses, institutional uses such as schools, nursing homes, group homes and churches, open space uses such as parks and community centres, neighbourhood commercial uses such as convenience stores, licensed daycares and bed and breakfast establishments.

   Complementary non-residential uses shall be subject to a Development Permit to ensure compatibility with the existing and planned character, scale and servicing provisions. Proponents shall provide sufficient evidence to ensure that the proposed development will not result in increased neighbourhood traffic, noise or other emissions and will contribute to quality of life for local residents.

3.2.2.2 Non-Residential Uses

1. Local commercial uses such as convenience stores, personal service establishments, schools, places of worship and community facilities are permitted in the Residential Policy Area.

2. Existing non-residential uses shall be designated in the Development Permit By-Law.

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3. Proposed non-residential uses shall be reviewed to ensure compatibility with the existing residential neighbourhood existing and planned character, scale and adequate servicing. Proponents shall provide sufficient evidence to ensure that new development will not result in increased neighbourhood traffic, noise or other emissions and will contribute to quality of life for local residents. In all cases the scale and architectural design of any new development shall be consistent with the local neighbourhood.

3.2.2.3 Waterfront Residential Development

1. Residential development along the waterfront is permitted within the Residential Policy Area provided that waterfront development meets all relevant policies of this Plan and the provisions of the Development Permit By-Law.

2. Planning for development along the waterfront of the St. Lawrence River and the Gananoque River shall recognize and consider the following:

    a) Medium and high density residential development will be carefully considered with respect to visual and character impacts on existing low density residential areas within Lowertown. Where lots have frontage on the St. Lawrence River or the Gananoque River, high density residential development exceeding six storeys shall not be permitted. Medium and high density residential and mixed-use developments shall be considered on sites which provide focal points within the community and can demonstrate compatibility with adjacent land uses through massing, balance, height, architectural style, setbacks, siting, landscaping, access, parking and pedestrian spaces. Setbacks from the shoreline may take the form of a buffer of undisturbed soil and vegetation, which will help to filter runoff and prevent soil erosion and provides Wildlife Habitat. New development along the waterfront shall, whenever possible, be designed to ensure protection of the existing natural shoreline and minimize any loss of river views from adjacent properties.

    b) Acquisition of land for public walkways, or to create new or to add to existing waterfront viewscapes shall be considered where new development or re-development provides an opportunity to do so. The development of waterfront parks and related facilities shall be designed to provide safe, attractive and inviting places for public use and to visually separate private and public open spaces. Landscape plans that enhance the attractiveness of the waterfront and add significantly to the experience, enjoyment and appreciation of the waterfront shall be implemented. These plans will preserve environmentally sensitive vegetation and landforms and reflect the planned uses of the specific waterfront areas.

    c) Shoreline structures shall be located in such a manner as to minimize the visual impact on neighbouring properties, and avoid sensitive environmental features,

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both on-shore and in-water. The Development Permit Bylaw shall provide standards to require a minimum visibility triangle to regulate the visual impact of shoreline structures on neighbouring properties.

d) New waterfront development is encouraged to consider public views, access and connectivity to natural features, shorelines, trails, and wooded areas. This includes, but is not limited to:

i. improving physical and visual access from adjacent public streets, parks and open spaces;

ii. ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access and views between these natural features and the public realm;

iii. providing for public access along, into and through these natural open spaces, where appropriate; and

iv. minimizing shadows on natural features to preserve their utility and ecological health.

3.2.2.4 Waterlots

Waterlots, being those lots that extend beyond the shoreline into the river where ownership has been legally confirmed to include the bed of the river, may be developed in accordance with the following:

1. Only those lands located above the Flood Hazard, or the high water mark if Flood Hazard mapping is unavailable, may be developed.

2. Waterlots shall be subject to the Development Permit By-Law. When reviewing compliance to the Development Permit By-Law, only those lands located above the high water mark may be used to establish Development Permit conformity.

3. All other relevant policies of this Plan shall apply.

4. Approvals must be obtained from the Town and/or the ELORCA and the Province of Ontario.

5. Where docking facilities are permitted, such facilities shall be non-commercial facilities for the exclusive use of the landowner, and approvals must be obtained from the Town and/or the ELORCA and the Province of Ontario.

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3.2.2.5 Energy Efficiency & Environmental Sustainability

1. In order to promote energy efficiency, all new development will be encouraged to employ design techniques which result in efficient orientation of streets, lots and buildings. Rooftop solar panels and other renewable energy technologies that serve on-site development, building orientation to ensure solar access and functional landscaping (windbreaks, boulevards, and planting) should also be taken into consideration during the design phase of all new residential development.

2. Opportunities to increase greenspace and street trees will be evaluated in both public and private redevelopment projects. Areas that are composed of significant impermeable surfaces, opportunities for greenroofs, raised planters, and greenwalls will be encouraged.

3. Where appropriate within on-or-off-street parking areas or driveways, development is encouraged to include permeable or grass pavers in residential for additional residential units to incorporate parking.

4. Stormwater Management, including rainscaping, means utilizing the landscape to redirect, catch, slow, and filter stormwater runoff. Development is encouraged to repurpose rainwater within the landscape by redirecting downspouts to gardens, collecting rainwater or adding natural gardens and native trees in areas to soak up excess water.

3.2.2.6 Access

1. Development shall be permitted only where safe, convenient access to a public road is available to ensure ready accessibility for school buses, ambulances, fire trucks, and other essential service vehicles.

2. Access to individual lots shall be from public roads constructed to municipal standards and shall generally not be permitted from arterial or local collector roads.

3.2.2.7 Street Trees

1. Street trees and canopies provide many benefits. They provide natural habitat opportunities, reduce heating and cooling costs and noise levels, increase property values and provide numerous other social and aesthetic benefits. It is the intent of Council to protect and preserve existing street trees and in particular those trees that have been identified as heritage trees. Council may enact more restrictive regulations under the Municipal Act, S.O 2001, to protect the Town's urban trees and will ensure that proposed development is reviewed to provide for the preservation and protection, wherever possible, of existing treed areas.

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3.2.2.8 Housing Attainability and Affordability

The Town recognizes that housing is a human right. There is ample evidence that demonstrates that affordable and attainable housing is central to achieving various economic and social outcomes. Land use planning can support access to adequate and affordable housing by ensuring that there is adequate supply of land that accommodates a variety of housing options; by permitting and facilitating all forms of housing; and by ensuring the efficient use of land and effective business processes, which can impact the cost of housing.

The United Counties of Leeds and Grenville Housing and Homelessness Plan 2025-2035 has demonstrated that there is a lack of affordable housing throughout the Counties. Within Gananoque in particular, affordable housing is a particularly critical need for seniors, women-headed households, and households headed by people with cognitive, mental health or addictions-related challenges. Current demand for community housing options in the Town is moderate, but expected to increase with growing demand. An adequate supply of supportive and affordable housing has the potential to improve quality of life for existing residents, attract young people and families to the Town to uphold the local workforce, and may also enable the Town to retain people in this demographic who may otherwise move for lack of housing options.

The Town adheres to the definition of affordable housing in the 2024 PPS, as follows:

1. For ownership housing, affordable housing is the least expensive of:

    a) 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

    b) 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.

2. In the case of rental housing, affordable housing is the least expensive of:

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

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

Further to the above:

3. Low and moderate income households are defined as:

    a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or

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b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

The Town will seek to enhance the inventory of affordable housing by facilitating the creation of rental units, supportive and non-market housing units, additional residential units and multi-unit residential development through the following policies:

1. Additional residential units are permitted subject to the policies of this Plan, and the development of additional residential unit projects will be encouraged.

2. The design of subdivisions should consider the implementation of additional residential units.

3. Affordable multi-unit residential development that is responsive to local and regional demographic changes will be encouraged.

4. The Town may develop Community Improvement Plans, Development Charge Exemptions, and other financial incentives, to encourage the production of attainable and affordable housing. The Town may require that the recipient of any incentive enter into an agreement to ensure that residential units benefitting from any incentive remain attainable and/or affordable for a defined time period.

5. The Town will support the renewal, intensification, or creation of affordable housing projects by public agencies, and non-profit housing providers, including communal and cooperative housing, and collaborative housing projects, provided they meet the policies of this Plan.

6. The Town will encourage all proposals for multi-unit residential development and additional residential units to assist with meeting the affordability goals for new housing stock contained in this Plan.

7. The Town will consider alternative development standards for new development that result in the creation of attainable and affordable housing.

3.2.2.9 Rental Housing

1. Rental housing plays a vital role in the housing continuum. Limited availability of rental dwelling units or a low rental vacancy rate has implications for housing affordability. A healthy vacancy rate is often considered to be 3 to 5%. As such, the Town will:

    a) encourage development which increases the local supply of purpose-built rental housing and non-market housing;

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b) support the development and retention of rental housing through land use permissions, provisions in the Development Permit By-Law, and approval processes that reduce barriers to delivery;

c) support partnerships and delivery mechanisms that expand community and non-market housing options, including collaborations with the United Counties of Leeds and Grenville and community housing providers, to improve housing stability and choice for low-and-moderate-income households;

d) explore partnerships to monitor the local rental market to ensure availability of adequate, safe, and affordable rental housing which may include the preparation of studies and plans to explore new or amended incentives to promote construction of rental units; and

e) consider options to discourage or prohibit the conversion of rental housing to ownership housing when rental vacancy rates or unit numbers fall below a certain threshold in the community.

3.2.2.10 Additional Residential Units

Additional residential units can help support the provision of attainable and affordable housing. The Town recognizes the important role that additional residential units play in the housing market. An additional residential unit is defined as a self-contained residential unit with a private kitchen, bathroom facilities, and sleeping areas within a primary dwelling or within an accessory structure (e.g. above garages). The following policies will apply to the establishment of an additional residential unit:

1. Within any designation permitting a detached, semi-detached, duplex or townhouse dwelling as a primary use, and subject to the policies of this section and the provisions of the Development Permit By-Law, the following options to accommodate additional residential units are permitted:

    a) a maximum of one additional residential unit contained within an accessory structure; or

    b) a maximum of three dwelling units comprising the primary dwelling and up to two additional residential units contained within the primary dwelling; or

    c) a maximum of three dwelling units comprising the primary dwelling, one additional residential unit contained within the primary dwelling and one additional residential unit contained within an accessory structure.

2. Additional residential units shall clearly be ancillary to the principal dwelling.

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3. Additional residential units shall connect to municipal servicing, and where this is not available, shall be permitted only where a property is demonstrated to be sufficient for individual private services.

4. One parking space shall be provided for each additional residential unit for the sole use of the occupant.

5. Additional residential units shall have appropriate lot frontage and an entrance directly onto a public road.

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3.3 WHERE WE DO BUSINESS – COMMERCIAL LANDS

Encouraging and enhancing commercial development in Gananoque is crucial to the Town's quality of life. Commerce helps broaden the Town's tax base which in turn helps the municipality maintain required public services. Commercial businesses, particularly those in retail and tourism, the creative economy, gateway commercial enterprises, and niche work at home and no-fixed-place-of-work employment opportunities are playing a larger role in local employment trends, and are expected to provide a larger share of future employment growth.

Two commercial designations are identified on Schedule A of this Plan:

1. General Commercial, which focuses mainly on King Street as the Town's primary commercial artery.

2. Highway Commercial, which includes portions of King Street and other major transportation routes within the Town, and which specifically caters to the needs of travelers and provides services that require high visibility, large sites, or easy access to high-traffic corridors.

3.3.1 Goals and Objectives

Goal: Provide a supportive land use policy framework which reduces constraints for commercial development while ensuring that existing and future commercial uses will contribute to the Gananoque's small town character.

Objectives:

1. Support a diverse range of commercial uses that meet the existing and future needs of the community and reduces the need for residents to shop elsewhere.

2. Accommodate a range of commercial formats from smaller pedestrian-oriented stores in the central King Street area to highway commercial type uses near Highway 401 and the 1000 Islands Parkway.

3. Enhance the form and character of each commercial area in the Town and work to create a distinct community identity for each.

4. Encourage the maintenance and improvement of existing commercial buildings.

5. Facilitate economic investment by ensuring sufficient and suitable lands and infrastructure, including telecommunications infrastructure, are available for anticipated commercial needs.

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3.3.2 General Commercial Policy Area

3.3.2.1 Permitted Uses

Permitted uses shall include, subject to the policies of this Plan and the Development Permit By-Law:

1. A diverse range of retail, tourist, service commercial development intended to serve the needs of local residents and visitors. Examples include, but are not limited to, retail stores, personal service establishments, professional offices, restaurants, banks and financial services, travel accommodations, and community services.

2. Mixed-use development such as:

    a) commercial and residential mixed-use development; and/or

    b) residential units that are accessory to a commercial use, and where the residential use is located on the second storey or upper storey(s) of the commercial use.

3.3.2.2 General Commercial Policies

1. All new, redeveloped, and infill commercial development in existing areas shall provide adequate off-street parking as set out in the Development Permit By-Law. Access to parking areas shall be designed to minimize conflict between pedestrian and vehicular traffic. Access to commercial development from residential streets shall be avoided.

2. Where off street parking is required due to development or redevelopment of commercial land uses, such parking shall generally be located to the side or rear of establishments in order to foster a pedestrian friendly environment.

3. All new developments and redevelopments shall have regard for the historic commercial core of the Town. Applications for development and redevelopment shall include how the proposed development conforms or complements the existing streetscape on King Street East.

4. Commercial uses shall be limited in scale and subject to the provisions of the Development Permit By-Law for lot area, required yards, lot coverage, and gross floor area.

5. New or redeveloped commercial uses shall be oriented to pedestrian and vehicular traffic with an emphasis on the ease of movement for pedestrians between commercial establishments.

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3.3.3 Highway Commercial Policy Area

3.3.3.1 Permitted Uses

Permitted uses shall include, subject to the policies of this Plan and the Development Permit By-Law:

1. A diverse range of large format retail and service commercial development intended to serve the Town, the region and the traveling public. Examples include, but are not limited to:

    a) general retail stores and grocery stores;

    b) commercial lodgings;

    c) large-scale entertainment and recreational facilities;

    d) automotive-commercial-recreational-and-heavy-equipment sales and services;

    e) gateway commercial enterprises;

    f) limited small-scale industrial and/or warehousing uses; and

    g) compatible forms of mixed-use developments.

3.3.3.2 Highway Commercial Policies

1. Highway commercial development or redevelopment shall demonstrate compatibility with adjacent land uses through massing, balance, height, architectural style, setbacks, siting, landscaping, access, parking and pedestrian spaces.

2. The Development Permit By-Law shall apply to all new highway commercial development as well as any redevelopment which would have the effect of increasing parking and/or loading requirements or which substantially changes the scale and or density of the existing development.

3. As the Highway Commercial designation shall serve as an important gateway to the Town, Council may undertake the preparation of design guidelines to address the potential for entry features, streetscape designs, signage, lighting, landscaping, and architecture.

4. The Town recognizes the housing demand associated with the commercial amenities provided in the Highway Commercial designation. Mixed-use residential and commercial development may be considered in the Highway Commercial designation, subject to the following criteria:

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a) where it can be demonstrated that there would be no negative impacts on or conflicts with surrounding uses; and

b) where residential uses are secondary to the commercial use and the commercial character of the area can be maintained, and further:

i. for apartment, townhouse or other multi-unit dwelling units within a mixed-use building, the residential uses shall be located within the building to enable street level commercial access; and

ii. for apartment buildings within a mixed-use development, the commercial building(s) shall have frontage access, and the residential building(s) shall be located at the rear of the site and have at least 20-dwelling units.

5. It is the intent of this plan that the Highway Commercial Designation retain a predominantly commercial character and function. The Town may monitor commercial and residential units or develop target ratios for mixed-use development to ensure that commercial uses are the predominant land use within the designation.

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3.4 WHERE WE WORK – EMPLOYMENT LANDS

The globalization of the economy as well as regional economic trends has resulted in a slow decline in the Town's industrial land base which is expected to continue. Notwithstanding these changes, there is a need to provide for industrial land uses in Gananoque. The Town recognizes how a diversified economic base, complete with a range of employment uses, can enable the community to be both adaptive and market competitive, while addressing the needs of existing and future businesses.

As shown on Schedule A, the Employment Lands are focused in the northerly portion of the Town's strategic growth areas, and are intended to support a planning framework that accommodates industrial and related uses; and encourages the intensification of compatible employment uses to support complete communities.

3.4.1 Goals and Objectives

Goal: To support the Town's industrial employment base through flexible land use policies which recognize the dynamic nature of a changing regional economy.

Objectives:

1. Enhance the range of economic development opportunities within the Town.
2. Provide for industrial uses which require larger land areas within a business park setting.
3. Ensure access to efficient transportation links as well as major goods movement corridors and facilities.
4. Provide opportunities for manufacturing and warehousing industries which will not result in land use conflicts with abutting natural heritage features and/or sensitive uses.
5. Ensure the long-term function of Employment Lands by incorporating policies that transition lands from employment to non-employment uses.
6. Ensure infrastructure is available to accommodate current and future employment needs.

