

**OFFICIAL PLAN
of the
TOWN OF CARLETON PLACE**

**Town of Carleton Place
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**Minister of Municipal Affairs and Housing
approved April 19th, 2005.**

Subject to appeal of
Section 4.5 Highway Commercial
related to lands located east and west of
McNeely Avenue and south of Coleman Street
owned by NuGlobe Developments Inc.

Official Plan of the Town of Carleton Place

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SECTION 1 INTRODUCTION

1.1 APPLICATION

This Official Plan applies to the whole of the Town of Carleton Place. Upon approval by the Ministry of Municipal Affairs, this document shall be known as the Official Plan of the Town of Carleton Place.

1.2 AUTHORITY

1.2.1 Pursuant to *The Planning Act, R.S.O., 1990, Chapter P.13*, as amended, Council is charged with the responsibility of preparing and adopting an Official Plan for the Town of Carleton Place. Council is also charged with the responsibility of reviewing the Plan from time to time as the need arises, but not less than once every five years. In addition, Council shall consider matters of Provincial interest, including the Provincial Policy Statement, in reviewing all types of planning applications (e.g. Official Plan Amendment, Zoning By-law Amendment, Subdivision, Consent, Minor Variance, etc.).

1.2.2 *The Planning Act* further provides that where an Official Plan is in effect, no public work shall be undertaken and no by-law shall be passed for any purpose, with certain exceptions as provided by Section 24 of *The Planning Act*, that do not conform to the Official Plan.

1.3 COMMUNITY PROFILE

1.3.1 Geographic Location

The Town of Carleton Place is located in Lanark County, just west of the City of Ottawa, and has immediate access to Provincial Highways 7 and 15. Carleton Place comprises approximately 890 ha (2,200 acres) of land, and the Mississippi River bisects the Town from west to east. The Town is bordered by the Town of Mississippi Mills to the north and by the Township of Beckwith to the south.

This Official Plan shall apply to the entire area within the limits of the Town of Carleton Place.

1.3.2 Key Characteristics

The Town of Carleton Place is a lower tier municipality in the County of Lanark, with responsibility for a wide range of municipal services. The County of Lanark does not have an Official Plan in place.

Carleton Place is a small, urban municipality with a population in 2002 of approximately 9,400 people. Carleton Place is largely urbanized, with some areas designated to accommodate future development. A sufficient supply of land is available for future residential, commercial/industrial, recreational, open space and institutional uses. This will allow for a range of employment opportunities and housing types to accommodate future growth and development.

The key employers are the high tech sector, health and social services, and light manufacturing. A significant portion of the labour force commutes into the City of Ottawa on a daily basis for employment due to the close proximity of Carleton Place to Ottawa.

1.3.3 Provincial Policy

The Planning Act sets out the ground rules for land use planning in Ontario. Section 3 of the Act provides the basis for the Provincial Policy Statement, which sets out land use matters that are of Provincial interest such as: efficient, cost-effective development and land use patterns; protection of resources for their economic or environmental benefit; and reducing the potential for public cost or risk to health and safety of Ontario's residents. Council shall consider matters of Provincial planning interest as expressed in the Provincial Policy Statement.

1.4 ADMINISTRATION

The Planning and Development Committee of Council is responsible for the administration of this Plan. The Committee of Adjustment has the authority to grant minor variances, and the County of Lanark administers applications for consent, plans of subdivision and plans of condominium.

Council has the authority to adopt amendments to this Plan, as well as to the Town's Zoning By-law. The Ministry of Municipal Affairs and Housing is the approval authority for amendments to the Plan that have been adopted by Council.

1.5 OFFICIAL PLAN

1.5.1 Purpose

The purpose of this Plan is to guide and direct future growth in a logical and orderly manner, to protect existing development from the adverse effects which may arise from incompatible development and redevelopment, and to correct any errors of past development so as to ensure a healthy growth which will benefit all residents of the Town over a twenty-year planning period.

It is intended that this Plan will provide guidance to both private interests and public administrators. Private interests will be informed of future development policies and, hence, be encouraged to plan their activities accordingly. Public administrators should benefit by the ability to identify and program the delivery of public services in the most cost-effective way.

1.5.2 Scope

The Official Plan is a legal document but does not, by itself, control or regulate the development of land. The policies contained herein are intended to provide guidance in order to foster the best form of development under the most desirable conditions.

This Official Plan incorporates amendments made to the previous Official Plan as well as various policies and objectives identified in the Strategic Plan for the Town of Carleton Place, adopted in May of 1999. Further, the Official Plan incorporates policies intended to implement the 1997 Provincial Policy Statement.

The Official Plan is a guide for assisting Council in the preparation of zoning by-laws and other by-laws. In addition, it serves as a tool in reviewing development applications, promoting economic growth and development and establishing policies to govern the development of land by means such as plan of subdivision, site plan and severance.

1.5.3 Contents

For the purposes of setting out the Official Plan policies in an organized, easily understood manner, this Plan has been divided into eight Sections, as follows:

- Section 1 - Introduction
- Section 2 - Basis and Objectives
- Section 3 - General Policies
- Section 4 - Land Use Policies
- Section 5 - Transportation
- Section 6 - Municipal Services
- Section 7 - Implementation
- Section 8 - Interpretation

SECTION 2 BASIS AND OBJECTIVES

2.1 GENERAL

The policies of this Plan are designed to achieve a number of objectives. As background for the formulation of these objectives, the Town undertook various studies. In 1999, Council adopted a Strategic Plan, based on extensive public input. In addition, a Background Report to this Official Plan was completed in 2000 to review demographics and other factors which aided in the development of the Official Plan policies. An Economic Promotion Study was also completed in 2001, which provided detailed marketing and demographic information. Finally, extensive input was provided by the Mississippi River Corridor Committee, the Urban Forest Advisory Committee, the Municipal Heritage Committee, and the Accessibility Advisory Committee, among others.

2.2 BASIS OF THE PLAN

2.2.1 Location

Carleton Place is located within commuting distance of the City of Ottawa. Recent analysis shows that over three-quarters of the Town's employed population commute to places outside Carleton Place for work (Economic Promotion Study: Town of Carleton Place, Market Research Corporation, May 2001). Commerce, industry, social, recreational and cultural activities and the demand for housing will all, to some degree, be affected by the Town's proximity to Ottawa.

2.2.2 Municipal Services

Generally, all development within the Town of Carleton Place shall be on full municipal services, as per the policies in Section 6 of this Plan. Full municipal services means piped sewage and water services that are connected to a centralized water and wastewater treatment facility.

There is sufficient uncommitted reserve capacity at the Town's wastewater and water treatment plants to accommodate regulated growth within the Town for the twenty-year planning horizon of this Plan. Future upgrades to municipal water and sewage systems will ensure that there is sufficient capacity to meet the demands of growth. It is noted that, while the population has been increasing in recent years, the available capacity at both plants is also increasing. This is being achieved largely through upgrading existing infrastructure and educating consumers about water usage and conservation.

2.2.3 Economic Base

Carleton Place is a small, attractive urban community with a diversified and relatively strong economic base. Future residential development will depend on factors such as employment opportunities, servicing costs and the quality of the amenities provided in the community. Industrial development will depend largely on accessibility, municipal services, labour pool, housing availability, and the quality of the amenities provided in the community.

The primary occupations in Carleton Place are manufacturing, retailing and health and social services, followed by business services and government. Studies show that there is a large and well educated labour force for professional, and trades and services job needs in the area (Economic Promotion Study: Town of Carleton Place, Market Research Corporation, May 2001).