3.4.2 Permitted Uses

Permitted uses shall include, subject to the policies of this Plan and the Development Permit By-Law:

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1. A diverse range of industrial, manufacturing, research and development, technology and related uses intended to support a diversified economic base within the Town. Examples include, but are not limited to:

    a) research and development facilities;

    b) data processing facilities;

    c) traditional and advanced manufacturing, fabricating, processing and assembling operations;

    d) construction services and facilities;

    e) transportation depots and goods movement facilities;

    f) storage and warehousing;

    g) automotive, heavy equipment, and truck repair facilities; and

    h) associated retail, office and ancillary facilities included with the above.

3.4.3 Prohibited Uses

Residential, recreational, institutional, commercial, and other sensitive uses shall be prohibited on Employment Lands.

3.4.4 Employment Land Policies

1. Industrial uses shall be located with sufficient setbacks from sensitive land uses, significant Wildlife Habitat, significant natural corridors and/or along shorelines in accordance with applicable provincial statutes, policies and regulations.

2. Within the Employment Lands designation, buildings and sites will be encouraged to promote energy efficiency, renewable energy systems, recycling, composting, and other methods of conserving or re-using materials and resources.

3. On lands within 300 metres of the Employment Lands designation, proposed new or redevelopments shall demonstrate that the proposed will not negatively impact the long-term economic viability of Employment Lands uses.

4. Within Designated Growth Areas, the Town shall prioritize new development which maximizes employment capacity and avoids low-efficiency land consumption. The Town may further regulate greater intensity and efficient consumption of land through provisions such as, but not limited to, floor space index maximums in the Development Permit By-Law.

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5. The Town shall regularly monitor and update the Employment Lands designation to ensure its long-term viability. In order to ensure the maintenance of sufficient lands designated for employment purposes, the conversion of Employment Lands for non-employment uses may only be permitted in cases where it has been demonstrated that:

    a) the lands are not required for long-term employment uses;

    b) there is a need for the conversion of the lands;

    c) the proposed use would not negatively impact the viability of the Employment Lands overall, including:

        i. avoiding, or where avoidance is not possible, minimizing and mitigating the incompatibility of adjacent uses which may be adversely affected by the operational characteristics of the subject Employment Land uses; and

        ii. maintaining access of the Employment Lands to facilities and corridors for the movement of goods;

    d) the Town has sufficient designated Employment Lands to accommodate projected employment growth; and

    e) there is sufficient existing or planned servicing, infrastructure, and public service facilities to accommodate the proposed use.

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3.5 OUR RURAL AND OPEN SPACES – PLANNING FOR BALANCE

As shown on Schedule A:

1. There are lands designated Rural along both the eastern and western boundaries of the Town that are currently vacant or being used for limited agricultural, forestry management and passive recreation activities. These lands are currently outside the Town's strategic growth areas due to their significant development constraints, such as natural heritage features, organic soils, topography, poor drainage and/or lack of roads and other infrastructure services. However, the lands still play a critical role in the Town's growth management strategies over the long-term.

2. The Town has a considerable inventory of lands designated Open Space, which comprise open space and park lands along watercourses and within the Town's strategic growth areas. Some of these lands have to date been maintained in their natural state. The Town intends to preserve and enhance Open Space lands for current and future recreational use and to ensure equitable access to recreational opportunities. Much of this is intended to be in partnership with the Township of Leeds and the Thousand Islands through the Thousand Islands Joint Recreation Master Plan.

3.5.1 Goals and Objectives

Goal: To balance the use of rural land-based resources with the Town's long-term growth management strategies, and to provide high quality open spaces in support of building a healthy, sustainable and vibrant community.

Objectives:

1. To allow for limited agricultural, forestry management and passive recreation activities to occur on Rural lands while having regard to long-term community growth and sustainability factors.

2. To enhance the existing inventory of parks and recreational opportunities in Open Space areas.

3. To support the healthy lifestyles of all Town residents by improving the equitable access to a full range of passive and active recreational pursuits in Open Space areas.

3.5.2 Rural Lands

3.5.2.1 Rural Permitted Uses

Permitted uses shall be limited, subject to the policies of this Plan and the Development Permit By-Law, to:

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1. Existing land uses and infrastructure.

2. Proposed single detached dwellings on existing lots of record and proposed infrastructure.

3. Proposed agricultural, forestry management, passive or active recreation activities, communication facilities and energy facilities, and including proposed accessory uses, buildings and structures thereto, subject to an amendment to the Development Permit By-Law.

3.5.2.2 Rural Policies

1. Proposed single detached dwellings on existing lots of record shall be subject to the following criteria:

    a) the lot shall have a minimum area of 1 hectare; and

    b) the lot and development thereon shall comply with applicable policies in this Plan governing separation distances, setbacks, areas of influence, the provision of private services and conditions of approval.

2. Existing and proposed forestry management uses shall be encouraged to:

    a) manage woodlands in accordance with proper forest management practices in consultation with the appropriate agency;

    b) retain existing tree cover as much as possible, and particularly in areas of low capability soils, slopes, major drainage swales and flood prone areas to reduce runoff rates and minimize soil erosion;

    c) establish and retain windbreaks to reduce wind erosion; and

    d) reforest non-productive farmland where it is not providing significant wildlife habitat or habitat of endangered species and threatened species.

3. If a passive or active recreation activity is proposed in place of an existing agricultural use, then the land must be capable of reverting back to its former agriculture use if the said passive or active recreation activity ceases to exist.

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3.5.3 Open Space

3.5.3.1 Permitted Uses

Permitted uses on land designated Open Space include parks, active recreation facilities and pathways. The Town may also develop these lands for active or passive recreational uses such as parks, boat launches, walking trails, picnic areas, etc. when resources are available.

3.5.3.2 Open Space Policies

1. Council will refer to the Joint Recreation Master Plan for the Town of Gananoque and the Township of Leeds and the Thousand Islands to assist in its decision-making process with respect to the development, sale or purchase of lands intended for public open space.

2. Access and enjoyment of the natural features of the Town, such as shorelines of the Gananoque River and St. Lawrence River as well as trails and open areas will be enhanced and protected by:

    a) improving physical and visual access from adjacent public streets, parks and open spaces;

    b) ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access and views between these natural features and the public realm;

    c) providing for public access along, into and through these natural open spaces, where appropriate; and

    d) minimizing shadows on natural features to preserve their utility and ecological health.

3. The Town may prepare studies to establish designations and hierarchies for public and privately owned open recreational spaces within a local park system and to set provision targets to accommodate residential growth.

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3.6 OUR ENVIRONMENT – PLANNING FOR SUSTAINABILITY

The natural heritage landscape of the Town is defined by its waterfront location: with significant access to the Gananoque River and the St Lawrence River, from which groundwater table Gananoque draws its drinking water, and to which the Town attracts visitors and residents alike. Gananoque is also located in the Frontenac Arch Biosphere Reserve, a member of the UNESCO World Heritage Biosphere Reserves. The Town must ensure that its ability to maximize benefits from these Natural Heritage Features is balanced by policies designed to preserve and protect them.

The Town enjoys other Natural Heritage Features such as wetlands, woodlands, Areas of Natural and Scientific Interests, and valley lands. Within and linking these features there is also potential for significant wildlife habitat or that of Endangered and threatened species as well important fish habitat areas.

The Town intends to protect these natural features and areas for the long-term as a means to support long term biodiversity and the building of a healthy, sustainable and vibrant community.

The location of these environmental areas and features is shown on Schedule B. Hydrological and source water resource features and areas are shown on Schedule C.

3.6.1 Goal and Objectives

Goal: To conserve, protect and enhance the Town's Natural Heritage Features.

Objectives:

1. The Town will identify water resource systems, linkages, and their functions, and plan for their efficient and sustainable use.

2. The Town's drinking water source shall be protected from land use planning approvals and activities that have the potential to contaminate and threaten the Town's drinking water supply.

3. The Town's significant environmental features and areas shall be protected from negative impacts of development and climate change, and shall be enhanced, where possible.

4. The Town's Natural Heritage Features, including non-significant features, should be preserved and enhanced for the benefit of future generations according to best management practices undertaken today and as they evolve.

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3.6.2 Policies

3.6.2.1 Frontenac Arch Biosphere

The Frontenac Arch Biosphere Reserve (Arch) is a designated UNESCO World Biosphere Reserve. The Arch is the name given to an ancient ridge of granite that extends across the St. Lawrence River forming a corridor between the Canadian Shield and Adirondack Mountains. The Thousand Islands are formed by the intersection of this ridge with the Great Lakes and St. Lawrence River.

According to UNESCO, a Biosphere Reserve is a 'learning place for sustainable development'. They are intended to integrate the conservation of biodiversity and cultural diversity, economic development that is socio-culturally and environmentally sustainable and underpin development through research, monitoring, education and training.

Based on the above, the following policies apply:

1. The Town shall review new development applications to ensure that the ecological functions and features for which an area may be recognized are protected, maintained and, where appropriate, enhanced, in accordance with this Plan.

2. The Town shall work with the relevant agencies and the public in the establishment of policies to guide development in the Arch, in such a way that the ecological features and functions for which the area is recognized are maintained and enhanced.

3.6.2.2 Source Water Protection

Gananoque draws its water from the St. Lawrence River and distributes the water to the majority of residents and businesses through the municipal drinking water system. Some residents are served by individual wells. The Town is committed to protecting the quantity and quality of source water to ensure that safe potable drinking water is available for the long term; supporting tourism and recreation; and maintaining healthy habitat for fish and wildlife.

Gananoque is located in the Cataraqui Source Protection Area. A Source Protection Plan for this area has been developed as required under the Clean Water Act. The Cataraqui Source Protection Plan identifies the majority of the Town as a Highly Vulnerable Aquifer and Significant Groundwater Recharge Area, given the fractured bedrock and thin soils in the Town. The Cataraqui Source Protection Plan identifies the Intake Protection Zones associated with the James W. King Water Treatment Plant intake pipe in the St. Lawrence River. The Highly Vulnerable Aquifer, Significant Groundwater Recharge Area and Intake Protection Zones are shown on Schedule C.

The Cataraqui Source Protection Plan is the primary tool used to protect Gananoque's drinking water supplies from threats associated with human activities on the landscape. Municipal land use planning tools, such as Official Plans, must conform to the Source Protection Plan to ensure

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that local land use planning decision making considers and manages the risk associated with land uses and drinking water threats. The Town will continue to collaborate with the Cataraqui Source Protection Authority and its partners to implement the non-land use planning recommendations of the Cataraqui Source Protection Plan through other means.

Development within the Highly Vulnerable Aquifer, Significant Groundwater Recharge Area and Intake Protection Zones shall conform to the policies of this Plan and all other applicable requirements of the Cataraqui Source Protection Plan. For clarification and policy detail, the Source Protection Plan must be referenced. The meanings of terms used in this section are the same as those as the Cataraqui Source Protection Plan and the Clean Water Act. In the event of a conflict between the source water policies of this Plan and the Cataraqui Source Protection Plan, the Source Protection Plan shall prevail.

(A) James W. King Intake Protection Zones

The James W. King Intake Protection Zone is associated with the St. Lawrence River water source and is located within the Town and the Township of Leeds and the Thousand Islands. The following policies shall apply to development in the Intake Protection Zones (IPZ) shown on Schedule C:

1. New development and/or expansions to existing development that involve waste disposal sites within IPZ 1 and wastewater treatment facilities, including related infrastructure, within IPZ 1 and 2 are prohibited where they would constitute a significant drinking water threat.

2. New development and/or expansions to existing development within IPZ 1 and 2 that involve the storage or manufacture of potential contaminants (for example, dense nonaqueous phase liquids (DNAPLs), organic solvents, commercial fertilizers, liquid fuel, pesticides, sewage and road salt) where they would constitute a moderate or low drinking water threat may be subject to the implementation of risk management measures to protect the drinking water supply, to the satisfaction of the Risk Management Official (RMO).

3. New development and/or expansions, alterations, or redevelopment of existing development for all non-residential uses within IPZ 1 and 2 where significant drinking water threats can occur, may be permitted, if the RMO is satisfied that the proposal will be carried out in accordance with policies in the Cataraqui Source Protection Plan (i.e., the significant threat to the drinking water ceases to exist). Submission of correspondence from the RMO under Section 59 of the Clean Water Act, 2006, is required for all non-residential planning applications or land use changes, as per the Restricted Land Use Referral Process.

4. The Development Permit By-Law shall prohibit or restrict land uses that constitute drinking water threats, as applicable in IPZ 1 and 2.

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5. Upon receiving an application for approval of a proposal that may result in the creation or modification of a transport pathway in an IPZ, the Town must provide notice to the Cataraqui Source Protection Authority and the Cataraqui Source Protection Committee, in accordance with Section 27(3) of O-Reg 287/07.

(B) Highly Vulnerable Aquifer and Significant Groundwater Recharge Areas

Fractured bedrock and thin soils underly the majority of the Town. These conditions create widespread recharge and high groundwater vulnerability. The following policies shall apply to development in the Highly Vulnerable Aquifer and Significant Groundwater Recharge Area shown on Schedule C.

1. New development and/or expansions to existing developments that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and polychlorinated biphenyls (PCBs) where they would constitute a drinking water threat may be subject to risk management measures to protect the groundwater.

2. The Development Permit By-Law should restrict land uses in the areas shown on Schedule C, as applicable.

3. New development and/or expansions to existing development associated with non-residential planning applications may be subject to a Risk Management Plan to identify measures to be incorporated into the development for land uses that involve the storage or manufacture of potential contaminants (that could include DNAPLs, organic solvents, commercial fertilizer, pesticides, liquid fuel, road salt, snow storage, mine tailings and PCBs) where it would constitute a drinking water threat. The Risk Management Plan must be completed to the satisfaction of the Town, as part of the Development Permit System approval process.

4. The Risk Management Plan may be waived if a hydrogeological sensitivity study, prepared by a qualified professional, demonstrates that the subject lands do not exhibit the characteristics of a Highly Vulnerable Aquifer or a Significant Groundwater Recharge Area.

3.6.2.3 Natural Heritage Features and Areas

(A) Endangered and Threatened Species

Endangered and Threatened Species can encompass many types of living things: birds, mammals, plants, fish, reptiles, amphibians and invertebrates. Endangered and Threatened Species are those species listed under the Endangered Species Act. The identified species within the Town are the Pugnose Shiner, the Butternut Tree, Ginseng, the Broad Beech Fern, the Stinkpot turtle and the Black Rat Snake.

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The existing habitat sites of any Endangered or Threatened Species in the Town are not identified in this Plan in order to protect endangered or threatened flora or fauna. In some cases, identifying a significant habitat is not reasonable. It is important to protect the significant Habitat of Endangered and Threatened Species found within the Town. The Town will contact the Province of Ontario to develop a mutually acceptable protocol for sharing available information about Habitat of Endangered and Threatened Species.

A screening map, prepared by the Province of Ontario showing areas of documented occurrences of Endangered and Threatened Species and their related habitats, identifies where this policy applies. Within the Town, where according to the screening map there is potential for significant habitat of threatened and Endangered species, Ecological Assessments, which delineate significant Habitat of Endangered and Threatened Species within or adjacent to an area proposed for development or site alteration, will be required to support all planning applications. The Province of Ontario will approve the extent of significant habitat as identified in an Environmental Assessment or Environmental Impact Statement.

The following policies shall apply where Habitat of Endangered and Threatened Species is identified:

1. Development and/or site alteration is prohibited in the Habitat of Endangered and Threatened Species, except in accordance with provincial and federal requirements.

2. Gananoque will advise proponents of their obligations under the Endangered Species Act and that where any new Endangered or Threatened Species occurrence is identified, any development or site alteration activities must immediately cease, and the Province of Ontario must be contacted.

(B) Wetlands

Wetlands are lands which are seasonally or permanently covered by shallow water or lands where the water table is close to or at the surface, where the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The Province further distinguishes the importance of coastal wetlands, which are those located on the Great Lakes or their connecting channels, such as the St. Lawrence River. The four major types of wetlands are swamps, marshes, bogs and fens.

Wetlands are known to provide productive and biologically diverse habitats, and their protection ensures the preservation of numerous animal and plant species and surface and groundwater resources. The Town recognizes the importance of protecting wetlands and their ecological functions from alteration and encroachment.

The Town contains three Provincially Significant Wetland (PSW) and numerous unevaluated wetlands and coastal wetlands, as shown on Schedule B. The following policies apply:

1. On lands within a PSW or coastal PSW, development and site alteration shall be prohibited. Notwithstanding the foregoing, existing agricultural uses shall be permitted to continue.

2. On lands within a coastal wetland, development and site alteration shall be prohibited unless it has been demonstrated through an Environmental Impact Study, in accordance with the policies of this Plan, that the ecological function of the unevaluated coastal wetland will not be negatively impacted.

3. On lands within 120 metres of a PSW or coastal PSW, development and site alteration shall be prohibited unless it has been demonstrated through an Environmental Impact Study, in accordance with the policies of this Plan, that that the ecological function of the PSW or coastal PSW will not be negatively impacted.