2.2.4 Demographics

The Town of Carleton Place has been experiencing a moderate rate of growth in recent years, and this trend is expected to continue, although at a slower rate. The population is projected to grow to approximately 11,000 people by the year 2006, based on the current rate of growth. Although recent trends across much of the Province indicate an aging population, this pattern is not evident in Carleton Place. Further, recent analysis shows that the average household size has been increasing during the past decade (Economic Promotion Study: Town of Carleton Place, Market Research Corporation, May 2001). These trends suggest an increased need for reasonably-priced, family-oriented housing, as well as augmented demand for schools, recreation facilities and services.

2.2.5 Housing

Currently, there are approximately 700 lots within draft approved or registered plans of subdivision. These lots have servicing capacity in place and could be brought on stream in a relatively short period of time. Based on a historical average of 80 new homes constructed annually, the Town has, at a minimum, an eight year supply of land which is draft or final approved. In addition, there is a significant amount of other land designated for residential purposes in this Plan, but not yet zoned for residential uses. In total, there is at least a 10-year supply of land to meet future residential needs. Council will strive to maintain the future supply of residential land at its current level.

Residential development will occur in an orderly and logical fashion, and will generally be on full municipal services. Development and re-development of infill lots will be encouraged, and compact development will be supported. Housing types to meet the full range of housing needs, including housing for seniors, group homes and affordable housing, shall be accommodated through this Plan.

2.3 OBJECTIVES OF THE PLAN

- 2.3.1** To preserve the existing small-town character of the community and to promote compact development on full municipal services, avoiding sprawl.
- 2.3.2** To maintain and improve both the downtown commercial area as a pedestrian-oriented area and the Highway 7 commercial corridor as a vehicle-oriented commercial area.
- 2.3.3** To provide opportunities for a diverse mix of employment, services, recreation and arts for both able-bodied residents and those with disabilities.
- 2.3.4** To provide a mix of housing types which complement the existing small town character and which are located in attractive, tree-lined neighbourhoods, and to ensure that future residential development, including infill development, is compatible with the existing character.
- 2.3.5** To maintain a healthy Mississippi River environment by maintaining and enhancing the natural features, water quality and quantity, and fish habitat.
- 2.3.6** To provide a visually attractive, functional and accessible Mississippi River waterfront which offers a range of passive and active recreation opportunities for residents and visitors alike.
- 2.3.7** To provide a wide range of recreational facilities throughout the Town addressing the diverse needs of the population.
- 2.3.8** To promote the development of needed social and community services in order to enhance the community as a desirable place to live, work and visit.

- 2.3.9** To protect and enhance those features of the Town which make it particularly attractive to both residents and visitors, such as the Mississippi River and the historic downtown area.
- 2.3.10** To conserve the significant built heritage resources, cultural heritage landscapes and archaeological resources of the Town.
- 2.3.11** To restrict development on land with environmental hazards and/or physical limitations, such as poor drainage, organic soils, flood susceptibility, erosion or steep slopes.
- 2.3.12** To provide sufficient services and infrastructure to meet the existing and future needs of the Town.
- 2.3.13** To protect the public from man-made hazards such as contaminated soils, and to ensure appropriate cleanup where necessary.

SECTION 3 GENERAL POLICIES

3.1 LAND USE AND ROADS PLAN

The Town of Carleton Place shall be developed in accordance with the land use patterns shown on the "Land Use and Roads Plan", attached as Schedule "A". The Land Use and Roads Plan establishes the pattern of development in general terms by dividing the Town into eleven land use designations:

<u>LAND USE CATEGORY</u>	<u>MAP SYMBOL</u>
Parks and Open Space	OS
Residential	R
General Commercial	C
Neighbourhood Commercial	NC
Highway Commercial	HC
Industrial	M
Industrial-Commercial	MC
Hazard Lands	H
Special Study Area	SSA
Natural Environment	NE
Hazard-Natural Environment	H-NE

The policies governing these designations, as shown on Schedule "A", are contained in Section 4 of this Plan.

In addition, certain public and institutional uses shall generally be permitted in all land use designations except as otherwise provided in this Plan.

3.2 ACCESSORY USES

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. This shall include accessory buildings for non-residential uses. Accessory uses, buildings and structures shall be appropriately regulated through the Zoning By-law.

3.3 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are small-scale, temporary lodging facilities, usually conducted within the operator's residence. Bed and breakfast establishments shall be permitted within all single-detached dwellings in the Town, provided that the dwelling is clearly the principal use of the land, the bed and breakfast is clearly an accessory use to the dwelling, and the physical appearance and character of the dwelling is not significantly altered. The Zoning By-law shall appropriately regulate bed and breakfast establishments.

3.4 HOME-BASED BUSINESSES

In order to accommodate a wide range of economic opportunities and the trend towards home-based businesses, such businesses shall generally be permitted as an accessory use in conjunction with residential uses. Home-based businesses shall be accessory to the primary residential use of the dwelling, and shall be generally conducted entirely within the dwelling. These uses shall be appropriately regulated through the implementing Zoning By-law to ensure that they are compatible with surrounding uses, and shall be subject to other applicable by-laws such as the Maintenance and Occupancy (Property Standards) By-law, Noise By-law and Sign By-law.

When establishing a home-based business, adequate measures shall be taken to ensure that the residential character of the area is not adversely affected by obtrusive lighting, signs, parking, traffic, outside storage or other evidence of non-residential activity. A home-based business shall clearly remain accessory to the residential use.

Home-based businesses shall include only those economic activities which require minimal floor space. Limited retail activity may be permitted for the sale of goods produced or altered on the premises. The maximum size of a home-based business, as well as other characteristics, shall be set out in the Zoning By-law that implements this Plan.

3.5 LAND USE COMPATIBILITY

It shall be the policy of this Plan that where sensitive land uses (such as residential uses, hospitals, daycare centres, education facilities, etc.) abut incompatible land uses (railway lines, Provincial Highways, industrial uses, sewage treatment plants, etc.), every effort shall be made to avoid conflicts. A feasibility study, to investigate the presence and severity of impacts (such as noise, vibration, dust, odours, other emissions, etc.) and to propose remedial measures, may be required. Where deemed necessary, buffering shall be provided for the purpose of reducing or eliminating the adverse effects of one land use upon the other. A buffer may include open space, a berm, a wall, a fence, plantings, a land use different from the conflicting ones but compatible with both, or any combination of the aforementioned which is sufficient to mitigate conflicts.

Buffering may be included as a noise attenuation measure for development of sensitive land uses in proximity to a Provincial Highway, railway line or noise generator such as certain industrial activities. In cases where sensitive land uses are being established or expanded in close proximity to a major noise source, Council may require a noise feasibility study prepared by a qualified professional and/or consultant. Accordingly, the required study must be undertaken to the satisfaction of Council and clearly demonstrate whether noise levels can be reduced to meet provincial standards. Where adverse effects from noise have been identified, appropriate mitigation measures should be undertaken (i.e. fencing, berm, etc.).

Council shall strive to mitigate incompatibilities between sensitive uses and industrial facilities. Mitigation measures (including separation distances, noise and visual barriers, etc.), shall be provided between incompatible uses in accordance with the Ministry of the Environment's Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses. Separation distances will vary depending on the nature of the industrial facility and the intervening land uses.

Required buffering shall be clearly identified through a Site Plan Control agreement as required by Section 7.10 of this Plan.

3.6 EXISTING LAND USES

Throughout the Town, there are inevitably a number of land uses which are non-conforming or non-complying with the current planning policies. A non-conforming land use is a use which is not a permitted use for the zone in which it is located, pursuant to the implementing Zoning By-law. A non-complying use is a use which is a permitted use for the zone in which the use is located, pursuant to the implementing Zoning By-law, but which does not meet one or more performance standards of the zone, such as those related to yards or setbacks.

3.6.1 Changes, Extensions or Enlargements to Non-conforming Uses

As a general rule, any non-conforming land use existing at the date of approval of this Plan, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements should be handled through the use of Section 34 or Section 45 of *The Planning Act*.

Where a use is non-conforming, but there would be planning merit in granting permission to extend or enlarge the use either within the lands held in ownership or on adjacent properties, Council may amend the Zoning By-law to permit such extension or enlargement, provided it complies with the general intent and purpose of this Plan. The Committee of Adjustment may, permit the extension or enlargement of a non-conforming use on lands owned and used for the non-conforming use at the time of passing of the Zoning By-law, provided that the intent and purpose of the Zoning By-law and Official Plan are maintained.

It is the intent of this Plan that any application for the extension or enlargement of a non-conforming use which has continued without interruption to the date of application for an extension or enlargement, shall be dealt with in the following manner:

1. Non-conforming uses shall generally cease to exist in the long term.
2. The approval authority shall be satisfied that the following requirements which are relevant to the specific application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard the interests of the general public:
 1. The proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of that use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law.
 2. The proposed extension or enlargement shall be in appropriate proportion to the size of the non-conforming use that existed prior to the approval of the application.
 3. The characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to impacts such as noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity. No application shall be supported if one or more of such nuisance factors will be created or increased so as to significantly add to the incompatibility of the use with the surrounding area.
 4. Where necessary, the neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be also applied to the existing use in order to improve its compatibility with the surrounding area.
 5. Traffic and parking conditions in the vicinity will not be adversely affected by the proposed enlargement or expansion and traffic hazards will be minimized by the appropriate design of site ingress and egress points and by improvement of sight lines, if required, especially in proximity to intersections.
 6. Adequate provisions shall be made for off-street parking and loading facilities.

7. Municipal services such as storm drainage, sanitary sewers, water supply and roads, etc., are sufficient.
8. Natural hazard and natural heritage factors, including flooding, erosion, and impacts on water quality, fish habitat and environmentally sensitive areas have been considered.

Nothing in this Plan shall prevent the reconstruction of a building or structure that enjoys legal non-conforming status, that was destroyed by natural causes (eg. fire, flood, earthquake, subsidence, etc.), provided such work is commenced within a reasonable time of the date of destruction. Notwithstanding the foregoing, Council shall encourage residents to rebuild where buildings will not be susceptible to natural hazards such as flooding. Where a non-conforming use is located within a flood plain, the policies of Mississippi Valley Conservation will also apply to any reconstruction or other works.

3.6.2 Minor Variances

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

3.7 COMMUNITY IMPROVEMENT

It is the goal of the Council to upgrade, maintain and rehabilitate the physical environment, in order to ensure the continued social and economic viability of existing residential neighbourhoods, central business district, highway commercial corridor and industrial areas. This will involve ensuring appropriate infrastructure is available and maintained, appropriate distribution of social amenities, adequate buffering of less compatible uses, and striving to make the community accessible to all, regardless of abilities.

As such, this Plan designates the whole of the Town as a Community Improvement Policy Area, pursuant to Section 28 of *The Planning Act*.

Community improvement may include:

1. Upgrading and provision of improved municipal hard services (ie. sewers, water systems, roads, sidewalks, hydro, etc.);
2. Upgrading and provision of improved municipal soft services (ie. parks, playgrounds, community centres, etc.) and improvement to the amenity of public lands;
3. Acquisition of lands to protect natural heritage areas (ie. significant areas of wildlife habitat or vegetation, such as the Hackberry tree);
4. Upgrading and provision of traffic control systems;
5. Rehabilitation of existing buildings and structures;
6. Replacement of inappropriate uses and buildings with more appropriate uses and buildings; and

7. Remediation of contaminated sites.

Further, a maintenance and occupancy (property standards) by-law shall be used to provide standards for the maintenance and occupancy of property within the Town.

3.8 HERITAGE PRESERVATION

Council recognizes the importance of encouraging the preservation of buildings and properties of historic or architectural value. To this end, the approval of Official Plan amendments, plans of subdivision and condominium, severances, zoning by-laws, site plans and building alterations or renovations shall be guided by the following policies.

- 3.8.1** Council will examine buildings and sites in the Town with regard to the desirability and suitability for restoration, conservation and preservation purposes. Council will maintain a reference list of significant heritage buildings and sites. Permit applications affecting properties identified on the list shall be circulated to the Municipal Heritage Committee for comment.
- 3.8.2** The restoration of a historic building which is deemed suitable by Council for restoration to a standard not entirely consistent with existing Town policy may be allowed subject to Council entering into an agreement with the owner with respect to future uses, timing and extent of restoration, external landscaping and maintenance.
- 3.8.3** *The Ontario Heritage Act*, R.S.O. 1990, is in place to conserve, protect and enhance our heritage through the designation of individual properties and/or areas of architectural and historical significance. Pursuant to the Act, Council may designate the whole or any part of the Town as a heritage conservation district. Where a heritage conservation district has been designated under the Act, plans for the area or areas will be prepared in accordance with the guidelines established by the Ministry of Culture and will be submitted to that Ministry for endorsement prior to implementation by Council.
- 3.8.4** Council shall establish and maintain a Municipal Heritage Committee in accordance with the provisions of *The Ontario Heritage Act*.
- 3.8.5** Council, in association with the Municipal Heritage Committee may designate properties by by-law adopted pursuant to *The Ontario Heritage Act* for the conservation of buildings of historic or architectural value. Thereafter, the provisions of the Act with regard to the alteration of the designated properties or the demolition of buildings or structures situated on the properties shall apply.
- 3.8.6** A heritage building or property shall be preserved in the following way:
 - 1. Council shall consult with its Municipal Heritage Committee before giving notice of its intent to designate a property to be of historical or architectural value or interest.
 - 2. The significance of the heritage value of the property for the Town should be judged on the basis of architectural merit and historical association. In general, the property should illustrate effectively the broad architectural, cultural, social, political or economic patterns of the Town's history or should be associated or identified with events or persons that have shaped that history in a significant way.
 - 3. After considering the report of the Municipal Heritage Committee, Council may pass a by-law designating the property and require a copy of the by-law, together with the reasons for the designation, to be registered against the property in the proper land registry office. It shall be Council's policy to require the consent of the owner before passing such a by-law.