4. On lands within 30 metres of an unevaluated wetland, development and site alteration shall be prohibited unless it has been demonstrated through an Environmental Impact Study, in accordance with the policies of this Plan, that the ecological function of the unevaluated wetland or coastal wetland will not be negatively impacted.

5. The Town may enact By-Laws or Policies for site alteration to regulate and minimize the extraction of peat from PSW or unevaluated wetlands.

(C) Woodlands

Woodlands are treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, water retention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of Wildlife Habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlot or forested areas and vary in their level of significance.

Woodlands in Gananoque have values, both natural and human. The more obvious values are that they:

1. Help to moderate climate, as temperature and moisture are influenced by respiration of trees and shrubs and by their shading.

2. Provide oxygen to the atmosphere while reducing carbon dioxide, via photosynthesis.

3. Clean air pollutants.

4. Prevent soil erosion and stabilize slopes.

5. Help to maintain good surface water quality.

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6. Provide habitat for a diverse range of species.

7. Retain water and may recharge ground water.

8. Yield economic products, including lumber, firewood, maple syrup and mushrooms.

9. Provide recreational activities such as wildlife observation, hiking, and hunting.

10. Contribute to the beauty and visual diversity of the urban and rural landscape.

11. Provide an attractive setting for rural residential development.

The following policies shall apply to development in Woodlands shown on Schedule B:

1. Development and site alteration is prohibited unless it has been demonstrated through an Environmental Impact Assessment, in accordance with the policies of this Plan, that the ecological function of the woodland will not be negatively impacted.

2. Notwithstanding agricultural forestry activities such as maple syrup production and the harvesting of mature trees in accordance with accepted forestry practices, recreational trails and snowmobile trails are permitted without an Environmental Impact Assessment. Such activities shall be carried out in an environmentally sensitive manner so as to preserve the ecological function of the woodland.

(D) Fish Habitat

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

1. Contributing to a diversity of species.

2. Providing a natural indicator of water quality and environmental health.

3. Forming a vital part of the aquatic food chain.

4. Providing commercial fishing such as baitfish (minnow) harvest (OMNR, 1983).

5. Providing recreational sportfishing opportunities and related economic spin-offs (OMNR, 1990).

All known fish habitat is shown on Schedule B. In addition, all watercourses and waterbodies are considered to have the potential for fish habitat. All development adjacent to watercourses will require consultation with the Town and the ELORCA. The following additional policies shall apply:

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1. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2. Where development is proposed within 30 metres of an area of fish habitat as identified on Schedule B or adjacent to an area of fish habitat identified through consultation with the ELORCA or the federal Department of Fisheries and Oceans, it must be demonstrated through an Environmental Impact Assessment, carried out in accordance with the policies of this Plan, that the ecological function of the fish habitat will not be negatively impacted.

3. It is the policy of this Plan to encourage the re-establishment of naturally vegetated buffer strips along water bodies and headwater areas. Existing buffers shall be maintained and enhanced, where possible.

4. Although stormwater management and drainage measures are often located away from a watercourse, these measures can impact the water quality and quantity of the watercourse and affect fish habitat. When evaluating stormwater management and drainage activities, consideration shall be given to impacts upon fish habitat, in conjunction with the other applicable policies of this Plan.

5. The advice of the Department of Fisheries and Oceans and the ELORCA should be sought where any proposal may potentially impact fish habitat. In instances where a proposal may result in a harmful alteration, disruption or destruction of fish habitat, the proponent must obtain authorization from the Department of Fisheries and Oceans and approval from the ELORCA.

(E) River Corridors

The following land use policies shall apply in addition to the policies of the applicable land use designations along the shorelines of the Gananoque River and the St. Lawrence River:

1. Where development is proposed, which would require shoreline alterations, a permit under the Public Lands Act, 1990 and approval under Ontario Regulation 148/06 administered through the ELORCA may be required.

2. When reviewing development proposals for land abutting the shoreline, Council may require that lands be dedicated for public purposes which will preserve public access to the water body, and where possible, shall also ensure that such lands are accessible from a public road.

3. Development applications shall consider the impacts of the development on the visual access to the waterbody and ensure that the placement and appearance of the development, when viewed from the water body, complements the natural setting.

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4. Access and enjoyment of the shorelines of the Gananoque River and the St. Lawrence River shall be enhanced and protected by:

    a) improving physical and visual access from adjacent public streets, parks and open spaces;

    b) ensuring that adjacent development, including new streets, parks and open spaces, building location, height, massing and organization, will preserve and enhance access and views between these natural features and the public realm;

    c) providing for public access along, into and through these natural open spaces, where appropriate; and

    d) minimizing shadows on natural features to preserve their utility and ecological health.

5. Where development proposes shoreline alterations a development permit may be required from the federal Department of Fisheries and Oceans or its delegate.

6. Council may enact By-Laws or policies to control or prevent the degradation of shoreline areas which could be caused by the removal of vegetation or the disturbance of native soils.

(F) Wildlife Crossings

Schedule B identifies areas where wildlife is known to cross Highway 401. These corridors provide opportunity for many species of wildlife to access the St. Lawrence River from the north part of the municipality and from an area commonly referred to as the Algonquin Adirondack Trail.

The following policies shall apply for development in or within 50 metres of a wildlife crossing:

1. Appropriate protective measures for these vital migration routes for wildlife will be required with any development proposal.

2. An Ecological Site Assessment will be required as part of a complete application.

3. Where required as a result of the Ecological Site Assessment, an Environmental Impact Assessment, carried out in accordance with the policies of this Plan, will be required to demonstrate that the ecological function of the wildlife crossing will not be negatively impacted.

(G) Linkages and Corridors

Areas of contiguous Woodlands, shorelines and other environmental features and areas represent areas of Wildlife Habitat that are critical to the movement of wildlife. These linkages

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and corridors, as shown on Schedule B, must be protected, enhanced and restored in the long term. The introduction of recreational trails or other uses that could harm these areas is discouraged unless it can be demonstrated through an Environmental Impact Assessment, carried out in accordance with the policies of this Plan, that the proposed use will not harm these areas of Wildlife Habitat.

(H) Setbacks for Development

1. Setbacks from Natural Heritage Features and areas are established based on the recommendations of an approved Environmental Impact Assessment or any other technical study that may be required, and will be implemented through the Development Permit By-Law in consultation with the Province of Ontario, the ELORCA, or the Government of Canada, as appropriate.

2. For areas having a particular value for their natural heritage feature or function, the setbacks and separation distances may be increased in order to ensure that the Environmental Impact Assessment adequately evaluates the impacts of a proposed development on the natural heritage system.

3. The setbacks and separation distances may similarly be decreased without the need for an Official Plan Amendment, provided the Environmental Impact Assessment recommends as such.

(I) Land Division

Land division through severance or plan of subdivision (or condominium) that has the effect of fragmenting lands within the natural heritage system shall be discouraged.

3.6.2.4 Environmental Impact Assessments

The “Guidelines for Environmental Impact Assessment” prepared by the ELORCA, as amended from time to time, or supplementary guidelines used by the Town, will guide the preparation of environmental impact assessments. In general, an environmental impact assessment must:

1. Be undertaken:

    a) by a qualified person with current knowledge in the field of biology, ecology, hydrology or other specialty as required by the specific circumstances; and

    b) in consultation with the Town, the ELORCA, and/or other appropriate agency or Ministry.

2. Use appropriately scaled maps to show topography, existing uses and buildings, and all existing Natural Heritage Features and areas and cultural heritage resources, whether or not they have been deemed significant for the subject site and areas adjacent to it.

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3. Use appropriately scaled maps with topographic contours to show proposed uses, proposed site alteration and/or development.

4. Provide a thorough inventory of flora and fauna and related habitat communities to be completed over a seasonal time span that is appropriate.

5. Provide relevant information on geology (significant landforms), hydrology or hydrogeology.

6. Summarize the best information available collected from other agency or scientific sources and discuss the Natural Heritage Features and areas, and the associated ecological functions.

7. Review the ecological functions of the Natural Heritage Features and areas identified including habitat needs and the contribution of the site to the natural heritage system.

8. Evaluate any unevaluated wetlands in accordance with the Ontario Wetland Evaluation System.

9. Assess the cumulative impacts of the development proposal and any other existing or known future proposals in the vicinity.

10. Assess the impact of the proposed development or site alteration on the various attributes of the natural heritage system during and after construction, and:

    a) recommend measures designed to ensure there is no disturbance of the feature, and that will result in no negative impact;

    b) review alternative options and identify any monitoring requirements; and

    c) provide a professional conclusion as to whether the proposal is acceptable, considering potential impacts to Natural Heritage Features and areas, related functions, and any proposed measures needed to protect the natural heritage feature(s) or area(s) affected, consistent with the 2024 PPS and this Plan.

Notwithstanding the above, Environmental Impact Assessments may be tailored for the appropriate level of effort on a site-specific basis depending upon the characteristics of the natural heritage feature, the adjacent area, the nature of the proposed development, any intervening development that already exists within the adjacent lands, or other relevant factor that is identified.

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3.7 DEVELOPMENT CONSTRAINTS – PLANNING FOR PUBLIC HEALTH AND SAFETY

Gananoque's sustainability depends upon reducing the potential risk associated with development in and adjacent to lands that are impacted by either natural hazards or human made hazards.

Gananoque's natural hazards include lands along the Gananoque River and the St. Lawrence that are impacted by flooding and/or erosion hazards, hazardous sites that are impacted by unstable slopes or organic soils and other lands with hazardous forest types for wildland fires. These hazards may be impacted by the changing climate.

Gananoque's human made hazards include lands affected by former mineral aggregate operations, former landfill sites and sites that may be contaminated due to historic land use activities.

Gananoque's floodplain mapping and known natural and human made hazards are shown on Schedule B, based on information provided by the Province of Ontario and the ELORCA.

It is recognized that not all natural or human made hazards are shown on Schedule B. Schedule B will be updated as new information becomes available. Identification and planning for development in and adjacent to these areas will be collaboratively managed by the Town and the ELORCA.

The Town and/or the ELORCA may require studies to inform any decision to permit development and/or site alteration on any lands that are considered to be impacted by natural or human made hazards. Lands impacted by natural hazards are also subject to ELORCA requirements and approval.

3.7.1 Goal and Objective:

1. To ensure that development will not pose a danger to public safety or health or result in property or environmental damage.

3.7.2 Flooding Hazards

Lands along the St. Lawrence and Gananoque Rivers are subject to flood hazards. The approximate limit of the flood hazard is shown as the Regulatory Floodplain on Schedule B. The flood hazard includes lands that are subject to the 100 year flood and an allowance for wave effects, where applicable.

The 100 year flood is the peak or flood flow with one chance in one hundred of occurring in any given year. Wave effects occurs along shorelines that are subject to wave action, where winds can drive the waves and water beyond the 100 year flood allowance. According to the ELORCA, the 100 year flood level is 75.9 to 76.0 metres Geodetic Survey of Canada (GSC) and

the wave effects allowance of 0.25 to 0.48 metres, for a flood hazard of 76.3 to 76.4 metres GSC.

Based on the above, the following policies shall apply:

1. Development and site alteration are not permitted on lands that are subject to flood hazards, except for those uses that by their nature must be located within the flood hazard and do not affect flood flows, such as flood or erosion structures, shoreline stabilization works, water intake facilities and marine related facilities such as docks and boathouses, all subject to the approval of the Town and the ELORCA. Uses such as agriculture, forestry, conservation, wildlife management and outdoor education uses are permitted, provided that no associated buildings or structure are located in the flood hazard.

2. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services, electrical substations, and uses associated with the disposal, manufacture, treatment or storage of hazardous substances are not permitted.

3. Development which is proposed within the Regulatory Area as shown on Schedule B are subject to consultation with the ELORCA and shall require applicable permits.

4. Where new development lots are created or new development on existing lots occurs, dwellings and sewage disposal systems shall be set back a minimum of 30 metres from the high water mark or 15 metres from the floodplain to account for variations in flood elevation, changes in the anticipated extent of the floodplain, and situations that may affect flood levels in accordance with ELORCA requirements. The setback should also take into account and address erosion hazards.

5. Development may be permitted on lands that are partly subject to flood hazards where there is sufficient area of land outside of the flood hazard to accommodate the proposed development in accordance with this Plan, the Development Permit By-Law and ELORCA requirements.

6. On an existing lot of record, development and site alteration shall only be permitted within the flood hazard where the effects and risk to public safety are minor, can be mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:

    a) development and site alteration shall be carried out in accordance with floodproofing standards, protections work standards, and access standards;

    b) vehicles and people shall have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

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c) new hazards are not created and existing hazards are not aggravated; and

d) no adverse environmental impacts will result.

7. Lands designated flood hazard will be placed in an appropriate category in the Development Permit By-Law.

8. Any changes to the flood hazard limit approved by the ELORCA will be incorporated into the Official Plan through an amendment. Until such time that the amendment comes into effect, the ELORCA approved flood hazard limits shall prevail over this Plan.

3.7.3 Erosion Hazards

Lands along the St. Lawrence River, Gananoque River and streams are subject to unstable slopes and erosion hazards. The approximate limit of unstable slopes and erosion hazards are shown on Schedule B. The erosion hazard includes the 100 year erosion rate and includes allowances for toe erosion, slope stability and access during emergencies.

Based on the above, the following policies shall apply:

1. Development and site alteration is not permitted on lands that are subject to erosion hazards and that are outside the flood hazard without ELORCA approval.

2. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services, electrical substations, and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall be prohibited.

3. Development may be permitted on lands that are partly subject to erosion hazards where there is sufficient area of land outside of the erosion hazard to accommodate the proposed development in accordance with this Plan, the Development Permit By-Law and ELORCA requirements.

4. On an existing lot of record, development and site alteration shall only be permitted within the erosion hazard where the effects and risk to public safety are minor, can be mitigated in accordance with provincial standards, as determined by demonstrating and achieving all of the following:

a) development and site alteration shall be carried out in accordance with engineering standards, protections work standards, and access standards;

b) vehicles and people shall have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

c) new hazards are not created and existing hazards are not aggravated; and

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d) no adverse environmental impacts will result.

5. Lands designated erosion hazard will be placed in an appropriate category in the Development Permit By-Law.

6. Any changes to the erosion hazard limit approved by the ELORCA will be incorporated into the Official Plan through an amendment. Until such time that the amendment comes into effect, the ELORCA approved erosion hazard limits shall prevail over this Plan.

3.7.4 Organic Soils

Gananoque has several areas of unstable, organic soils. The approximate location of these soils is shown on Schedule B. Organic soils are formed by the process of humification, the decomposition of vegetative and organic materials into humus.

Based on the above, the following policies shall apply:

1. Development and site alteration may be permitted on lands with organic soils, subject to a Development Permit By-Law Amendment, and supported by an engineering report prepared by a qualified professional that demonstrates that the site is suitable or can be made suitable for development.

2. Development that includes hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools, essential emergency services, electrical substations, and uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall be prohibited.

3. Development may be permitted on lands that are partly underlain by organic soils, where there is sufficient area of land outside of the organic soils to accommodate the proposed development in accordance with this Plan, the Development Permit By-Law and ELORCA requirements.

4. Lands subject to organic soils will be placed in an appropriate category in the Development Permit By-Law.

3.7.5 Wildland Fire Hazards

Gananoque has several areas that have been identified, based on forest cover types, to have extreme to high potential for wildland fire. The approximate limits of these areas are shown in Appendix 1.

Based on the above, the following policies shall apply:

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1. Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

2. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

3.7.6 Significant Mineral Potential

The Province has identified an area of significant mineral potential for Wollastonite in Gananoque, as shown on Schedule B. The following policies shall apply:

1. Development within or adjacent to lands with Significant Mineral Potential for purposes other than resource extraction will not be permitted, except where it can be shown through an Impact Assessment prepared to the Town's satisfaction, that:

   a) the resource use 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.

   For the purposes of this policy, 'adjacent to' will generally include lands within 1 kilometre of the lands having Significant Mineral Potential.

2. Lands with Significant Mineral Potential may be used for a variety of uses related to the extraction of minerals, subject to a Development Permit By-Law Amendment. Permitted uses may include mining and mining-related uses, mineral aggregate uses, and accessory uses and structures associated with mining. Other uses such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction.

3. In considering an amendment to the Development Permit By-Law to permit a mining or mining-related use, the Town will consider:

   a) the impact on the environment, particularly new mining operations which must be located where there will be little or no impact on Natural Heritage Features and functions;

   b) indirect impacts on the utilities and services provided by the Town;

   c) the impact on surrounding land uses;

   d) the impact on cultural heritage and archaeological resources;

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e) the aesthetic appearance of the proposed development; and

f) the benefit of the mining or mining-related use to the Town.

4. New lot creation for rural residential development shall be prohibited on lands with Significant Mineral Potential.

3.7.7 Former Mineral Aggregate Sites

Gananoque has two abandoned granite quarries. The approximate location of these quarries is shown on Schedule B. The following policies shall apply:

1. Development on, abutting or adjacent to former mineral aggregate operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed.