4. Alterations to a designated building or property shall be made in accordance with the following policies:
 1. No owner of a designated property shall alter the property or permit the alteration of the property where the alteration is likely to affect the reason for the designation, unless they submit an application and Council consents in writing to such alteration.
 2. An application made under this Section shall be accompanied by a detailed plan and shall provide such information as Council may require.
 3. Council, after consultation with its Municipal Heritage Committee, shall consider an application under this Section and shall consent to the application, upon certain terms and conditions, or refuse the application, and shall cause notice of its decision to be given to the owner.
5. Owners wishing to demolish or remove a designated building must apply to Council for consent to demolish or remove such building.
6. No owner of property designated shall demolish or remove any building or structure on such property or permit the demolition or removal of any building or structure on such property within 180 days subsequent to making application to Council.
7. Council may pass by-laws providing for the acquisition, by purchase, lease or otherwise of any designated property or part thereof, including any interest therein, and for disposing of such property, or any interest therein, by sale, lease or otherwise, when no longer so required, upon such terms and conditions as Council considers necessary.
8. Council may pass by-laws providing for the provision of a grant or loan to the owner of the property designated under this Section for the purpose of paying for the whole or any part of the cost of alteration of such designated property on such terms and conditions as the Council may prescribe.
9. The Conservation Review Board will hold such hearings and issue such reports as required under *The Ontario Heritage Act*.
10. Council may utilize available government or non-government funding assistance programs to assist in the implementation of cultural heritage conservation policies. Where appropriate, Council may co-operate with other levels of government, as well as private agencies and individuals, in the conservation of cultural heritage resources in the Town.

3.8.7 Council recognizes that there may be archaeological remains of prehistoric or historic habitation or areas containing archaeological potential within the Town. Council may require archaeological assessments conducted by archaeologists licensed under *The Ontario Heritage Act*, as a condition of a development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. This is to ensure preservation or rescue excavation of significant archaeological resources and/or areas. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Culture, as well as licensing requirements developed under *The Ontario Heritage Act*.

Council may maintain the integrity of archaeological resources by adopting a zoning by-law under Section 34 of *The Planning Act* to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

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

Council will regularly update municipal mapping under the provisions of a Municipal-Provincial data sharing agreement, as new archaeological sites are identified both through investigations undertaken in connection with land development applications and on the Provincial archaeological sites database.

3.9 GARDEN SUITES

A garden suite shall be defined as a one-unit, detached residential building containing bathroom and kitchen facilities that is accessory to an existing residential building, and that is designed to be non-permanent. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or abilities, require some support to live on their own.

Garden suites may be permitted on a site-by-site basis, subject to an amendment to the implementing Zoning By-law. Council may use a temporary use by-law under Section 39 of *The Planning Act*, to permit a garden suite on a defined site, for a defined period of time up to ten (10) years (renewable). The applicant shall be required to demonstrate compliance with all applicable zoning standards, that there will be no adverse impacts on adjacent land uses, as well as compliance with the Ontario Building Code.

3.10 ACCESSIBILITY

The Town of Carleton Place recognizes the need to plan responsibly to meet the needs of all residents, regardless of their abilities. Council may establish an Accessibility Advisory Committee to provide advice and guidance to Council on accessibility issues.

The following principles shall generally be followed:

1. Every effort should be made to offer opportunities to all residents, regardless of their abilities. The community shall work towards ensuring that all public facilities are accessible to all residents.
2. Where new commercial or industrial development is constructed, barrier-free entrances shall be required to be constructed, and all public areas shall be completely accessible.
3. Where renovations are done to existing commercial or industrial businesses, every effort shall be made to accommodate barrier-free features as much as possible. This may include ramps, electric doors, wider aisles/spaces, accessible washrooms, etc.
4. Where road and sidewalk construction/reconstruction is done, appropriate curb cuts and other features shall be incorporated so that the Town can move toward greater accessibility in all areas.
5. In addition, every effort should be made to encourage the construction or modification of housing to accommodate residents with special needs in order to allow them to be as independent as possible.
6. Every effort shall be made to ensure that adequate accessible parking spaces are provided in all new development, and where appropriate in the case of renovations and additions.

3.11 HAZARDOUS SITES

Hazardous sites are lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography). The extent of the hazard will generally be determined through undertaking appropriate studies. Dependent upon the conclusions of these studies, the result may be redesignation to the Hazard Lands designation.

3.11.1 Organic Soils

For the purposes of this Plan, organic soils are described as those soils normally formed in a water saturated environment where the soil is not exposed to the air for a sufficient enough time to permit the breakdown of vegetative matter.

Organic soils, as shown on Schedule "A" shall be considered as a constraint to development and no development or site alteration shall be permitted on properties with organic soils unless it can be demonstrated through a geotechnical study undertaken by a qualified professional, that the hazard, can be overcome using acceptable engineering techniques, that safe ingress and egress is assured during emergencies, and that no new hazards or adverse environmental impacts will result.

Notwithstanding the above, institutional uses, emergency services and the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on lands with organic soils.

3.12 FLOOD AND FILL LINES

3.12.1 Mississippi Valley Conservation has mapped the 1:100 year flood line and fill lines for the Mississippi River through the Town. The boundary of the Hazard Lands designation shown on Schedule "A" coincides with the flood line except in those locations which are in the flood fringe, as described in Section 4.2.4.1.

Generally, development below the flood line shall be restricted in accordance with the policies of the Hazard Lands designation as contained in this Plan. However, development may be permitted on lands designated Hazard Lands in accordance with the regulations of Mississippi Valley Conservation. Such development shall only be permitted by amendment to this Plan, after consultation with Mississippi Valley Conservation and the Town, to determine appropriate development restrictions, flood proofing measures, restrictions on shoreline disturbance, etc.

3.12.2 The fill line is also shown on Schedule "A". The location of the fill line was established, in part, to include areas of potentially unstable slopes and/or river banks, where additional development setbacks and/or stabilization measures may be required. Development between the flood and fill lines is permitted in accordance with the land use designation through which the fill line passes, subject to written permission from Mississippi Valley Conservation.

Within the fill and flood lines, a permit is required from Mississippi Valley Conservation for any construction, change of use, grading or altering of materials, or for any alterations to the watercourse.

3.13 PUBLIC AND INSTITUTIONAL USES

3.13.1 Except as specifically provided elsewhere in this Plan, public utilities and other public, community, private or institutional uses which provide services (ie. government, education, healthcare, electricity, transportation, gas, cable, wired and wireless telephone, etc.) to the general public shall be permitted in all land use designations on the Schedule "A", provided that:

1. Other than a public utility, such use is necessary in the area and, that it is or can be made generally compatible with its surroundings;

2. Adequate off-street parking and loading facilities are provided;
3. The construction of permanent buildings shall be limited and generally discouraged in any areas which may be designated as environmentally-sensitive areas such as Natural Environment or Hazard Lands, and in the case of the latter, shall only be permitted in consultation with Mississippi Valley Conservation; and
4. The general development policies and site plan control requirements of this Plan shall be satisfied.

3.13.2 Notwithstanding the power of Provincial agencies or local Boards, as defined in *The Planning Act*, to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development will follow the general intent of this Plan and will be generally compatible with the type, quality and character of development in the area in which it is proposed.

3.14 AESTHETICS

It shall be the policy of Council to ensure, wherever and whenever possible, that the aesthetic qualities of the natural and built environments are preserved and enhanced. To this end, efforts shall be made to place all telephone, cable and power distribution lines underground, to control through appropriate by-laws the display of advertisement signs, to replace trees and other landscape material which may be destroyed or removed, and to require a high standard of subdivision and site planning.