3.7.8 Contaminated Sites

Gananoque has several former commercial and industrial sites that may have contaminated soil and groundwater associated with the historic use of the site. These sites are not identified in this Plan. The following policies shall apply:

1. In order to ensure that there will be no adverse effects from any proposed development or intensification, environmental site assessments and, where necessary, remediation of less sensitive use sites shall be required prior to any change to a sensitive land use. The Town will require a Record of Site Condition acknowledged by the Province of Ontario prior to any such change in use.

2. All applications for development and intensification on less sensitive use sites shall include a Phase I Environmental Site Assessment prepared by a Qualified Person to the prescribed standards.

3. The Town may use the tools available to it under the Planning Act to ensure that a site is suitable for its intended use prior to a change of use.

3.7.9 Noise, Vibration, and Odours

1. Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to existing highways, sewage treatment facilities, waste management sites, industries or other stationary or line sources where noise and vibration may be generated. Council may require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Provincial guidelines, including NPC-300 Environmental Noise Guidelines. Noise

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and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.

2. Notwithstanding the above, existing and proposed agricultural uses and normal farm practices shall not be required to undertake noise and or vibration studies.

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4.0 Making It Work – Our Infrastructure

Infrastructure refers to the construction and maintenance of new and/or existing roads, bridges, structures and railway lines required for transportation services, the physical supply and distribution of water, the collection and treatment of wastewater and the management of storm water, the collection and disposal of solid waste, the construction and maintenance of energy production and distribution facilities such as hydro-electric structures, wind and solar energy facilities and gas pipelines and finally the development of communication facilities such as transmission towers and underground telephone and fibre optic lines. Infrastructure policies also take multi-modal transportation into consideration, including the on-going development of multi-purpose recreational trails, cycling facilities, and other active transportation infrastructure by the Town of Gananoque and other authorities.

The Development Charges Act, 1997 and associated regulation requires that the Council of a municipality must indicate, in an approved Official Plan, capital forecasts or similar expression of the intention of the Council, that it intends to ensure that an increase in the need for service will be met.

The provision of transportation, water, wastewater, solid waste, energy and communication infrastructures are crucial to ensuring that the Gananoque can continue to accommodate growth in a manner which is environmentally, socially and economically sustainable and which mitigates and adapts to the impacts of climate change. Further, it is the intent of these policies to ensure that infrastructure and resources are used efficiently and with consideration to mitigate and adapt to the impacts of climate change. The Town may conduct and implement studies or plans to ensure efficient and sustainable use of the Town's resources for current and future servicing needs.

4.1 GOALS AND OBJECTIVES

Goal: To ensure that effective infrastructure services will be provided by the appropriate level of government or the private sector in an efficient and cost effective manner which recognizes development priorities, ensures the protection of our environment, and mitigates the impacts of climate change.

Objectives:

1. That the road network within the Gananoque, regardless of which level of government is responsible, will function in a cost effective, efficient and safe manner for the movement of people and goods.

2. That infrastructure will ensure opportunities for low-carbon transportation and development to mitigate the impacts of climate change.

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3. That water, wastewater and stormwater will be managed in ways which use water resources sustainably, are financially responsible, promote water conservation and efficiency, mitigate the impacts of climate change, and which protect the safety of humans and the natural environment.

4. That waste management shall be carried out in a manner which is environmentally sustainable and to provide appropriate waste management infrastructures which support on-going development.

5. That infrastructure and public service facilities are planned in efficient, strategic, and cost-effective to accommodate projected needs and facilitate service integration.

4.2 GENERAL POLICIES

1. It is the intention of Council to ensure that an increase in the need for eligible services and infrastructure may be recoverable through the enactment of a Development Charge By-Law under the Development Charges Act, 1997 by the Town of Gananoque. In short, growth-related eligible public works and municipal services may be in part or in whole funded through development charges.

2. In planning for infrastructure and public service facilities, the Town will:

   a) ensure coordination and integration with land use planning and growth management;

   b) pursue opportunities to leverage the capacity of development; and

   c) ensure infrastructure and public service facilities are financially viable over the space of their lifecycle. The Town may carry out asset management planning in this pursuit.

3. Where development of new infrastructure and public service facilities is proposed, the Town will prioritize:

   a) their location in proximity to existing infrastructure and public service facilities, along with parks, open space, and access to transit and active transportation, where available; and

   b) the optimized use or opportunity for adaptive re-use of existing infrastructure and public service facilities, wherever feasible.

4. In collaboration with the district school board, the Town will encourage innovative approaches to the design of schools and associated childcare facilities in areas with compact built form.

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4.3 TRANSPORTATION

The management of the roadway infrastructure in the Town of Gananoque is shared between the Province and the Town. The transportation system is composed of Provincial highways, local public roads opened and maintained on a year round basis and private roads. The transportation network is shown on Schedule A.

The Town shall ensure that corridors and rights-of-way are protected for the long-term and for the purposes they are intended. The Town shall review the transportation network in order to ensure safety and energy efficiency to facilitate current and future needs for the movement of people and goods.

The Town recognizes the importance of transitioning to low carbon transportation and will enhance infrastructure to support active modes of transportation and the use of zero-emission and low-emission vehicles, as appropriate. In pursuit of a multimodal transportation system, the Town will endeavour to maintain, and where possible, improve infrastructure supportive of multiple modes of transportation and connections across jurisdictions. The Town may prepare studies and plans for projected transportation needs and transportation demand management, including active transportation and transit.

4.3.1 Highway 401

There is one Provincial Highway in Gananoque, Highway 401. Proponents of development fronting on or in proximity to this highway shall consult with the Ministry of Transportation Ontario (MTO) prior to the submission of a development application. The development application shall:

1. Be reviewed by the MTO and recognizing that development is conditional on the issuance of MTO permits which are designed to ensure that the long term efficiency of the highway is not compromised. The MTO permit can apply to building setbacks, signage, location and number of highway accesses, frontage requirements and required improvements such as culvert installation, road widenings, traffic signalization or the construction of turning lanes.

2. Demonstrate compatibility with, and supportiveness of, the continuance of the long-term purpose of the highway.

3. Be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects of the highway.

4. Screen and buffer any outdoor storage and loading areas located along the provincial highway.

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4.3.2 Public Roads

Public roads consist of arterials, local collectors, local streets, and lanes or alleyways which are publicly maintained on a year round basis. Unless otherwise noted, all public road types shall generally have a minimum right-of-way width of 20 metres, however reduced right-of-way widths may be accepted through the subdivision or condominium review process provided that the right-of-way widths can accommodate all of the required servicing infrastructures for the proposed development and provided that the Approval authority is satisfied that the reduced widths will not result in lower quality development. Access control for all public roads may be established in the Development Permit By-Law.

Where appropriate, a complete street design shall be implemented on new and existing public roads to facilitate active transportation infrastructure.

The following policies shall apply to the public ~~local~~ road network:

4.3.2.1 Arterial

Arterial roads are intended to carry large volumes of traffic and serve to provide the major transportation routes throughout the community and connections to the Provincial Highway. Access will be limited in order to maintain their primary function. The minimum width of any arterial right of way shall be 26 metres. Sidewalks and/or multi-purpose paths shall be required on both sides of all arterial roads to continue to promote connectivity throughout the Town. The Town will also consider traffic calming infrastructure to improve road safety for multiple modes of transportation.

4.3.2.2 Local Collector

Access to local collectors shall generally be minimized in order to ensure that the main function of the roadway as an efficient transportation artery is maintained. The minimum width of any local collector right of way shall be 20 metres. Sidewalks and/or multi-purpose paths shall be required on both sides of all local collector roads to continue to promote connectivity throughout the Town.

4.3.2.3 Local Street

Generally, new development and lot creation on local streets may be permitted in accordance with the relevant policies of this Plan and the Development Permit By-Law. The minimum width of any local street right of way shall be 20 metres. A reduced right of way standard may be accepted in new developments where it can be demonstrated that required infrastructure including snow storage space can be accommodated.

Local streets shall require a minimum of one side to be a sidewalk to be determined by the Town. The Town, at its discretion, may choose to require multi-purposed paths or not provide sidewalks with proper consideration or alternate options on local streets. The Town will also

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consider traffic calming infrastructure to improve road safety for multiple modes of transportation.

4.3.2.4 Lanes or Alleyways

Lanes or alleyways are found in the older parts of the municipality and were originally designed as service accesses. New development with frontage only on a lane or alleyway shall be considered in the case of additional residential units, subject to the applicable policies of this Plan and the Development Permit By-Law. The development of new lanes or alleyways may be permitted as a feature of new Greenfield subdivision development.

4.3.3 Private Roads

1. Existing private roads are shown on Schedule A.

2. New private roads or the extension of existing private roads shall be permitted without the need for an Official Plan Amendment but only in cases where:

    a) such roads:

        i. are required and the responsibility for their long-term maintenance is explicitly defined as part of a registered plan of condominium in accordance with the Condominium Act or a development agreement with the Town; and

        ii. connect directly to an existing public road; and

    b) the subject land has legal frontage on the same existing public road referenced above.

3. New private roads or the extension of existing private roads may be permitted at the discretion of Council without the need for an Official Plan Amendment in cases where:

    a) such roads:

        i. are required for medium-or-high-density residential developments and the responsibility for their long-term maintenance is explicitly defined as part of a development agreement with the Town; and

        ii. connect directly to an existing public road; and

    b) the subject land has legal frontage on the same existing public road referenced above.

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4. The minimum width of any private road right of way shall be 20 metres. A reduced right-of-way standard may be accepted in new developments where it can be demonstrated that required infrastructures including snow storage space can be accommodated.

5. The conversion of private roads to public roads shall require an amendment to this Plan. An amendment shall not be required where the private road meets municipal design standards for public roads.

6. For the purposes of this Plan, the establishment of a right-of-way to provide shared driveway access for two abutting properties, each of which has legal frontage on an existing public road, shall not constitute the creation of a new private road.

4.3.4 Active Transportation

Active transportation, such as through walking or cycling, has significant individual, social, environmental, and economic benefits. The Town recognizes the importance of improving linkages and connectivity for the community to enjoy open spaces and natural heritage and transition to low carbon forms of transportation. Improved pathway access will be prioritized for the waterfront and downtown, in additions to connections between these two areas.

The Town will enhance and expand, where appropriate, existing infrastructure and wayfinding to encourage multiple modes of active transportation. This includes but is not limited to sidewalks, recreational trails, informal bicycle routes, on-road bicycling lanes, and bicycle parking. The Town may also prepare future studies or plans to establish and manage this active transportation network. The Town will consider complete street design to facilitate active modes of transportation, such as walking and cycling. The Town may also establish guidelines for streetscaping to encourage inclusive, inviting and comfortable active transportation and pedestrian activity. The Town shall improve opportunities for cycling throughout the Town by establishing both an on-road and off-road cycling network when considering road reconstruction provided road allowances permit.

New development will be encouraged to provide adequate facilities and supportive infrastructure for safe and accessible pedestrian and active transportation, including but not limited to rest areas, street lighting, bicycle parking, and bicycle repair stations.

The Town shall continue to improve the walkability of the Town by connecting trails, streets and open spaces by ensuring that new development is oriented to pedestrians and provides connectivity for pedestrians between private development, active transportation routes and cycling.

4.3.5 Land Acquisition

Land may be acquired by the Town for public road widenings, public road extensions, public rights-of-way, active transportation infrastructure or intersection improvements involving public

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roads. Such land may be acquired through the subdivision or consent process, through Development Permits or through formal agreements. Schedule A identifies the minimum rights-of-way for highways and roads to be widened and the extent of the proposed widenings.

4.3.6 Extension or Improvements to Existing Public Roads

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

4.3.7 Addition of Public Roads

New public roads may be added to the road system without amendment to this Plan where such roads are the result of the approval of a Planning Act application.

4.3.8 Transit

Currently, there are no transit services provided within Gananoque. The Town recognizes demand for transit options within the Town and to surrounding communities. The Town may prepare and implement studies and plans to accommodate future need for transit services, including consideration of fixed and demand-based transit models.

4.3.9 Bridges

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

4.4 WATER, WASTEWATER AND STORMWATER SERVICES

4.4.1 General Policies

1. The need to ensure that water and wastewater infrastructures are properly maintained and expanded to meet growth and development priorities is crucial to the long term economic and environmental health of the municipality. It is the long-term intent that all development in the municipality shall be on full municipal water and wastewater services. As such any capital expenditures required for water and wastewater system maintenance and expansion are considered to be in full conformity with this Official Plan.

2. Development will not be encouraged where such development would result in, or could lead to, unplanned expansions to existing water and wastewater infrastructure.

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3. Development shall generally be directed to areas where water and wastewater services are available, planned, or feasible. The Town shall develop a phasing strategy prior to considering the extension of services, particularly in subdivision development. Municipal sewage and water services are the preferred form of servicing for all new developments, and intensification will be encouraged in areas with existing municipal services.

4. Where municipal services are not available, planned, or feasible, private communal services will be considered for multi-unit development. When neither municipal nor private communal services are available, planned, or feasible, individual on-site services will be considered, provided that conditions have no negative impacts and are suitable for long-term service provisions.

5. The Town will consider partial services only where:

    a) individual on-site water or sewage services of an existing development have failed; and

    b) site conditions will have no negative impacts and are suitable for long-term service provisions of infill development in appropriate areas of existing development.

6. Any development which does not propose municipal service use will require a servicing options study which includes a supporting rationale for the alternative proposed. The applicant must show that there is sufficient quantity and quality of potable water and must also demonstrate that a permit can be obtained for the proposed sewage system from the Health Unit or the Province as applicable. In addition, the applicant must demonstrate that the proposed development will not result in increased costs to the municipality for the provision of other required services such as road maintenance, school transportation, waste collection, etc.

7. Where development is permitted on communal or private services, it shall be subject to development permitting or servicing agreement with the Town which shall require that the development be connected to municipal services at such time as they are extended to the subject land. The agreement shall also require the landowner to contribute financially for the extension of services and acquisition of sanitary sewer and water plant capacity, and provide any easements necessary/relevant to the extension of services.

8. The Town may allocate or reallocate unused water or sewage system capacity where required to support efficient servicing and meet local needs for current or future residential development.

9. The allocation of infrastructure capacity for intensification and economic development purposes is encouraged.

10. The Town will encourage development which conserves and efficiently uses water.

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11. Priority for development shall be given to those residential areas which already have draft plan approval, and/or are an extension of existing development and do not require undue extension of municipal services, such as infilling, intensification, and redevelopments to encourage density and reduce sprawl and overextension of municipal services.

12. Stormwater management will be required, as outlined in the Province's Stormwater Management Planning and Design Manual 2003, for all new development in accordance with guidelines which may be developed by the Province, the ELORCA or the Town of Gananoque.

13. The Town will encourage best practices for stormwater management planning, including but not limited to stormwater attenuation, green infrastructure, and low-impact development, to:

    a) minimize, prevent, or reduce stormwater volumes and contaminant loads;

    b) minimize erosion and changes in water balance;

    c) maximize vegetation and pervious surfaces and their respective functions;

    d) minimize risks to human health, safety, property, and the natural environment;

    e) encourage environmental efficiency; and

    f) mitigate the impacts of a changing climate.

14. The Town shall ensure that stormwater management is integrated with municipal water and sewage servicing to optimize, upgrade, and ensure financial feasibility and sustainability of these services across their full lifecycle.

15. The Town will undertake and may implement studies and plans, such as stormwater management planning, to assess and mitigate risk and vulnerability to infrastructure as a result of climate change.

16. The establishment of new water and wastewater servicing facilities shall be subject to provincial guidelines and regulations.

17. Development practices which mitigate the impacts of climate change and extreme weather events, including but not limited to green infrastructure and low impact development will be encouraged.

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4.4.2 Innovative Technologies

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

1. Water conservation devices which reduce water usage.

2. Innovative solutions to municipal or industrial wastewater treatment such as the design and construction of artificial wetlands and grey water treatment and re-use.

4.4.3 Stormwater Management Plans

In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend upon watercourses and other water bodies for their existence, stormwater management plans shall be required for some forms of new development. Stormwater management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management may not be required for small scale developments, such as lots created through the consent process or developments where there is no impact on the watershed.

Consultation with the ELORCA regarding stormwater management shall be required for all commercial and industrial development. Stormwater management will be undertaken in accordance with the Provincial Guideline entitled “Stormwater Management Planning and Design Manual, 2003”. The Town will encourage best practice for environmental efficiency and climate impact mitigation, including but not limited to green infrastructure and low-impact development.

Stormwater management may not be required for small scale developments, such as, lots created through the consent process or developments subject to development permit where there is no impact on the watershed.

4.5 WATERSHED PLANNING

It is the intent of the Town to preserve and improve the quality of the watershed, plan for efficient and sustainable use of water resources, and minimize potential negative cross-jurisdictional watershed impacts. The Town may carry out municipal-wide watershed and subwatershed planning, where appropriate, to inform water and sewage service planning, stormwater management, and the protection, improvement, or restoration of water quality and quantity.

The Town further encourages the preparation of watershed and sub watershed studies where major development or redevelopment is proposed which could have a significant downstream

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impact upon a watershed. These studies are most needed in areas with both development pressures and highly sensitive natural environments to provide some understanding of the relationship between water resources and land use activities.