3.15 GROUP HOMES

The Town of Carleton Place recognizes the value of group living arrangements to meet a variety of needs for individuals and groups. As such, group homes shall be permitted in all residential areas, subject to the following:

1. A group home is a single housekeeping unit in a single-detached residential dwelling in which three to ten persons (excluding supervisory staff or the receiving family) live as a family under responsible supervision consistent with the particular requirements of its residents.
2. Group homes shall be licenced and/or approved under Provincial statutes, and shall exist in compliance with Town by-laws.
3. In order to prevent an undue concentration of group homes, standards such as a minimum separation distance between these facilities and a density restriction may be incorporated in the Zoning By-law which implements this Plan.
4. New group homes shall be subject to Site Plan Control. The general objective of Council shall be to ensure that the site design is in keeping with the character of the surrounding area and that sufficient space is available to accommodate the needs of the residents. Parking, outside storage, vehicle access, pedestrian access and buffering shall be of primary concern when considering a Site Plan.
5. All group homes shall be registered on an annual basis, as per the registration policies and procedures put in place by Council.
6. Buffering between group homes and adjacent uses shall be required, where deemed necessary by Council.

3.16 DAYCARE FACILITIES

Council recognizes that daycare facilities are an important service to the residents of the Town. As such, both private and public daycare facilities shall generally be permitted in all designations of this Plan, subject to the provisions in the implementing Zoning By-law.

3.17 MISSISSIPPI RIVER CORRIDOR

As stated in the Town's Strategic Plan, the Town will strive for a healthy Mississippi River environment with a visually attractive, functional and accessible waterfront which offers a range of passive and active recreational opportunities for residents and visitors alike.

3.17.1 In general terms, Council shall strive to achieve the following in relation to the Mississippi River:

1. Public access to the Mississippi River should be encouraged, enhanced and maintained.
2. A variety of public and private facilities should be developed within the corridor to meet the needs of the local community and visitors.
3. Detrimental effects on existing land uses should be minimized.
4. The environmental quality of the water, shoreline and aquatic habitat should be maintained and improved.
5. The historical importance and character of the waterfront area should be recognized and asserted in all development.
6. The development of linkages between various activity nodes and areas within the corridor shall be encouraged.

3.17.2 The following objectives shall apply to the Mississippi River Corridor:

1. To improve physical access to the Mississippi River by providing a variety of facilities in specified areas for various uses.
2. To improve visual access to the River by ensuring interesting and diverse viewing opportunities along the waterfront.
3. To improve the visual character of the River by encouraging efforts to maintain or upgrade the existing structures and landscapes within the River Corridor.
4. To promote the development of a variety of complementary public and private facilities along the waterfront by providing flexibility in the planning/design process and encouraging recreational, commercial and residential components.
5. To minimize detrimental effects on existing land uses by ensuring proper planning controls and requiring special site-specific design treatment.
6. To improve the environmental quality of the water and shoreline by ensuring that waterfront development is sensitive to water currents and water depth and by promoting a program for erosion control throughout the River Corridor.
7. To improve the visual quality of the shoreline by promoting a program to plant natural vegetation and the use of natural building materials along the water's edge on both public and private lands.

8. To ensure the development of a comprehensive and attractive system of signage, walkways, bicycle paths and trails throughout the River Corridor to link areas of activity. This system is to be expanded as development on the waterfront evolves over time through co-operation among land owners, developers and the Town.
9. To ensure ongoing and improved maintenance within the River Corridor by promoting it as a major component of an overall waterfront rehabilitation program.

3.17.3 The following policies shall apply to existing and future development along the Mississippi River:

Every effort should be made to protect the environmental quality of the water and to ensure the protection of aquatic habitat. All new development (including buildings, structures, pavement, parking lots, etc.) is required to be back at least 30 metres from the normal high water mark of the Mississippi River. Recognizing the extent of development that is already situated within proximity to the river, the following uses or development may be considered within the 30 metre setback:

- conservation uses (public parks, walking trails, etc.);
- water access/recreation uses (dock, marina, etc.)
- minor expansion to an already existing structure/use (provided the expansion encroaches no closer to the water than the nearest wall of an existing structure; and
- the creation of an infill lot that extends into the 30 metre setback (provided there is sufficient lot depth and area to accommodate all structural development and servicing outside of the 30 metres.

Council, in consultation with Mississippi Valley Conservation, may require the submission of an Environmental Impact Study (EIS), in accordance with Section 3.20 of the Plan, to ensure there will be no negative impacts on the natural features or the ecological functions for which the area is identified. An EIS will be required for any development of change in use that requires an amendment to the Official Plan or Zoning By-law where a specific fish habitat feature (spawning area, nursery, or rearing area, etc.) is identified.

3.18 CONTAMINATED SITES

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

It is the intent of this Plan to ensure that proper decommissioning and cleanup of contaminated sites take place prior to their development or re-use, such that there will be no adverse effect. For the purpose of this section, "adverse effect" shall mean one or more of: impairment of the quality of the natural environment for any use that can be made of it; injury or damage to property or to plant or animal life; harm or material discomfort to any person; an adverse effect on the health of any person; impairment of the safety of any person; rendering any property or plant or animal life unfit for human use; loss of enjoyment of normal use of property; and interference with the normal conduct of business.

Where a development application is made in relation to a known, suspected or potentially contaminated site or property adjacent to such a site, the approval authority shall not grant any planning approvals until appropriate studies are completed. A Phase I Environmental Site Assessment (ESA) and, if required, a Phase II ESA shall be submitted by the proponent in accordance with the Ministry of the Environment's Guideline For Use at Contaminated Sites in

Ontario. If necessary, the site shall be cleaned and a Record of Site Condition, acknowledged by the Ministry of the Environment, shall be submitted to the town prior to the issuance of planning approvals. Additionally, it may be necessary to prepare and implement a site remediation plan, subject to applicable Ministry of the Environment decommissioning guidelines.

Where remediation work is required, it will be a condition of planning approval that appropriate measures be taken to implement the components of the site remediation plan.

3.19 PROTECTION OF TREES AND OTHER VEGETATIVE COVER

Council recognizes that vegetative cover is a vital component of the natural environment of the Town and that it must be protected, maintained and enhanced. Vegetative cover aids in the overall health of residents, provides a habitat for plant life and wildlife and adds to the scenic quality of the Town.

3.19.1 In order to maintain and enhance the vegetative cover of the Town, the following goals shall generally be achieved:

- The Town shall provide guidelines regarding tree planting and appropriate and desirable tree species for the Town.
- The Town shall require a tree planting and conservation plan for all development which requires a site plan application, including residential, commercial and industrial uses. The Plan will define which stands of trees or individual trees warrant retention, outline the protection plan for those trees during construction and over the long term, and identify additional tree planting measures.
- The Town shall develop a policy statement with regard to tree conservation and maintenance, in order to protect and maintain tree cover on public lands and encourage and educate residents with regard to tree cover and vegetation on private lands.
- The Town shall pursue a program of tree planting and tree replacement and maintenance, so as to maintain and enhance the tree canopy within the Town.
- When reviewing stormwater management plans, the Town shall strive to ensure that the vegetative cover along the Mississippi River and along other streams and waterways leading to the Mississippi River are protected and enhanced.
- The Town shall encourage the use of native species in public projects and private tree planting plans wherever appropriate.