The development of sound watershed and sub watershed plans will require cooperation between the Town, all affected municipalities, conservation authorities, government agencies and interested groups to ensure that potential cross-boundary environmental impacts are addressed. The results of watershed studies should be incorporated into this Plan.

4.6 WASTE MANAGEMENT

Solid waste disposal sites are identified on Schedule B. The following policies shall apply:

1. Development shall be reviewed to ensure that appropriate solid waste disposal services can be provided in a manner which is consistent with environmental considerations.

2. The Town shall ensure that waste management systems are appropriate to accommodate current and future needs. The Town shall encourage and promote waste reduction, reuse, and recycling to mitigate impacts of waste on the environment and climate change.

3. The establishment of new sites or the enlargement of existing sites shall be in accordance with Provincial guidelines and regulations and shall require an amendment to the Official Plan.

4. Solid waste disposal sites shall be appropriately categorized in the Development Permit By-Law. The Development Permit By-Law shall also designate adjacent lands appropriately, prohibiting new incompatible uses which cannot be reasonably mitigated.

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

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

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7. In reviewing development proposals adjacent to such disposal sites the Approval authority shall consult Guideline D-2 and Guideline D-4 issued by the Province.

4.7 RENEWABLE ENERGY

1. The Town will encourage the development and use of renewable energy sources, such as solar power, wind power, waterpower, energy storage and alternate fuels, in accordance with the provincial and federal requirements, the Development Permit By-Law, and the following:

    a) renewable energy systems shall be designed and constructed to provide adequate setbacks from – and minimize impacts on – surrounding land uses, prevent adverse effects from odours, noise and other contaminants, and minimize risk to public health and safety;

    b) renewable energy systems which provide energy to the provincial or a shared grid may be allowed in the Rural area; and

    c) renewable energy systems in which the energy is used solely on the same lot in which it is produced, shall be considered an accessory use and may be permitted, subject to the Development Permit By-Law and applicable provincial and federal requirements.

4.8 INFRASTRUCTURE FACILITIES AND CORRIDORS

1. Infrastructure includes a wide variety of works that are owned and operated by both public and private entities. The socio-economic health of Gananoque is closely linked to well-planned-and-sited infrastructure facilities and corridors. As such, the Town shall:

    a) support infrastructure facilities and corridors that avoid, minimize or mitigate potential adverse effects on the community;

    b) encourage the shared use of infrastructure corridors for infrastructure uses; and

    c) support the use of infrastructure corridors for active transportation.

2. The development of infrastructure facilities and corridors shall not be permitted in areas of Endangered or Threatened Species habitat.

3. The development, expansion, maintenance and/or preservation of infrastructure facilities and corridors that are subject to the requirements of the Environmental Assessment Act will not require an amendment to this Plan.

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4. The expansion, maintenance and/or preservation of infrastructure facilities and corridors that are not subject to the requirements of the Environmental Assessment Act will not require an amendment to this Plan, provided that the said works are planned and developed to avoid, or if avoidance is not possible:

    a) in addition to (2) above, minimize and mitigate any potential adverse effects on other areas identified in this Plan as environmentally sensitive; and/or

    b) minimize and mitigate any potential risk to public health and safety.

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

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5.0 Implementing The Plan – The Planning Toolkit

5.1 INTRODUCTION

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

1. Permitted Uses
2. General
3. Development Control
4. Economic Development
5. Social and Cultural Policies
6. Administration of the Official Plan

5.2 PERMITTED USES

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

5.2.1 Accessory Uses

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

5.3 GENERAL

The policies of this Plan shall be implemented by the Town of Gananoque through the enabling powers of applicable provincial statutes.

The decisions of Town Council must be consistent with and in conformity to the relevant policies of this Official Plan and applicable provincial statues, policies and regulations.

Pursuant to the Planning Act, no public work shall be undertaken and no By-Law shall be passed by the Town for any purpose that does not conform to the intent and policies of this Official Plan.

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Town Council may acquire, hold, or dispose of land for the purposes of implementing any policies of this Official Plan, subject to the provisions of applicable provincial statutes, policies and regulations.

All forms of development agreements regarding subdivisions, consents, condominiums, and Development Permits shall conform to the policies of this Official Plan.

The policies of this plan are meant to be interpreted consistent with the Ontario Human Rights Code.

5.3.1 Existing Land Uses and Non-Conforming Uses

All lots which were legally in existence on the effective date of this Plan may be used in accordance with the provisions of this Plan.

All uses, buildings or structures which were legally in existence on the effective date of this Plan and are being used for that same purpose shall be allowed to continue as such.

Legally existing uses which do not conform to the relevant provisions of this Plan shall be deemed non-conforming uses. Legally existing lots, buildings or structures which do not comply with the relevant provisions of the Development Permit By-Law shall be deemed non-complying lots, buildings or structures.

In addition to the above:

1. A legal non-conforming use may be designated in the Development Permit By-Law in accordance with its existing use provided that:

    a) the Development Permit By-Law does not permit any change of use or performance standard that might aggravate, increase or enlarge its legal non-conforming status;

    b) the use does not interfere with the orderly development of adjacent lands; and

    c) as per Section 5.4.4 of this Plan, the use does not constitute a detriment to – and/or incompatibility with – surrounding land uses and/or public health and safety by virtue of its operational characteristics.

2. The legal non-conforming use of any land, building or structure may be extended or enlarged through the issuance of a Development Permit as a Discretionary Use, provided:

    a) the provisions in item (1) above are met;

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b) the legal non-conforming use remains unchanged or is similar thereto, as determined by the Approval authority;

c) the extension or enlargement should be in a reasonable proportion to the existing use and to the land on which it is located;

d) the extension or enlargement shall not create undue noise, vibration, fumes, smoke, dust, odours, traffic generation nor glare from lights;

e) adequate buffering, setbacks and other measures necessary to reduce or mitigate any impact shall be required and where possible shall be extended to the existing use;

f) traffic conditions in the vicinity will not be adversely affected by the application and traffic hazards will be kept to a minimum by appropriate design of ingress and egress points to and from the site and by improvement of site conditions, especially in proximity to intersections;

g) adequate provisions have been made for off-street parking and loading facilities;

h) municipal services such as storm drainage, roads, sewer and water are adequate or can be made adequate; and

i) neighbouring landowners have been notified of the extension or enlargement as part of the Development Permit review process.

3. Where a legal non-conforming use is discontinued, the lot may be redesignated in accordance with the policies and intent of this Plan, or it may be redesignated to permit the same or similar use in the implementing Development Permit By-Law, provided that the provisions in item (1) above are met.

4. A lot, building or structure that is either in legal compliance or non-compliance with the implementing Development Permit By-Law and is being used for a legal non-conforming use may be reconstructed, renovated, repaired or strengthened to a safer condition, provided:

a) the provisions in item (1) above are met;

b) the said building or structure continues to be used for that same purpose; and

c) the said building or structure is constructed up to but not exceeding its former on-site dimensions, which shall be verified by the proponent via legal survey prior to the issuance of a Development Permit.

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

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

7. Non-conforming uses located in a flood plain area which are damaged or destroyed by flooding may only be reconstructed in accordance with the requirements of the Town, the ELORCA and/or the Province.

5.3.2 Lots of Record

Except for lots which are subject to applicable policies of this Plan, including development constraints such as flooding or unstable slopes, lots of record which are vacant may generally be used for building purposes in accordance with this Plan and the Development Permit By-Law provided they front on a year round publicly maintained road and can be adequately serviced. Lots of record which are subject to development constraints may also be developed provided the constraint can be mitigated in accordance with the requirements of the Town, the ELORCA and/or the Province.

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5.4 DEVELOPMENT CONTROL

5.4.1 Development Permit By-Law

5.4.1.1 General Intent

It is the intent of this Plan that an appropriate policy framework be provided which will enable Council to enhance the quality of new development or redevelopment in conjunction with other applicable controls such as the Ontario Building Code. This shall be achieved with the Development Permit System, under Section 70.2 of the Planning Act.

The intent of a Development Permit System is to ensure functional and aesthetically pleasing, safe development and redevelopment throughout the Town. A Development Permit System consolidates all site plan controls, zoning and minor variances under one approval framework by establishing the following:

1. The submission of site plans for review, including elevations and cross-sections for new construction or additions to existing buildings or structures.

2. The application of appropriate engineering and site development standards as prescribed in the requirements for a complete application.

3. Promoting land use compatibility between new and existing development.

4. The application of appropriate provisions for pathway connectivity on-site and off-site, streetscape and other exterior design elements including, but not limited to trees, soft and hard landscape, curbing, waste and recycling enclosures, and parking areas for both vehicles and cyclists.

5. Ensuring that approved developments are built and maintained as set out in the Development Permit Agreement.

6. Ensuring that the development occurs in accordance with required supporting studies and drawings.

Through the Development Permit System, Council will regulate the general site design of the property and, when appropriate, the conceptual design of all buildings and structures on the property. This will generally support a streamlined approach to the review and approval of Development Permit applications, and also allow for flexibility within a clearly articulated framework.

5.4.1.2 Objectives

The objectives of the Town in implementing the Development Permit System include but are not limited to: the preservation of the existing small-town character; the improvement of Lowertown

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and the waterfront; the preservation and enhancement of residential neighbourhoods while accommodating gentle density through appropriate infill and intensification opportunities; the promotion and enhancement of employment lands, including the rehabilitation and redevelopment of brownfield sites; the expansion of greenspaces and park facilities, including provisions for their interconnectivity; increasing the diversity of arts, cultural and recreational opportunities; and the protection and enhancement of natural heritage features and areas.

Except for those types of development for which the Development Permit By-Law specifies that no Development Permit is required, a Development Permit will be required prior to undertaking any development.

5.4.1.3 Development Permit By-Law Area

The entire corporate area of the Town of Gananoque shall be considered a Development Permit System Area.

5.4.1.4 Application for a Development Permit

A Development Permit shall apply to the following:

1. All development, except for those exempted developments under Section 5.4.1.5 of this Plan.

2. All development, including those exempted developments under Section 5.4.1.5 of this Plan, if:

    a) the proposed development is identified as a Discretionary Use in the implementing Development Permit By-Law;

    b) the proposed development is located within 100 metres of the high water mark of the St Lawrence River or Gananoque River; and/or

    c) the proposed development is located on a heritage property designated under the Ontario Heritage Act.

5.4.1.5 Exemptions

The following are exempt from a Development Permit application:

1. A Development Permit shall not be required for single dwelling units, duplex dwelling units and semi-detached dwelling units provided that such development is deemed to be in conformity with the requirements, standards and provisions within the designated Residential Development Permit Area in the Development Permit By-Law, and which is also in full conformity with all of the following standards:

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a) development is setback a minimum 30 metres (98.4 feet) from any natural watercourse; and

b) no site alteration or vegetation removal is required or proposed within 30 metres of the St Lawrence River or Gananoque River.

2. A Development Permit shall also not be required for the following:

a) any development that has previously been approved through Site Plan Control may proceed with development in accordance with the approved Site Plan;

b) any necessary repairs or maintenance to existing development; and/or

c) the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

5.4.1.6 Discretionary Uses

As may be provided in the Development Permit By-Law, a Development Permit may be issued to permit, as a Discretionary Use, any use not specifically listed as a permitted use in the Development Permit By-Law, provided that the proposed use: is similar to and compatible with the listed permitted uses; would have no negative impact on adjoining properties; and would maintain the intent, principles and policies of this Plan.

5.4.1.7 Variations

The Development Permit may allow for defined variations to the standards and provisions outlined in the Development Permit By-Law. Such variations will only be permitted if they are consistent with the policies of this Plan.

Any proposal for a use which is not listed as a permitted use or which does not qualify as a Discretionary Use in the Development Permit By-Law and in accordance with the relevant policies in the Official Plan will require an amendment to the Development Permit By-Law.

5.4.1.8 Application Requirements

An application for a Development Permit shall submit a full drawing and plan set which includes elevation and cross-section drawings for any proposed building or structure. More specifically, all applications must include:

1. The name, address, telephone number and, if applicable, the email address of the owner of the subject land, and of the agent if the applicant is an authorized agent and if known the date the land was acquired.

2. The current designation of the subject land in the Official Plan and the land uses that the designation authorizes.

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3. The current designation of the subject land in the Development Permit By-Law and the land uses the designation authorizes.

4. The proposed use and whether the proposed use is:

    a) a permitted use; or

    b) a use that may be permitted subject to criteria as set of in the Development Permit By-Law and how the applicable criteria therein have been addressed.

5. Whether a variation is requested within the provisions set out in the Development Permit By-Law and how the applicable criteria therein have been addressed.

6. A description of the subject land, including the legal description of the subject land, street names and numbers.

7. The boundaries, dimensions and area of the subject land, in metric units.

8. How access to the subject land is achieved and the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public road, a private road or a right of way.

9. The location and nature of any easement or restrictive covenant affecting the subject land.

10. Whether there are any buildings or structures on the subject land and if so, the following information for each building or structure must be provided:

    a) the type of building or structure;

    b) the setbacks from the building or structure from all lot lines, the height of the building or structure and its dimensions or floor area; and

    c) the current use of the building or structure and the date of construction, if known.

11. The current land use(s) adjacent to the subject land.

12. The approximate location of all natural and artificial features (for example, buildings, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on adjacent land.

13. Whether any development is proposed for the subject land and if so, the following information must be provided:

    a) plans that show the type, location, height and floor area of all buildings or structures to be erected, including setbacks from all lot lines; and

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b) drawings that show plan, elevation and cross-section views for each building or structure to be erected and are sufficient to display:

i. the massing and conceptual design of the proposed building;

ii. the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

iii. the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

iv. matters relating to exterior design and sustainable design including without limitation the character, scale, appearance and design features of the proposed building;

v. design elements on any adjoining road under the Town's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and

vi. facilities designed to have regard for accessibility for persons with disabilities.

14. Whether water is provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or other means.

15. Whether sewage disposal is provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system.

16. Whether stormwater drainage is proved by sewers, ditches, swales or other means.

17. Plans and drawings shall not include the following:

a) interior design information;

b) the layout of interior areas, other than interior walkways, stairs, elevators and escalators; and

c) the manner of construction and standards for construction.

18. Additional information, if known, shall also include:

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a) whether the subject land has ever been the subject of an application under the Planning Act for approval of a Plan of Subdivision or a consent and, if yes, the file number and status of the application; and

b) whether the subject land has ever been the subject of an application under Section 34, 41 or 45 of the Act and, if yes, the file number and the status of the application.

5.4.1.9 Supporting Studies and Reports

Technical reports/plans or studies may be required to assist in the review process of a Development Permit application. Applications for a Development Permit may be required to submit any of the studies or reports outlined in Section 5.4.11 of this Plan to be deemed a complete application.

5.4.1.10 Delegation of Approval Authority

In order to ensure that the Development Permit By-Law is administered efficiently, effectively and with full transparency, Council may delegate all or part of its Approval authority to municipal staff or to the Planning Advisory Committee or such other Committee as Council may deem appropriate. The extent and scope of the delegated authority may be limited by Council on the basis of the type, scale and complexity of the proposed development and the related Development Permit application.

5.4.1.11 Agreements

The Owner or Applicant may be required to enter into a Development Permit Agreement with the Town, to be registered against the lands affected, which shall include but not be limited to:

1. The responsibility of each party to execute and complete all works and facilities envisioned in the Development Permit Approval.

2. Detailed drawings and specifications of the work to be completed, including but not necessarily limited to – plans showing the physical relationship to the adjacent properties and public rights-of-way; as-built drawings; red-line drawings; GIS-ready information; service connection records; CCTV inspections; pressure testing; disinfection results; compaction testing; material testing; and/or certification of completed works – before final acceptance, assumption of infrastructure, release of securities and/or final approval is granted by the Town.

3. The timing of construction, including commencement and completion.

4. Any financial guarantees and/or performance securities and/or fees required by the Town to ensure the completion of the works described on the Development Permit.

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5. The maintenance to the satisfaction of the Town and at the sole risk and expense of the owner any or all of the facilities, works or matters outlined in Section 5.4.1.12 of this Plan.

6. Cash-in-lieu of parking.

7. Cash-in-lieu of parkland.

5.4.1.12 Conditions

1. The Town may impose conditions and grant provisional approval prior to final approval in accordance with Official Plan policies, the Development Permit By-Law and Ontario Regulation 173/16.

2. The proposed development shall in all cases be required to occur as illustrated on the approved and stamped drawings. A Development Permit Agreement, registered on title, may be required prior to final approval for any Development Permit application.

3. Technical reports may be required to assist in the review process and any recommendations therein may be imposed as conditions of Development Permit approval. In the event that any recommendations within a submitted technical report exceed the minimum requirements of any section of this Plan and/or the Development Permit By-Law, the stricter requirement will be imposed prior to approval.

4. As a condition to the approval of the plans and drawings, the Town may require the owner of the lands to provide to the satisfaction of and at no expense to the Town any or all of the following:

    a) buffering of adjacent properties through hard or soft landscaping;

    b) the provision of children's play areas in multiple residential development;

    c) widenings of public road(s) and/or highway(s) that abut the land;

    d) the construction or re-construction of facilities to provide access to and from the land such as access ramps and curbings;

    e) the installation of traffic direction signs;

    f) off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;

    g) walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access;

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h) facilities designed to have regard for accessibility for persons with disabilities;

i) facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon;

j) vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;

k) easements conveyed to the Town for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities on the land;

l) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and wastewater from the land and from any buildings or structures thereon; and/or

m) conveyance of part of the land for a public transit right-of-way.

5.4.2 Plans of Subdivision and Condominium

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

Technical considerations relate to the following requirements:

1. The application must be complete in accordance with the Planning Act.

2. The application must conform to the policies of this Official Plan.

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

1. Evidence respecting the availability and feasibility of water and wastewater services, including, where appropriate, the preparation of a hydrogeological study, terrain analysis and an impact assessment report in accordance with Provincial guidelines and regulations.

2. Preparation of a servicing options statement.

3. Preparation of a preliminary servicing and stormwater management report.

4. Preparation of a grading plan.

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5. Preparation of a sediment and erosion control plan.

6. Completion of studies required under the environmental and development constraints policies of this Plan.

Planning and Design Considerations include the following:

1. Consistency and/or conformity with the applicable policies of this Plan.

2. Lot and block configuration.

3. Road access, street layout, and pedestrian and active transportation amenities.

4. Parks and open space amenities.

5. Easement and right-of-way requirements.

6. Justification of the need for the Plan of Subdivision or Condominium.

7. In considering a draft plan of subdivision, regard shall be had to, among other matters, the criteria of Section 51 (24) of the Planning Act.

8. Emergency and secondary access points.

The Approval authority will, in giving draft approval to plans of subdivision or condominium which have access to full or partial municipal water and/or sewage services, provide that approval will lapse not more than 3 to 5 years from the date draft approval is given, in accordance with Section 51 (32) of the Planning Act.

The Approval authority may, in giving approval to plans of subdivision or condominium which will employ private services, provide that approval will lapse at the expiration of a period of time to be specified by the Approval authority in accordance with Section 51 (32) of the Planning Act.

5.4.3 Consents

It is the policy of this Plan that a consent should be considered where the lot creation does not result in excess of three lots. Three lots includes the retained lot or original lot. The creation of more than three lots shall take place by a Plan of Subdivision. For the purposes of this policy, the original lot is defined as the lot as it existed on the effective date of this Plan.

Exceptions to the policy limiting the number of lots which can be created by consent may also be granted by the Approval authority to permit infill lots in existing areas of strip development provided that – and as per Section 5.4.4 of this Plan – it will not create a detriment to – and/or incompatibility with – surrounding land uses and/or public health and safety.

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

In considering a consent, the Approval authority shall have regard to Section 51 (24) of the Planning Act and the following:

1. The size, configuration and, where applicable, the soil structure of a proposed lot shall be appropriate for the long term provision of services and the applicant shall provide sufficient information to the Approval authority to this effect.

   The Approval authority may require that this information be in the form of a hydrogeological study, prepared by a qualified professional, demonstrating that the aquifer can provide a long term sustainable water supply of acceptable quality and quantity, as well as providing evidence through testing, that the soil conditions can accommodate the effluent load from a septic field along with its replacement area. Such a study shall recommend a minimum lot size, which shall be used in evaluating the proposed consent. Regardless of the recommendation contained in such a study, municipalities may impose a minimum lot size in the implementing Development Permit By-Law.

2. Municipal Services: The lot shall be required to connect to municipal water and wastewater services. Where municipal services are not available, planned, or feasible, private communal services may be considered in accordance with the policies of this Plan.

   Where municipal services are not available, planned, or feasible at the time of consent the Approval authority shall require a condition of approval include the property shall connect to municipal services when it becomes available or if there is an intensification of an existing use.

   In such cases of private communal services, the owner shall be responsible for its installation, monitoring and maintenance.

3. Water and Wastewater Capacity: The Approval authority will ensure that there is sufficient capacity in existing water and wastewater services, including capacity to treat hauled sewage from private communal or individual septic systems prior to granting a consent to create a new lot.

4. Access:

   a) as defined and applied in Section 4.3.2 of this Plan, all of the following shall apply:

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i. all lots created, retained and severed, shall have frontage on a public road with at least one side of the lot which physically abuts the public road; and

ii. the creation of new lots which do not have sufficient frontage on a public road is prohibited; and

iii. the creation of new lots which only have frontage on lanes or alleyways is prohibited;

b) the proposed lot shall be compatible with adjacent land uses and shall not result in a traffic hazard as a result of limited sight lines on curves or grades; and

c) any road widenings may be required as a condition of consent approval.

All consents shall comply with the Minimum Distance Separation formulae developed by the Province, where applicable.

5. A consent which has the effect of land locking another parcel is not permitted. Access to interior land will be protected by ensuring that 20 metre wide openings for future road allowances are provided.

6. Consents will not be granted unless it can be demonstrated that each lot to be created contains sufficient area for development that is not affected by the development constraints outlined in this Plan. The lot(s) being severed and the lot being retained shall conform to the provisions of this Plan and the Development Permit By-Law.

7. A maximum of one new lot may be created per consent application.

8. The Approval authority may require the following conditions of approval for the severed and/or retained lot, where appropriate:

a) preparation of deeds;

b) preparation of survey by Ontario Land Surveyor;

c) connection to the Town’s water and wastewater services;

d) dedication of parkland or payment of cash-in-lieu of parkland;

e) dedicated road widening;

f) Development Permit approval(s);

g) payment of taxes;

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h) payment of Development Charge; and/or

i) other technical items as deemed reasonable by the Approval authority.

All costs associated with fulfilling any and all conditions shall be borne by the applicant.

5.4.4 Development Criteria

Council shall consider the following development criteria when reviewing the compatibility and appropriateness of any new development or redevelopment, including those that could require amendments to this Plan or the Development Permit By-Law:

1. The provision of safe access onto or from a public road, private road or provincial highway.

2. The extent to which safe and convenient pedestrian, cyclist and vehicular movements are accommodated.

3. The following safety and security criteria:

   a) the sufficiency of lighting in spaces intended for public use after dark to support the kind of activities envisioned for that space;

   b) the use of signage and the overall pattern of development to support users' sense of orientation and direction;

   c) the provision of clear lines of sight for persons passing through the space;

   d) the proposed mix of uses and their proximity to each other to ensure complementarity; and

   e) the accessibility of routing and design of cycling and pedestrian pathways, trails and routes to populated areas.

4. Adequate and safe access to, and provision of, off-street parking.

5. Barrier-free access to public and commercial buildings and the designation of parking spaces for physically challenged persons.

6. Access and maneuverability of emergency vehicles in providing protection to public and private properties.

7. The physical suitability of the land for the proposed use.

8. The feasibility of accommodating private services on-site.

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9. The availability and capacity of municipal infrastructure services, including the cost of upgrading and/or maintaining such services, including but not necessarily limited to water, sewage treatment and stormwater facilities; fire and police protection; street lighting; roads, sidewalks, pathways and trails, including the seasonal maintenance and snow removal and storage related to the said works; waste collection and disposal; community and/or recreation facilities; and parks and open space.

10. The adequacy of school board facilities to accommodate new development or redevelopment and the provision or availability of school bussing.

11. The degree to which the residual effects of its design and operational characteristics post-mitigation constitute a detriment to – and/or incompatibility with – upstream and/or downstream infrastructure systems as well as existing and future land uses, public health and safety, public utility infrastructure and the environment.

12. The application of Provincial guidelines on Land Use Compatibility Guidelines D–1, D-2, D-4 and D-6 (and any other relevant or future Provincial Guideline documents).

13. Adequate grade drainage or stormwater management and erosion control.

14. The screening, buffering or fencing of aesthetically displeasing or dangerous land uses, loading areas, open storage areas and/or waste disposal areas. A buffer may be open space, a berm, a wall, a fence, plantings, an enclosure, a land use different from the conflicting uses but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose.

15. The provision of landscaping, the creation of privacy and/or open space areas around buildings and other uses, and the establishment of setbacks to maintain proper distance separation between new development and natural heritage sites, natural hazards and resource areas and development constraints such as noise and vibration.

16. Adequate exterior lighting for access and parking areas for public or private use such as in commercial, industrial, institutional and multiple residential development.

17. The control of signs and advertising such that they are in scale with the intended use and with surrounding uses.

18. Protection of the environment by avoiding air, soil or water pollution.

19. The preservation and protection, whenever possible, of street trees, street tree canopies and the urban forest.

20. Protection or enhancement of identified natural heritage features and areas.

21. Conserving cultural heritage resources.

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5.4.5 Parkland Dedication and Cash-in-lieu of Parkland

The Town will use a variety of tools to acquire land for open space and recreational uses, including the acquisition through parkland dedication under Section 42 and 51 of the Planning Act.

The Town shall develop a Parkland Dedication By-Law for the purposes of collecting parkland or cash-in-lieu of parkland for development, redevelopment, Plan of Subdivision or Condominium or consent applications. The Parkland Dedication By-Law shall not apply to non-profit housing projects and/or additional residential unit developments.

Notwithstanding the above, the conveyance of parkland shall be in an amount not exceeding:

1. 2% of the subject land proposed for commercial or industrial use.

2. 5% of the subject land proposed for institutional use.

3. Either 5% of the subject land proposed for residential use, or 5% of the portion of the subject land proposed for residential use in a mixed-use project, or 1 hectare per net 600 residential dwelling units, whichever ratio is greater; or

   For projects containing affordable residential dwelling units, 5% of the subject land multiplied by the ratio of non-affordable residential units to the total number of residential units.

Where parkland is dedicated, the lands shall be deemed acceptable to the Town for development and public use as parkland. The Town shall prioritize acquisition through parkland dedication of lands which allow for improved public access to the waterfront.

Cash-in-lieu of parkland may also be used to fund open space and recreational uses in the Town. The amount of monies to be accepted in lieu of parkland dedication shall be based on the appraised market value of the land otherwise required to be conveyed, as set out in the Planning Act.

5.4.6 Cash-in-lieu of Parking

Council may enter into a Development Permit Agreement to exempt an owner or occupant from the need to provide and maintain parking facilities as required under the Development Permit By-Law. Cash-in-lieu shall not be accommodated for any residential use. Such agreement shall provide for the making of one or more payments of money to the Town as consideration for the granting of the exemption and shall set forth the basis upon which such payment is to be calculated.

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5.4.7 Community Benefits Charges

As set out in Section 37 of the Planning Act, Council may enact Community Benefits Charge By-Laws that impose Community Benefits Charges – or Development Charge By-Laws that impose Development Charges – on developments and redevelopments to pay for the capital costs of facilities, services and matters required as a result of development or redevelopment.

5.4.8 Holding Provisions

Council may apply the use of holding provisions in accordance with Section 36 of the Planning Act and the policies of this Official Plan. The following are the objectives for using holding provisions:

1. To assist in the phasing of development and/or redevelopment.

2. To co-ordinate development and/or redevelopment with the provision of water, sanitary sewage, storm sewer and other services.

3. To control development and/or redevelopment which may necessitate special design considerations.

4. To forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied.

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

    a) lands in a built-up area which are undeveloped;

    b) lands which are unserviced;

    c) lands which do not have adequate access or frontage onto a public roadway;

    d) lands which are adjacent to hazardous, noxious, temporary or otherwise undesirable uses or activities; and

    e) lands which are near or fronting onto public roads which are subject to hazardous conditions or are inadequate to handle current traffic volumes.

The holding provisions shall be implemented by the Development Permit By-Law. The subject lands shall be designated for the intended use and the holding symbol (H) shall be added as a suffix, separated from the principal designation by a hyphen.

The Development Permit By-Law shall specify the uses of land permitted and any regulations applying to the land during the time for which the holding provisions are in place. Conditions or

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criteria that are to be satisfied shall be clearly stated in the Development Permit By-Law. Removal of the holding symbol (H) shall occur through the adoption of an amending By-Law, but only after Council is satisfied that all conditions or criteria ascribed to it have been met.

5.4.9 Temporary Use By-Laws

As set out in Section 39 of the Planning Act, Council may enact Temporary Use By-Laws to authorize the temporary use of lands, buildings or structures for a purpose that is otherwise prohibited in this Plan and/or the Development Permit By-Law.

The following criteria shall apply regarding the consideration of a Temporary Use By-Law:

1. The proposed use shall not affect the ability of the subject lands to be used for the purpose(s) intended in this Plan and/or the Development Permit By-Law.

2. The proposed use does not constitute a detriment to – and/or incompatibility with – surrounding land uses and/or public health and safety by virtue of its operational characteristics.

3. Existing services, access and on-site parking shall be adequate for the proposed use.

4. The proposed use will not require any major construction or extensive capital investment on the part of the owner and/or it will not create undue hardship for the owner upon termination of the Temporary Use By-Law.

5. The criteria in Section 5.4.4 of this Plan, as applicable.

The owner shall enter into a Development Permit Agreement with the Town to ensure that all buildings and structures associated with the Temporary Use By-Law will be removed upon expiry of the said By-Law.

A Temporary Use By-Law may be in full force and effect for up to three years. Council, at its sole discretion, may extend the Temporary Use by By-Law, provided each extension does not exceed three years.

5.4.10 Interim Control By-Laws

As set out in Section 39 of the Planning Act, Council may pass a resolution for the purpose of controlling the use of land, buildings and structures within a specific area(s) of the Town and subsequently do so through an Interim Control By-Law. The following are the objectives for using an Interim Control By-Law:

1. To review land use planning provisions within a specific area(s) of the Town.

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2. To control development within the said specific area(s) until the review or study is completed and approved by Council.

An Interim Control By-Law may be in full force and effect for up to one year. Council, at its sole discretion, may extend the Interim Control By-Law, provided the said extension does not exceed two years from the date of the passing of the original Interim Control By-Law.

Where an Interim Control By-Law ceases to be in full force and effect, Council may not, for a period of three years from the date of the passing of the original Interim Control By-Law, pass another Interim Control By-Law that applies to any of the lands to which the original By-Law applied.

5.4.11 Pre-Consultation and Complete Applications

1. Prior to applying for an Official Plan Amendment, Development Permit By-Law Amendment, Development Permit, Draft Plan of Subdivision, Draft Plan of Condominium or Consent, applicants shall be required to pre-consult with Town staff. Prior to applying for any other development application, applicants are encouraged to pre-consult with Town staff.

2. The pre-consultation process is intended to set out clear requirements for a complete application by identifying the required studies and scoping the issues associated with a specific development proposal and/or proposed change(s) in land use.

3. Failure to pre-consult with Town staff may result in delays related to incomplete applications.

4. The Town may require applicants to undertake a new pre-consultation meeting with Town staff if:

    a) a complete application is not submitted within six months from the date of the original record of pre-consultation;

    b) the applicable land use planning policy and/or regulatory framework has substantially changed since the date of the original record of pre-consultation and prior to the submission of a complete application; and/or

    c) the complete application submission has been substantially revised from that which was reviewed at the original pre-consultation, unless such modifications are in direct response to comments received from the Town and/or a public body or specified person (as defined in the Planning Act).

5. Prior to accepting an application for an Official Plan Amendment, Development Permit By-Law Amendment, Development Permit, Draft Plan of Subdivision, Draft Plan of Condominium or Consent, the following must be submitted to the Town:

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a) a complete application form;

b) any information or materials prescribed by statute and regulation;

c) a record of pre-consultation with Town staff;

d) the prescribed application fee(s) and required securities/working deposit to cover all required peer review costs if necessary; and

e) all necessary plans, drawings, technical reports, documents and/or studies outlined in this Plan and supporting information as outlined herein and in Table 5.4.11.7-1 below, which may be identified, in accordance with the policies of this Plan and/or accepted professional standards and/or applicable guidelines, during the pre-consultation meeting with Town staff.

6. All necessary and supporting plans, drawings, technical reports, documents and/or studies must be conducted by a qualified professional retained by and at the expense of the applicant. The Town may refuse to accept the information submitted and deem the application incomplete if it considers the quality of the submission unsatisfactory, incomplete, inconsistent, insufficient, or failing to meet industry standards.

7. The Town may require a peer review of any of the necessary and supporting plans, drawings, technical reports, documents and/or studies by a qualified professional retained by the Town and at the expense of the applicant.