3.20 ENVIRONMENTAL IMPACT STUDY

Where an Environmental Impact Study (EIS) is required in support of an application for development or site alteration, the applicant shall provide a study, prepared by a qualified expert, to assist Council in determining whether a proposed development or site alteration may have an adverse environmental impact and if these impacts can be mitigated. The study shall:

- Research, identify and map the natural feature(s), values and functions that may be affected;
- Describe and map the proposed development activities, including building location, excavation, site grading, landscaping, drainage works, roadway construction, paving, and sewer and water services (if any) in relation to the natural feature(s);

- Predict the effects of the proposed development on the various components of the environment on the site such as wildlife, fish, vegetation, soil, surface water, ground water, air and any other relevant factors, taking into consideration effects during and after site alteration;
- Evaluate the significance of predicted negative and positive effects on the environment;
- Itemize and recommend all measures that should be taken to reduce or mitigate the predicted negative effects;
- Evaluate the cumulative effect that the project (and any other known projects or activities) may have following implementation of any mitigation measures on the natural features and ecological functions identified for protection; and
- Conclude with a professional opinion on whether negative effects will occur, the significance of such effects, and whether ongoing monitoring is required.

In reviewing environmental impact studies, Council may consult with independent professionals and various bodies such as the Conservation Authority, as required.

SECTION 4 LAND USE POLICIES

4.1 PARKS AND OPEN SPACE (OS)

4.1.1 Intent of the Designation

The Parks and Open Space classification of land shall mean that the predominant use of lands so designated shall be for conservation, recreation and similar uses (ie. playgrounds, pedestrian paths, community facilities and events, etc.).

4.1.2 Permitted Uses

Lands designated as Parks and Open Space are intended to be used primarily as parkland. Such lands shall generally be kept free of buildings and structures, except for those buildings or structures which are necessary to serve the use, including recreational facilities such as arenas, pools, marinas, playground equipment, ball fields, etc. Schools shall also be a permitted use in this designation. Where the Parks and Open Space designation applies to lands within the Mississippi River Corridor, Council may require that it be demonstrated that there will be no negative impacts on the natural features or ecological functions, prior to any construction taking place.

Cemeteries shall also be permitted in the Parks and Open Space designation.

4.1.3 Policies

4.1.3.1 Where lands designated Parks and Open Space are under private ownership, this Plan does not intend that such lands will necessarily remain designated as Parks and Open Space indefinitely nor shall it be construed as implying that the lands are free and open to the general public or that the lands will be purchased by the Town or Mississippi Valley Conservation. At any particular time, if proposals to develop privately-owned lands are made and Council or Mississippi Valley Conservation do not wish to purchase the lands in order to maintain them as Parks and Open Space, then an application for the re-designation of such lands for other purposes will be given due consideration by Council.

4.1.3.2 If an application is made to change the designation of Parks and Open Space lands, Council will first determine if the land is required for public purposes and if it can be purchased by the Town or another public agency. If the land is not to be purchased, Council will give consideration to the proposed amendment to the Plan after taking into account:

1. Any existing physical and/or environmental hazards and the potential problems which might arise by amending the Plan to permit development; and
2. The proposed methods by which these problems may be overcome in a manner consistent with accepted engineering practice and resource management techniques.

4.1.3.3 For developing areas, the land requirements for neighbourhood parks will ordinarily be obtained as part of the parkland dedication through plans of subdivision, pursuant to the provisions of *The Planning Act*. Council may, however, accept cash-in-lieu of the conveyance of parkland. Such monies shall be used for acquiring sufficient parklands, or for other uses as permitted under *The Planning Act*. Generally, Council shall give preference to acquiring land only when the size of the parcel is sufficient to be developed for active recreational uses such as soccer and ball fields. When a suitable-sized parcel cannot be acquired through a parkland dedication, Council will consider the acquisition of a smaller parcel located on the periphery of the subdivision where it can be combined with a similar land dedication in a future subdivision on an adjacent property, thereby creating a single parcel which is sufficiently large to be developed for active recreational uses.

4.1.3.4 Where recreation or conservation projects are designed for public use, adequate parking areas shall be provided and access points to the parking areas shall be designed in such a manner that they will minimize the danger to pedestrians. Facilities such as ramps, walkways, and safe road crossings to enable disabled people to reach open spaces and parkland shall be provided where feasible.

4.2 RESIDENTIAL (R)

4.2.1 Intent of the Designation

The Residential classification shall mean that the lands so designated shall be used predominantly for residential uses.

Within the Residential designation, the Town will strive to offer a mix of housing types which complement the existing small town character and which are located in attractive, tree-lined neighbourhoods. This shall include but not be limited to single-detached, semi-detached and townhouse style dwellings and apartments units, which are appropriate to a range of economic groups. The development or redevelopment of lots in already developed areas (infill development) shall be encouraged.

4.2.2 Permitted Uses

The permitted residential uses shall include a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the housing market area. In addition, other uses which are compatible with a residential area, such as group homes, home-based businesses, daycare facilities, and bed and breakfast establishments, shall also be permitted. Local commercial uses shall also be permitted provided that they are generally compatible in residential areas and provided further that appropriate steps are taken to protect the residential character of the area, such as increased setbacks, landscaping, buffering, off-street parking, etc.

4.2.3 Policies

4.2.3.1 Development and maintenance of an efficient and pleasant residential environment in an orderly manner will be encouraged.

4.2.3.2 Residential development of similar densities shall generally be located together. The majority of the dwelling units shall be contained within single-detached dwelling units, but multiple residential dwellings are also permitted.

4.2.3.3 The provision of sidewalks, trails and paths to provide safe separation of pedestrian and vehicular traffic, as well as to link schools, parks and commercial areas, is encouraged.

4.2.3.4 Bed and breakfast establishments and group homes shall be governed by the Policies in Section 3 of this Plan.

4.2.3.5 In considering planning applications for new residential development, Council shall require a mix of housing types that conforms to the following:

- A minimum of 60% of new dwelling units shall be contained in residential buildings containing 1-2 dwelling units;
- A maximum of 20% of new dwelling units shall be contained in residential buildings containing 3-6 dwelling units; and
- A maximum of 20% of new dwelling units shall be contained in residential buildings containing 7 or more dwelling units.

- 4.2.3.6** The maximum average density in any residential development proposal shall be 30 units per net hectare, with at least 60% of units being developed at a maximum average density of 23 units per net hectare. Density shall be based on the land area, excluding public streets but including any lands intended for parkland dedication.
- 4.2.3.7** The housing mix provision of Section 4.2.3.5 and the maximum average density provision of Section 4.2.3.6 shall only be applied to lots having a lot area of 2.0 hectares or greater as of the date of the adoption of this Plan and for which draft approval of a plan of subdivision has not been issued as of the date of the adoption of this Plan. In the case of lots having a lot area of less than 2.0 hectares as of the date of the adoption of this Plan, Council may approve residential development proposals which do not comply with Sections 4.2.3.5 and/or 4.2.3.6 provided that such proposals are compatible with the surrounding environment in terms of form, height, massing and density.
- 4.2.3.8** The maximum height of any new residential building shall be four storeys or 14 metres, whichever is lesser.
- 4.2.3.9** Residential buildings containing 7 or more units shall be located so that they have direct access to a Collector or Arterial Road, wherever possible.
- 4.2.3.10** Council shall determine whether neighbourhood facilities are or can be made adequate, that adequate on-site amenities such as landscaping and play areas are provided, traffic patterns (ingress and egress) and pedestrian movement can be made safe and efficient, and whether the proposed use is compatible with its surroundings. Adequate on-site parking shall be required to ensure that resident and visitor parking is available on the property.
- 4.2.3.11** Local convenience stores that serve the day-to-day needs of the immediate surrounding residential area may be permitted in the implementing Zoning By-law without amendment to the Official Plan. Special provisions such as increased yards, landscaped buffer strips, etc., shall be required in order to protect the amenities of the surrounding residential area.