Table 5.4.11.7-1: Complete Application Information Requirements

Type of Study	Description
Functional Servicing Report	Reviews servicing needs for water, wastewater, stormwater, and other municipal infrastructure, identifies required new or improved services and mitigation measures, ensuring compliance with applicable legislation/regulations and standards, and consistency / conformity with applicable policies.
Geotechnical Report	Evaluates geological, soil, and subsurface conditions to assess site stability and suitability for development, in compliance with applicable legislation/regulations, and conforming with geotechnical standards.
Hydrogeological Report	Analyzes potential impacts on surface and groundwater resources, ensuring compliance with applicable

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Table 5.4.11.7-1: Complete Application Information Requirements

Type of Study	Description
	legislation/regulations and hydrological standards, and consistency / conformity with applicable policies.
Planning Justification Report	Provides detailed planning rationale demonstrating consistency / conformity with provincial policies and plans, and conformity with applicable municipal and regional plans.
Transportation Impact Study	Assesses the proposed development's impact on the transportation network for all modes of travel, ensuring compliance with applicable legislation/regulations and standards, consistency / conformity with provincial plans and policies, and conformity with municipal policies.
Aggregate / Minerals / Petroleum Resource Impact Assessment	Protects residents from adverse effects of activities and protects significant resources from development that would preclude or hinder access to these resources, ensuring compliance with applicable legislation/regulations and consistency with applicable policies.
Agricultural Impact Assessment	Identifies and evaluates potential impacts of non-agricultural development on agricultural operations and the Agricultural System, and recommends ways to avoid, minimize, or mitigate adverse impacts.
Air Quality / Odour Study	Assesses potential adverse effects to human health and the natural environment from any odours or airborne contaminants associated with proposed development and recommends measures to avoid, minimize or mitigate potential adverse effects.
Arborist Report	Inventories all trees on a site, identifies potential impacts of a proposed development and recommends measures to protect and preserve trees before, during and after construction, ensuring consistency with provincial policies and municipal policies and by-laws.

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Table 5.4.11.7-1: Complete Application Information Requirements

Type of Study	Description
Archaeological Assessment	Determines or confirms archaeological potential and the presence of resources of archaeological significance, for lands located within or adjacent to a known or potential archaeological site.
Contaminant Management Plan	Demonstrates the safety measures that will be included in proposals involving the manufacturing, handling and/or storage of bulk fuels or chemicals (activities prescribed under the Clean Water Act) in order to help prevent contamination of groundwater or surface water.
Cultural Heritage Impact Assessment	Determines a property's cultural heritage value, identifies impacts from proposed development, and outlines mitigation or conservation plans.
Economic Viability Assessment	Assesses potential impacts of a proposed development on the long-term economic viability of employment uses adjacent to employment areas, and identifies measures to avoid, minimize, or mitigate these impacts in conformity with applicable legislation and consistent with provincial policies.
Electromagnetic Field Management Plan	Demonstrates how development proposals within or abutting a hydro corridor will manage and minimize exposure to electromagnetic fields, conforming with applicable legislation and standards, demonstrating consistency with provincial policies and ensuring protection of public health and safety.
Financial Impact Analysis	For proposals to expand a settlement area boundary, assesses the growth-related financial impacts of a proposed settlement area boundary expansion, including potential impacts to municipal capital and operating budgets, to inform planning for capital infrastructure development or improvement to support growth.
Human-Made Hazard Impact Study / Assessment	Assesses potential human-made hazards (e.g. mine hazards, oil, gas and salt hazards; former mineral mining operations, mineral aggregate operations or petroleum resource operations)

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Table 5.4.11.7-1: Complete Application Information Requirements

Type of Study	Description
	impacting the proposed site, assesses the potential for the proposed development to create new or amplify existing hazards, and identifies measures to avoid, minimize or mitigate these impacts, consistent with provincial policies and in conformity with municipal policies.
Impact Assessment for Waste Disposal Sites / Former Landfill Sites	Determines potential adverse effects to human health, safety, and impacts to the environment associated with a proposed landfill / waste disposal site or a former landfill site, and identifies avoidance, mitigation or remediation measures to address those potential adverse effects and impacts.
Water Quality Impact Assessment	Assesses potential adverse effects of proposed shoreline development on water quality and identifies measures to avoid, minimize or mitigate these effects, in compliance with applicable legislation and consistent with provincial and municipal policies.
Land Use Compatibility Study	Assesses potential adverse effects of a proposed major facility on adjacent sensitive land uses and identifies measures to avoid, minimize or mitigate these effects, in compliance with applicable legislation and consistent with provincial and municipal policies. Can include an assessment of the potential negative impacts to the long-term operational and economic viability of major facilities associated with a proposed development in proximity to major facilities, and identify ways to avoid, minimize or mitigate these potential impacts.
Minimum Distance Separation Formulae Assessment	Minimizes land use conflicts in agricultural areas by establishing setback distances between livestock facilities and surrounding residential land uses, minimizing conflicts and nuisances related to odour, in compliance with applicable legislation and consistent with provincial policies.
Natural Hazard Impact Study / Assessment	Assesses potential natural hazards impacting the proposed site, assesses the potential for the proposed development to create

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Table 5.4.11.7-1: Complete Application Information Requirements

Type of Study	Description
	new or aggravate existing hazards, and identifies measures to avoid, minimize or mitigate these impacts, consistent with provincial policies and in conformity with municipal policies.
Noise / Vibration Study	Assesses potential noise and vibration impacts from a proposed development on surrounding land uses, and the potential noise and vibration impacts from an existing land use on a proposed adjacent development, identifying measures to avoid, mitigate and minimize these impacts in compliance with applicable legislation and consistent with provincial and municipal policies.
Servicing Options Report	Evaluates the proximity of municipal and communal servicing and potential for future connections to serve a proposed development where there is no municipal planning for sewage and water services in an official plan, reviews environmental and site constraints and impacts, evaluates servicing options to serve the proposed development, and provides the rationale for a recommended option, in compliance with applicable legislation and guidelines, and consistent with provincial policies.
Wildland Fire Assessment	Determines hazardous forest types and associated wildland fire risk and identifies avoidance and mitigation measures to ensure conformity with provincial policies and standards.

5.4.12 Secondary Plans

1. The Town may prepare secondary plans (or require development proponents to prepare a secondary plan for the Town's review) for portions of the community where major development is anticipated, but more detailed policy guidance is required.

2. Secondary plans will be prepared, presented for public consultation, and adopted in the same manner as the Official Plan and are to be read in conjunction with this Plan.

3. A secondary plan will address and coordinate at a minimum, but not necessarily be limited to:

    a) identifying the study area and community boundaries;

b) providing for, and identifying the location of various proposed land uses;

c) assigning a mix of residential and/or non-residential land uses;

d) designing the road and active transportation networks;

e) ensuring compatibility with existing, planned or adjacent land uses,

f) protecting the natural heritage system and cultural heritage resources;

g) providing for adequate and cost-effective infrastructure; and

h) identifying the timing and phasing of development.

5.4.13 Community Improvement Plans

5.4.13.1 Purpose

Pursuant to Section 28 of the Planning Act, it is the intent of Council to use Community Improvement Plans to promote and focus public and private sector investment into maintenance, rehabilitation, and redevelopment activities that improve the living and working conditions in the Town.

The purpose of Community Improvement Plans is multi-faceted, as follows:

1. To preserve, redevelop and rehabilitate the built environment.

2. To ensure private and public community improvement activities are coordinated.

3. To assist the Town in identifying priorities for municipal expenditure regarding community improvement projects.

4. To take advantage of Federal and/or Provincial programs that facilitate community improvement.

The entire Municipality is designated as a Community Improvement Area.

5.4.13.2 Objectives

The objectives for community improvement are as follows:

1. To upgrade and maintain all essential municipal services and community facilities.

2. To ensure that community improvement projects are carried out within the built up areas of the Town.

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3. To ensure the maintenance of the existing building stock.

4. To preserve heritage buildings.

5. To facilitate the remediation, rehabilitation and \or redevelopment of existing brownfield sites.

6. To encourage private sector investment and the strengthening of the economic base.

7. To enhance the visual appearance of Community Improvement Areas.

8. To revitalize the General Commercial Policy Area as a mixed-use area and a vibrant shopping destination.

5.4.13.3 Preparation and Adoption

Council shall have regard for the following matters in the preparation and adoption of a Community Improvement Plan:

1. The basis for selection of the community improvement project areas with specific consideration of the following:

    a) that there is evidence of a need to improve municipal services such as, but not limited to, roads, sidewalks, street lighting, parking, sanitary and storm sewers, water supply, parks and recreation, active transportation infrastructure, community facilities, the waterfront areas or streetscaping;

    b) that the phasing of improvements corresponds to the timing of improvements by the Town and/or senior levels of government and is within the financial capability of the municipality;

    c) that a significant number of buildings in an area show signs of deterioration and/or disrepair;

    d) that opportunities exist to facilitate infill and/or intensification of the area;

    e) that there is evidence that a site can be classified as a brownfield site and that the adoption of a Community Improvement Plan would assist in its remediation, rehabilitation and\or redevelopment;

    f) that improvement to the visual appearance or aesthetics is required; and

    g) that improvements will have a significant impact on strengthening the economic base of the community.

2. The boundary of the area and the land use designations of this Plan.

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3. The properties proposed for acquisition and/or rehabilitation.

4. The estimated costs, means of financing and the staging and administration of the project, relative to such matters as other municipal priorities and associated capital budgets.

5. The provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary.

6. The extent and availability of community improvement funding programs from senior levels of government.

7. The phasing of improvements and the means of their implementation.

8. Citizen involvement during the preparation of a Community Improvement Plan.

5.4.13.4 Implementation

Through the identification of specific community improvement projects and the preparation of Community Improvement Plans, Council may:

1. Sell, lease or dispose of lands and buildings acquired or held by the Town.

2. Give loans and grants to owners, tenants and their assignees for rehabilitation purposes.

3. Provide tax assistance by freezing or canceling the municipal portion of the property tax on eligible properties for remediation purposes.

4. Participate in community improvement funding programs with senior levels of government.

5. Issue debentures with the approval of the Ontario Land Tribunal.

6. Foster the improvement of businesses and public spaces to remove barriers which may restrict their accessibility.

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5.5 MAINTENANCE AND OCCUPANCY STANDARDS

It is the policy of Council to maintain the physical condition of the existing building stock by adopting and enforcing a Property Standards By-Law, pursuant to Section 15.1 of the Building Code Act.

Council may further support property maintenance and safe occupancy by:

1. Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties.

2. Maintaining municipally owned buildings, properties and community facilities and providing or maintaining municipal services in good repair.

3. Using or encouraging the use of associated legislation such as the Ontario Fire Code and/or Part 11 of the Ontario Building Code for the retrofit of buildings.

4. Amending the Property Standards By-Law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the Ontario Heritage Act.

5. Appointing a Property Standards Officer to enforce the By-Law and/or a Property Standards Committee, pursuant to Section 15.6 of the Building Code Act.

5.6 BUILDING PERMITS

In accordance with Section 8 of the Ontario Building Code Act, it is a policy of this Plan that Development Permits will not be issued where the proposed construction does not conform to the provisions of the Development Permit By-Law.

5.7 ECONOMIC DEVELOPMENT

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

5.7.1 Objectives

1. To sustain the strengths of the existing economic base and to broaden the Town's employment opportunities.

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2. To ensure that Gananoque is and remains an affordable and attainable place to do business and live.

3. To sustain and to build on the existing strength of the commercial, industrial and tourism sectors of the economy.

4. To undertake initiatives to stimulate new employment generation.

5. To work cooperatively with senior levels of government and community groups in promoting and undertaking economic development activities.

6. To identify the Downtown and waterfront as a prosperous and vibrant business area for economic development and employment, particularly through infill, intensification and mixed-use development.

5.7.2 General Policies

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

1. Providing a policy framework which facilitates the planning and delivery of municipal services necessary for the development or redevelopment of lands for commercial, industrial and other employment generating activities.

2. Expediting planning and other approvals necessary at the Town level to permit the development of lands or construction of new buildings associated with economic development.

3. Supporting community improvement and promotion programs.

4. Encouraging and facilitating employment in the construction industry through expediting the approvals of Plans of Subdivision or Condominium, encouraging the rehabilitation of heritage buildings, encouraging the retrofit of the existing building stock and by encouraging the recycling of funds through financial programs, such as those provided by the Canadian Mortgage and Housing Corporation or similar.

5. Encouraging an “Open for Business” philosophy towards economic opportunities in the design of municipal By-Laws regulating and licensing businesses.

6. Encouraging the development of home-based businesses, home industries and tele-working opportunities.

7. Promoting the development of existing business parks.

8. Encouraging measures that will extend the length of the tourist season.

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9. Encouraging the coordination of efficient telecommunications infrastructure.

5.8 HOME-BASED BUSINESSES

Home-based businesses are permitted in all areas where residential uses are permitted, subject to the policies of this Plan, the Development Permit By-Law and other By-Laws established by Council.

Permitted uses shall include, but are not limited to professional, administrative and consulting services, office uses, computer technology uses, instructional services, distribution sales offices and artisan studios.

Home-based businesses shall be subject to all of the following:

1. Home-based businesses may operate from within the principal dwelling unit or in an accessory building.

2. The person or persons who own and primarily operate the home-based business must reside full-time in the principal dwelling unit.

3. Any work or activities conducted on the premises in relation to the home-based business shall be carried out with no outdoor storage, display, or processing of goods.

4. The home-based business shall not change the appearance of the residence and the character of the subject property.

5. As per Section 5.4.4 of this Plan, the home-based business shall not constitute a detriment to – and/or incompatibility with – surrounding land uses, the surrounding neighbourhood or area and/or public health and safety by virtue of its operational characteristics. Principal development review criteria shall focus on the following:

    a) the home-based business shall not create undue noise, vibration, fumes, smoke, dust, odours and/or traffic generation; and

    b) adequate buffering, setbacks and other measures necessary to reduce or mitigate any impact shall be required.

5.9 HOME INDUSTRIES

Home industries may be permitted as an accessory use to a principal residential use in the Rural lands designation, subject to the provisions of this Plan, the Development Permit By-Law and other By-Laws established by Council.

Home industries shall be subject to the following:

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1. Home industries shall only be permitted in conjunction with a principal dwelling unit.

2. The person or persons who own and primarily operate the home industry must reside full-time in the principal dwelling unit.

3. Home industries may:

    a) be operated from within the principal dwelling unit or in an accessory building; and

    b) have outside storage of goods and materials, provided such areas are adequately screened and buffered from adjacent properties and public roads through appropriate landscaping, fencing, or a combination thereof, to the satisfaction of the Town.

4. The sale of retail goods from home industry shall only be permitted when such goods are produced on-site or are directly associated with a service being provided on-site.

5. As per Section 5.4.4 of this Plan, the home industry shall not constitute a detriment to – and/or incompatibility with – surrounding land uses, the surrounding neighbourhood or area and/or public health and safety by virtue of its operational characteristics. Principal development review criteria shall focus on the following:

    a) the home industry shall not create undue noise, vibration, fumes, smoke, dust, odours and/or traffic generation; and

    b) adequate buffering, setbacks and other measures necessary to reduce or mitigate any impact shall be required.

5.10 BROWNFIELD SITE REDEVELOPMENT

Brownfield sites are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

From an economic perspective, brownfields can result in reduced property values, economic activity and employment. Vacant and underutilized properties in serviced urban areas represent an opportunity to increase development densities. From an environmental perspective, brownfields can present a threat to ecological and human health and safety. From a social perspective, the existence of brownfields can lead to neighbourhood deterioration, threats to personal safety and security, and reduced quality of life.

The benefits that result from brownfield redevelopment are also environmental, economic and social. The economic benefits of brownfield redevelopment can include increased employment

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in urban areas and increased property values. Environmental benefits can include the removal of threats to the health of residents and workers, the protection of groundwater resources and wildlife habitats and a reduction in unplanned growth. The social benefits of brownfield redevelopment can include neighbourhood revitalization, improved safety and security, the provision of additional housing opportunities through intensification and infill, and an increased sense of community pride. Financial incentive programs that result in an increase in brownfield development will translate into economic, environmental and social benefits.

Accordingly, the Town shall identify and promote opportunities for intensification and redevelopment of brownfield sites. Private sector investment in the re-use and/or redevelopment of underutilized and/or abandoned brownfield sites will be encouraged through the use of Community Improvement as described in Section 5.5 of this Plan and the related financial tools, including property tax and building permit fee incentives.

5.11 SOCIAL AND CULTURAL POLICIES

Council recognizes that the social and cultural fabric of the Town is key to Gananoque's economic competitiveness, and quality of life and place. Housing is a human right and key to various economic, social and environmental outcomes. Gananoque has a rich history. It's heritage assets help define the character of the community, contribute to its attractiveness as a community and economic health.

5.11.1 Group Homes

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

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

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

An additional residential unit shall not be permitted on the same lot as a licensed group home.

5.11.2 Heritage Resources

As demonstrated below, the Town of Gananoque has a rich socio-cultural history:

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1. It is located in the traditional territory of the Haudenosaunee and Huron Wendat, and in the “Crawford’s Purchases Treaty” area.

2. It has many built heritage resources, including twenty properties that have been formally designated under the Heritage Act; and eight properties that have been identified as having potential cultural heritage value or interest.

3. While the Town has not identified any cultural heritage landscapes, given its geography and history, the majority of lands within the Town have archaeological potential.

The heritage resources policies of this Plan shall apply when:

1. Conserving heritage buildings, cultural heritage landscapes and archaeological resources that are under municipal ownership and\or stewardship.

2. Conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works.

3. Respecting the heritage resources identified, recognized or designated by senior levels of government.

5.11.2.1 Objectives

1. To promote the conservation, restoration and rehabilitation of all heritage resources.

2. To ensure that heritage features are passed on for the enjoyment and care of future generations.

3. To prevent the demolition or inappropriate alteration of heritage resources.

4. To identify a range of features so they can be conserved and integrated into the community, including buildings, sites, landscapes and artifacts of historical, archaeological and architectural significance.

5. To consult with the public in heritage resource decisions affecting the Town.

6. To consult with affected Indigenous Communities when identifying, protecting and managing cultural heritage and archaeological resources.

5.11.2.2 Policies

(A) Cultural Heritage Resources

1. The Town will prepare, publish and periodically update a Register of the Town’s cultural heritage resources in accordance with the Heritage Act. This Register will also contain

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non-designated properties that have been identified by the Town as having significant cultural heritage value or interest.

2. Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures will be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.

3. The Town may permit the transfer of surplus density rights from sites with heritage buildings to adjacent or nearby properties in order to facilitate the conservation, retention or adaptive reuse of a particular heritage resource. Unused density may be transferred to another site provided that:

    a) the relevant property is designated under the Heritage Act; and

    b) the density transfer is implemented.

4. Retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrated that the retrofitting can be accomplished without compromising the heritage integrity of the building.

5. In attaining accessibility goals, the Town will endeavour to provide access solutions in a manner that respects the cultural heritage value or interest of a protected building or property. The Town 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. The Town encourages this practice for privately-owned heritage buildings that are open to and used by the public.

6. Heritage conservation districts and cultural heritage landscapes will be protected, maintained and incorporated into the urban fabric, specifically through the regulation of uses that detract from the traditional landscape.

    Within a heritage conservation district, partial demolition, alterations, renovations, repairs, additions, development or intensification may be allowed at the Town's discretion, and may be subject to a cultural heritage impact assessment.

7. The Town will encourage the following additional methods for conserving heritage resources:

    a) repairing or conserving building materials and finishes and other components that are part of a property's heritage attributes;

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b) retaining and maintaining the visual settings and other physical relationships that contribute to the cultural heritage value of the property;

c) retaining a built heritage resource as a heritage monument for viewing purposes only;

d) salvaging elements of the resource for incorporation into a new building or structure for future conservation work or displays;

e) encouraging adaptive reuse projects that conserve the architectural integrity of heritage buildings and structures; and

f) documenting the heritage resource(s) for the Town's archives.

8. A cultural heritage impact assessment will be required for – (a) the proposed alteration, demolition or removal of, or (b) development and intensification proposals or public works that include or are contiguous to – a cultural heritage resource that is designated under the Heritage Act or non-designated property included on the Municipal Heritage Register.

   A cultural heritage impact assessment will include the following elements:

   a) identification and evaluation of the cultural heritage resource;

   b) graphic and written inventory of the cultural heritage resource; and

   c) a mitigative assessment of the impact from the proposed development on the cultural heritage resource.

9. The Town will make every effort to identify, conserve and protect known cultural heritage resources and areas of archaeological potential when undertaking municipal public works under the Municipal Class Environmental Assessment process. When necessary, the Town will require archaeological assessments and heritage impact assessments and satisfactory measures to mitigate any negative impacts to cultural heritage resources.

   In addition, the Town will encourage utility companies to place equipment and devices in locations which neither detract from the visual character of cultural heritage resources nor have a negative impact on the architectural integrity of those resources.

10. In the event that demolition, salvage, dismantling, relocation and/or irrevocable damage to a cultural heritage resource is determined through a cultural heritage impact assessment or other Town review process to be unavoidable, thorough archival documentation shall be undertaken by the proponent and made available to the Town for archival purposes. This documentation must be prepared by a qualified person and

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include at least the following as appropriate or additional matters as specified by the Town:

a) architectural measured drawings;

b) a land use history; and

c) photographs, maps and other available material about the cultural heritage resource in its surrounding context.

11. Notwithstanding the above, the Town may:

a) ultimately prevent outright the demolition or inappropriate alteration of any heritage resource designated under the Heritage Act by the Town or Province;

b) undertake a study to identify, evaluate and designate areas and landscapes of potential cultural heritage value or interest;

c) establish heritage design guidelines and/or cultural heritage impact assessment guidelines; and/or

d) establish a grant program for designated heritage properties to help alleviate some of the financial burden placed upon property owners in the maintenance and conservation of heritage resources or the adaptive reuse of a designated heritage property.

(B) Archaeological Resources

1. Any alterations to known archaeological sites and/or areas of archaeological potential will only be performed by licensed archaeologists in accordance with the Heritage Act.

2. At minimum, a Phase I Archeological Review, prepared in accordance with provincial standards, will be required for all development applications.

3. Where a development may cause an impact to archaeological resources or areas of archaeological potential, the applicant shall consult with Indigenous Communities for comment on the proposed development.

4. The local police, Cemeteries Regulation Unit of the Province and the Ministry of Tourism, Culture and Sport will be contacted by the proponent if an identified human cemetery, marked or unmarked human burial site is discovered during land use development. The Development Permit By-Law shall regulate any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

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5. The Town shall obtain updated archaeological site mapping from the Province under the provisions of a municipal-provincial data sharing agreement, and update this database as new archaeological sites are identified.

6. The Town may undertake an Archaeological Master Plan with the assistance of the Province.

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6.0 ADMINISTRATION OF THE OFFICIAL PLAN

6.1 AMENDMENTS TO THIS OFFICIAL PLAN

Amendments to this Plan shall be considered in accordance with related policies in this Plan. In general, amendments will only be considered when they are justified and when the required supportive information, as outlined in this Plan, is provided in sufficient detail to allow Council to fully understand and consider the following:

1. The impact of the proposed change on the achievement of the stated goals, objectives and policies expressed in this Plan.

2. The need for the proposed change.

3. The effect of the proposed change on the need for public services and facilities.

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

1. Whether there is a need to add the site or sites to the lands already designated for the proposed use.

2. The physical suitability of the land for the proposed use.

3. The compatibility of the proposed use with existing and/or planned development, services and features in the surrounding area.

Technical revisions to this Plan are permitted without amendments to this Plan provided they do not change the intent of the Plan. Technical amendments include:

1. Changing the numbering, cross-referencing and arrangement of the text, tables, Schedules and maps.

2. Altering punctuation or language for consistency.

3. Correcting grammatical, dimensional and boundary, mathematical or typographical errors.

4. Adding technical information to maps or Schedules.

5. Consolidating previously approved Official Plan Amendments in a new document without altering any approved policies and/or the interpretation of the said policies on any maps or Schedules.

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6.2 COUNCIL APPROVED PLANS

The Official Plan is meant to be consulted in its entirety when making interpretations of its policies. Furthermore, the policies contained in this Plan will work in conjunction with all other applicable policy documents or guidelines adopted by Council. In the event of competing interests, the most restrictive policies or guidelines shall be considered during the review of a development application.

6.3 CONSULTATION

In addition to undertaking consultation with the public, review agencies and affected Indigenous communities as directed to do so by the Planning Act and all relevant regulations, Council shall also undertake a consultation program for all amendments to and re of this Plan. The consultation process shall include timely provision of adequate information as well as opportunities for the public, review agencies and affected Indigenous communities to discuss this information with Town staff and to present views to Council.

6.4 REVIEW AND MONITORING OF THE OFFICIAL PLAN

Council shall at regular intervals of not more than five years, undertake a review of this Plan, or parts thereof, to ensure that:

1. The goals and objectives remain valid and realistic in light of prevailing circumstances.
2. The policies are adequate for the achievement of its goals and objectives.
3. The Plan continues to be consistent with provincial statutes, policies and regulations.

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

6.5 LAND USE DESIGNATION BOUNDARIES

The boundaries of the land use designations and overlays established by this Plan and as shown on the Schedules are intended to be approximate and shall be considered as absolute only where they coincide with new and/or existing roads and lot lines as well as rivers or streams, as shown in the Development Permit By-Law, or other clearly defined physical feature or barrier.

Where land use designation and overlay boundaries are considered as approximate, amendments to this Plan will not be required in order to make minor adjustments to the boundaries provided that the general intent and purpose of the Plan are maintained. Such

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minor adjustments shall be determined by Council and will not need to be incorporated into the Schedules.

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

6.6 REFERENCES TO STATUTES

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

6.6.1 References To Ministries and Review Agencies

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

6.7 INTERPRETATION OF FIGURES, QUANTITIES, USES AND TERMS

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

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

The Plan establishes policies using both directive and enabling language which is to be interpreted in the following context:

1. ‘may’ means that the policy is permissive;

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2. ‘should’ means that the policy is directive and requires compliance unless proven otherwise on good planning grounds; and

3. ‘shall’ or ‘will’ or ‘must’ means that the policy is directive and requires compliance.

The implementation of the Plan will take place in a phased manner over time and as such, the use of directive language herein should not be construed as the Town’s commitment to proceed immediately with all of the undertakings identified in the Plan.

The PPS includes definitions of numerous significant terms used in its policies. These definitions will apply to instances in this Plan where the same terms are used. Additional definitions, including those that differ from the PPS, are specifically identified in this Plan.

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7.0 GLOSSARY

Accessory Use

Means a use customarily incidental and subordinate to the main use or main building and located on the same lot with such principal use or principal building.

Adaptive Reuse

Means the conversion or redevelopment of an existing building or property for a new use. Adaptive reuse generally includes maintaining the existing structure or site in its existing or improved condition, including the preservation or recreation of built heritage features.

Additional Needs Housing

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 additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Additional Residential Units or Additional Dwelling Units

Means a self-contained dwelling unit with a private kitchen, bathroom facilities and sleeping areas. They can be located in a house or on a property, above a garage, or in a coach house. They may also be referred to as secondary dwelling units. **Allowable Deductible Areas**

Means, in reference to gross density or net density calculations, parkland and/or open space lands, public uses, public rights-of-way, stormwater management facilities as well as natural heritage and/or hazard lands, features or areas.

Apartment Building

Means a building that contains multiple dwelling units, in which may share a common entrance, common corridors and common spaces, and which may be further defined within the Development Permit System By-Law. An “Apartment Building” does not include a quadruplex dwelling, a group of row dwellings, or a pair or group of semi-detached duplex or triplex dwellings, not any other dwelling otherwise defined within this Plan.

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Approval Authority

Means the municipal council, committee, board, municipal official, or other body or person having the authority under applicable legislation, regulations, or municipal by-laws to grant, refuse, or impose conditions on an application or approval.

Character

When referring to places or built form, means the distinctive nature or use of a space, structure, or surrounding area.

Community Improvement Plan

Means a plan for the improvement of a community improvement project area, as defined by Council.

Complete Application

Means a development application which has been deemed complete in conformity with the policies of this Plan and as prescribed under the Planning Act.

Complete Streets

Means a street or right of way that is planned and designed to balance the needs of all road users safe and accessible for people of all ages and abilities whether they are walking, biking, taking public transit or driving.

Conservation Authority

Means the Eastern Lake Ontario Regional Conservation Authority (ELORCA).

Density, Gross

Means the measure of permitted dwelling units or gross floor area per hectare of land area in the development, including allowable deductible areas.

Density, High

Means bachelor, one-bedroom, and two-bedroom-plus apartments.

Density, Low

Means single detached dwellings, semi-detached dwellings and duplex dwellings.

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Density, Medium

Means townhouses, and apartments in duplexes.

Density, Net

Means the measure of permitted dwelling units or gross floor area per hectare of land area in the development, excluding allowable deductible areas.

Designated Heritage Property

Means a property designated under the Ontario Heritage Act.

Development Application

Means, for the purposes of this Plan, an application submitted to the Town as required under the Planning Act for the purposes of the development or redevelopment of one or more properties, or for the construction or reconstruction of a structure on a property within the Town's jurisdiction.

Development Permit By-Law

Means a By-Law passed by a municipality that contain a list of permitted uses and development standards, such as height and density specifications similar to a Zoning By-Law and may contain land uses that are allowed, subject to certain conditions, classes of development or uses of land exempt from requiring a permit. The Development Permit By-Law may also be referred to as a Development Permit.

Drinking Water Threat

Means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat.

a) a **significant** drinking water threat is a drinking water threat that, according to the risk assessment, poses or has potential to pose a significant risk;

b) A **moderate** drinking water threat that, according to a risk assessment, poses or has the potential to pose a moderate risk; and

c) a **low** drinking water threat that, according to a risk assessment, poses or has the potential to pose a low risk.

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Dwelling or Dwelling Unit

Means a detached building occupied or capable of being occupied as the home, residence or sleeping place by one or more persons, and containing one or more dwelling units.

Ecological Assessment (EA)

Means an appraisal of the likely impacts to wildlife (flora and fauna) of a development project and is undertaken by a suitably qualified professional ecologist.

Environmental Impact Statement (EIS)

Means a document prepared to describe the effects for proposed activities on the environment.

Existing

Means existing as of the effective date of the approval of this Plan.

Greenfield

Means new construction of primary uses on previously undeveloped land, typically located on the outskirts of the existing built-up urban area.

Group Home

Means a residential dwelling for the accommodation of three (3) to ten (10) persons (excluding supervisory or operating staff) who live together under responsible supervision consistent with the requirements of its residents for a group living arrangement. Group Homes shall be registered with the Town and/or approved under Provincial Statutes.

Home-Based Businesses

Means a business that is wholly contained within the dwelling unit and involves providing professional or personal services for gainful employment.

Home Industries

Means a business providing a craft or trade that is wholly contained within the boundary of the property and secondary to the residential use.

Infill

Means new construction of primary uses on vacant, abandoned, or underutilized lots within the existing built-up urban area.

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Intake Protection Zone (IPZ), IPZ1 and IPZ2

Means the area of land and water that contributes source water to a drinking water system intake within a specified distance, period of flow time (e.g. hours), and/or watershed area.

Large Format Retail or Large Scale Retail

Means uses which provide commercial retail service in storefronts which require a larger sales floors or square footage. The Development Permit By-Law shall further specify requirements for large format or large scale retail uses within each designation.

Local Commercial

Means uses which serve the needs of area residents and have a scale appropriate to the surrounding neighbourhood. The Development Permit By-Law may further specify provisions for local commercial uses within each designation.

Mixed-Use

Means:

a) a building or structure which contains two or more uses, each within independent units of the building or structure; or

b) a property which contains two or more uses within distinct buildings or units on the same property.

On-site sewage services or systems

Means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

On-site water services or systems

Means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Risk Management Plan

Means a site-specific plan negotiated under Section 58 of the Clean Water Act to address significant drinking water threat activities, where the threat cannot be addressed through a different means, such as a prescribed instrument. Note that this tool cannot be used for most waste disposal and all sewage-related activities that require a certificate of approval under the Environmental Protection Act or the Ontario Water Resources Act, or a permit under the Ontario Building Code. A site-specific plan negotiated under Section 58 of the Clean Water Act to

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address significant drinking water threat activities, where the threat cannot be addressed through a different means, such as a prescribed instrument. Note that this tool cannot be used for most waste disposal and all sewage-related activities that require a certificate of approval under the Environmental Protection Act or the Ontario Water Resources Act, or a permit under the Ontario Building Code.

Significant Groundwater Recharge Area (SGRA)

Means an area in which there is a volume of water moving from the surface into the ground and the groundwater serves either as source water or the water that supplies a coldwater ecosystem such as a brook trout stream.

Source Protection Area

Means the area under jurisdiction of the Source Protection Plan developed by a source protection committee and approved by the Province to keep sources of drinking water clean and plentiful, as prescribed under the Clean Water Act.

Source Protection Plan

Means a document that is prepared by a source protection committee under Section 22 of the Ontario Clean Water Act, 2006 to direct source protection activities in a source protection area. Each plan is approved by the Ontario Ministry of the Environment.

Streetscape

Means the view and appearance of a street, in regards to built form, landscaping, and the street's use by pedestrians, cyclists, vehicles, and occupants or visitors of surrounding structures.

Sustainability

Means meeting the needs of people today without jeopardizing the ability to meet the needs of future generations by achieving the goals and objectives of the four pillars identified in the Town's Community Strategic Plan including planning for: a sustainable, healthy and vital Town; an economically strong and diverse Town; a high quality of Town services and amenities; and a well-planned and responsive Town.

Transport Pathway

Means a human-made channel that bypasses the normal protection provided by the soil and rock layer resulting in a greater risk of contamination of an aquifer. Examples for wellhead protection areas included: sewers, drainage ditches or swales, utility trenches, and improperly constructed or maintained wells. Transport pathways for Intake Protection Zones include ditches and storm-sewers.

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Utility or Utilities

Means an essential public service such as electricity, gas, television or communications / telecommunications that is provided by a regulated company or government agency.

Views

Means the orientation of buildings and structures that assist in creating visual corridors that enhance and maintain views to and from the Town's waterfront.

Watercourse

Means a body of water flowing in a reasonably definite channel with bed and banks.

Waterfront

Means the land fronting or abutting a body of water, including the St. Lawrence River and Gananoque River.

Waterlot

Means a lot of ground which is under water; specifically, one of a regular system of Town lots which are partly or wholly covered by the water of a bay, lake, or river, and may be filled in and converted into made ground for the erection of buildings, docks, etc.

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