4.2.4 Special Policy Areas

4.2.4.1 River Corridor Residential Policy Area (R-1)

The R-1 symbol on the Land Use and Roads Plan (Schedule "A") denotes land located in the flood fringe of the Mississippi River. It is located below the 1:100 year flood line but above the floodway, as defined by Mississippi Valley Conservation. Given that the flood fringe is of low velocity and shallow depth, development may be permitted, subject to floodproofing in accordance with the requirements of Mississippi Valley Conservation.

The policies of the Residential designation shall apply except that the density of development for residential dwellings containing 1-2 dwelling units shall not exceed 12 units per gross hectare.

Development and site alterations may be permitted provided that all of the following can be achieved:

1. Any identified hazards can be safely addressed, and the development and site alteration are carried out in accordance with established standards and procedures;
2. New hazards are not created and existing hazards are not aggravated;
3. No adverse environmental impacts will result;

4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
5. The development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

4.2.4.2 High Street Residential Policy Area (R-2)

The R-2 symbol on the Land Use and Roads Plan (Schedule "A") denotes an area which restricts residential development to buildings containing 1-2 dwelling units, at a maximum density of 23 units per net hectare.

4.2.4.3 Mississippi Road/Johnston Street Development Policy Area (R-4)

Notwithstanding the density provisions of this Plan as set out in Section 4.2.3.6, on lands designated as R-4 on the Land Use Plan, and described as Block 60 and Part of Block 61, Plan PL-87, Part of South West ½ of Lot 13, Concession 11, former Township of Beckwith (now the Town of Carleton Place), the maximum number of apartment dwelling units shall be 40, being a maximum density of 99 units per hectare.

4.3 GENERAL COMMERCIAL (C)

4.3.1 Intent of the Designation

The General Commercial classification has been placed on the downtown core, which includes the central business district and extends down both sides of Bridge Street and Lansdowne Avenue, from Herriott Street in the north to Arthur Street in the South. The intention of this designation is to define the pedestrian-oriented core area of the Town where pedestrian-oriented commercial and business uses will be encouraged.

4.3.2 Permitted Uses

The permitted uses comprise the full range of commercial and business activities, including: retail sales; shopping centres; personal and professional services; social, cultural, recreation and entertainment facilities; offices; dwelling units in commercial buildings; hotels and motels; eating and drinking establishments; food stores; certain automotive uses; government offices; and commercial parking lots.

4.3.3 Policies

- 4.3.3.1** In order to maintain a continuous pedestrian-oriented streetscape in the downtown core, the frontage on Bridge Street and Lansdowne Avenue shall generally be restricted to retail or service commercial uses and office uses, with office or residential uses above.

Should a residential unit fronting on Bridge Street be torn down, the property may also be used for a parking lot as an interim use with the intention that the eventual use of the lot will be for commercial purposes.

Notwithstanding the above, Council may consider the development of lands exclusively for residential purposes on a site-specific basis, through an amendment to the implementing Zoning By-law. The development of property for exclusively residential purposes shall not be considered by Council within the General Commercial designation located between the north side of Lake Avenue and the Mississippi River.

4.3.3.2 New development shall be planned as an extension of the existing commercial area, and any development abutting residential areas shall be carefully buffered. New development shall remain compact in order to serve pedestrians effectively and shall be encouraged along Lansdowne Avenue as an extension of the existing downtown core.

4.3.3.3 It is the policy of Council to encourage the development, redevelopment and visual improvement of the central business district and downtown core, in order to attract residents and visitors alike. This may include the following measures:

1. Council will examine opportunities for funding downtown improvement projects.
2. Whenever possible, Council shall ensure that all new and existing uses conform to the Town's requirements and by-laws with regard to signs, fascias, lighting, parking, landscaping, street furniture and general maintenance. Council, may undertake further improvement projects either independently or in cooperation with other agencies and organizations in order to develop and maintain a strong, vibrant CBD.
3. Sufficient space should be provided for off-street loading.
4. Council shall continue to examine the possibilities of further improving access to, and circulation within, the CBD. This may include improving key intersections in the downtown core.
5. No open storage shall be permitted in the central business district.
6. The growth and development of the central business district shall occur primarily by infilling to keep development compact, however, lands have been designated General Commercial to allow for some expansion of the central business district in keeping with the continuing growth of the Town.

Commercial developments and redevelopments shall be subject to the Site Plan Control policies of Section 7.10 of this Plan.

4.4 NEIGHBOURHOOD COMMERCIAL (NC)

4.4.1 Intent of the Designation

The Neighbourhood Commercial classification shall mean that the lands so designated are intended to provide retail and service commercial uses to serve the daily and weekly requirements of the residential neighbourhoods, without adversely impacting on the surrounding residential neighbourhoods they are intended to serve.

4.4.2 Permitted Uses

The permitted uses are the same as for the General Commercial designation, however, within each area designated as Neighbourhood Commercial, the maximum total floor area shall be limited to 2,000 square metres. In addition, residential uses shall be permitted.

4.4.3 Policies

4.4.3.1 Areas designated as Neighbourhood Commercial shown on Schedule "A", may be comprised of one or more properties. Residential uses shall be permitted in any portion of the building.

4.4.3.2 Residential uses shall only be permitted in buildings that also accommodate a commercial use permitted in the Neighbourhood Commercial designation.

4.4.3.3 Adequate parking facilities shall be provided for all permitted uses, and access shall be designed in a manner that will minimize the danger to both vehicular and pedestrian traffic. Neighbourhood commercial uses shall be appropriately located with preference given to locations at intersections of streets.

4.4.3.4 Adequate buffering shall be provided between commercial uses and adjacent residential uses.

4.4.3.5 No open storage of goods or materials shall be permitted.

4.4.3.6 New development shall be subject to the Site Plan Control policies of this Plan.

4.5 HIGHWAY COMMERCIAL (HC)

4.5.1 Intent of the Designation

The Highway Commercial designation shall mean that the use of lands so designated shall be for commercial establishments primarily serving the motoring public and rely heavily upon automobile traffic for their existence, or which are service uses not directly serving the general public, such as office and wholesale uses. Other commercial uses may be permitted which, due to their nature and operating requirements, require large sites or would be incompatible with the pedestrian-oriented commercial environment in the General Commercial designation.

4.5.2 Permitted Uses

The permitted uses in a Highway Commercial designation include the following and similar uses: automobile sales and service uses; public garages; hardware and home improvement stores; restaurants; convenience stores; catalogue stores; offices; hotels and motels; commercial sports and recreation establishments; equipment sales and supply dealers; retail stores and wholesale uses secondary to them.

4.5.3 Policies

4.5.3.1 Access points to and from Highway Commercial uses shall be from a restricted number of physically defined driveways located so as to ensure vehicular and pedestrian safety. Wherever possible, consideration should be given to shared access points.

4.5.3.2 Adequate off-street parking and loading shall be provided for proposed uses in compliance with the Zoning By-law.

4.5.3.3 Lighting poles and other surface utilities shall be carefully sited and signage shall be in keeping with good design practices and vehicular and pedestrian visibility concerns in order to maintain the appearance and safety of the area. Combined signage shall be encouraged, so as to minimize adverse aesthetic and safety impacts.

4.5.3.4 Development and redevelopment shall be subject to the Site Plan Control policies of this Plan.

4.5.3.5 While development on full municipal services is preferred, development on individual on-site systems may be considered for commercial uses in isolated cases. These systems shall be subject to the regulations of the Ministry of the Environment and/or Health Unit and Council shall be satisfied that there is an acceptable quantity and quality of groundwater to service the lot. In all cases, the form of service delivery shall comply with the implementing Zoning By-law, or the property owner shall proceed with a Zoning By-law amendment to ensure compliance. In addition, it shall be demonstrated that such development will not prejudice the ultimate, services development of the land.

4.5.3.6 Uses that are developed in close proximity to a Provincial Highway shall be developed in an orderly manner, with consideration given to the following design standards:

1. Open storage shall be prohibited, except where appropriate landscaping and screening is provided to screen such open storage so that they will not detract from the aesthetic character of the area;
2. Loading and other service areas will generally be restricted to those areas not facing the highway; and
3. All activities will be encouraged to locate within enclosed buildings unless it is essential to locate outdoors, as in the case of vehicle or other product displays.

4.5.3.7 Uses that are developed adjacent to a Provincial Highway will be required to comply with all Ministry of Transportation regulations and to obtain required permits prior to development. Traffic studies may be required in this regard. The policies in Section 5.2 of this Plan are also applicable.

4.6 INDUSTRIAL (M)

4.6.1 Intent of the Designation

The Industrial classification of land is designed to encourage development of integrated, multi-use business park areas that provide opportunities for a wide range of industrial and commercial uses. These areas are intended to serve as the major employment and manufacturing areas in the Town.

4.6.2 Permitted Uses

The permitted uses on the lands so designated shall be for industrial uses, including: warehousing, processing, manufacturing, assembling, railway uses and storage. Preference shall be given to light industrial uses. In addition, certain other complementary, compatible uses may be permitted, such as commercial uses accessory to the main industrial uses, commercial uses primarily serving the industrial area, wholesale uses, office uses, other quasi-industrial or service uses, and commercial uses which require large sites for storage. Accessory residential uses such as a caretaker's residence may be permitted when specifically included in the Zoning By-law.

The Ministry of the Environment Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses provides the following definitions for types of Industrial uses:

Class I Industrial Facility: A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. These are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage. Examples include: electronics manufacturing and repair, high technology industries, packaging and crafting services, small scale assembly, auto parts supply, furniture repair and refinishing.

Class II Industrial Facility: A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (ie. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include: dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage, warehousing.

Class III Industrial Facility: A place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions.

Fugitive emissions are defined as: reasonably expected/predictable contaminant occurrences associated with normal operational practices and procedures (eg. materials handling or outdoor storage) of industrial facilities, which are generally difficult to practically control at the source or on-site. These emissions are not point source (ie. not from stacks or vents). Fugitive emissions are from all sources. These emissions may include odour, noise, vibration and particulate such as dust. Emissions from a breakdown are also considered fugitive.

4.6.3 Policies

4.6.3.1 The Town shall minimize the encroachment of sensitive land uses upon industrial land, and vice versa. For the purposes of this Section, sensitive land uses may include recreational uses which the Town or a Provincial agency has deemed to be sensitive, or “any building or associated amenity area (ie. may be indoor or outdoor space) which is not directly associated with the industrial use, where humans or the natural environment may be adversely affected by the emissions generated by the operation of a nearby industrial facility. For example, the building or amenity may be associated with residences, senior citizen homes, schools, day care facilities, hospitals, churches and other similar institutional uses” (Ministry of the Environment’s Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses).

4.6.3.2 All development in the Industrial designation shall be required to meet the Town’s requirements and by-laws with regard to noise attenuation, buffering, parking, setbacks, etc. to ensure maximum compatibility with surrounding uses, as well as to comply with the Ministry of the Environment’s Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses.

4.6.3.3 An influence area as set out by the Ministry of the Environment shall apply between industrial uses and sensitive land uses (reciprocally) and shall be incorporated in the implementing Zoning By-law. Sensitive uses may not be permitted within the influence area unless it can be clearly demonstrated that any adverse effects, as defined in Section 3.18 of this Plan, are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment. The influence area shall be measured from the nearest point of the property line of an industrial use to the nearest point of the property line of the sensitive land use.

The Influence Area for the Classes of Industry shall be as follows:

Class I Industry:	20 metres
Class II Industry:	70 metres
Class III Industry:	300 metres

4.6.3.4 The Town shall strive to develop a diversified industrial base that provides a variety of employment opportunities by allowing industry-related businesses and encouraging, compatible uses to locate in the Industrial designation.

4.6.3.5 The Town shall ensure that an adequate supply of vacant, serviced land is available to meet future industrial demands.

4.6.3.6 Adequate off-street parking shall be provided for each industrial use to accommodate employees.

4.6.3.7 Adequate off-street loading facilities shall be provided in order to eliminate on-street traffic congestion.

4.6.3.8 The implementing Zoning By-law shall establish various industrial zones and set out appropriate provisions for each zone. These zones will differentiate permitted uses on the basis of their operational characteristics and potential for land use incompatibilities resulting from emission of noise, smoke, odour, or negative visual impacts.

4.6.3.9 Development and redevelopment may be subject to Site Plan Control as per Section 41 of *The Planning Act*, and in accordance with Section 7.10 of this Plan.

4.6.3.10 Uses that are developed in close proximity to a Provincial Highway shall be developed in an orderly manner, with consideration given to the following design standards:

1. Open storage shall be prohibited, except where it can be demonstrated that appropriate landscaping and screening is provided to screen such open storage so that they will not detract from the aesthetic character of the area;
2. Loading and other service areas will generally be restricted to those areas not facing the highway; and
3. All activities will be encouraged to locate within enclosed buildings unless it is essential to locate outdoors, as in the case of vehicle or other product displays.

4.6.3.11 Uses that are developed adjacent to a Provincial Highway will be required to comply with all Ministry of Transportation regulations and to obtain required permits prior to development. Traffic studies may be required in this regard. The policies in Section 5.2 of this Plan are also applicable.

4.6.4 Special Policy Areas

4.6.4.1 Industrial - Commercial Special Policy Area (MC)

Notwithstanding the permitted use provisions of Section 4.6.2 on the lands designated MC on Schedule "A" to the Official Plan, certain limited Highway Commercial uses, such as animal care, automobile body shop, contractors' or tradespersons' establishments, farm implement sales, farm supplies dealer, greenhouse, laundromat and retail stores are also permitted uses in addition to those permitted in the Industrial designation .

Stand-alone retail uses shall be restricted to a minimum gross floor area of 700 square metres so as to restrict retail uses to those accommodated less readily in the General Commercial designation. Retail stores shall be permitted in an industrial mall provided that the total floor area of all retail stores within the industrial mall does not exceed 25% of the total floor area of the mall. Campus style developments with two or more free-standing uses on one lot are permitted in the MC policy area, however, multi-tenant, exclusively retail-oriented developments shall be prohibited. Retail sales shall be permitted as a secondary use within industrial establishments.

The cumulative total of retail stores in the Industrial-Commercial Special Policy Area shall be limited to 15,000 square metres of floor area. Notwithstanding the foregoing, additional retail stores may be permitted on the basis of a market study which demonstrates to the satisfaction of Council that the market can support additional retail floor space without adversely affecting the viability of other existing or approved commercial areas in the Town. If the study is acceptable to Council, no amendment will be required to this Plan to increase the permitted floor area.

4.7 HAZARD LANDS (H)

4.7.1 Intent of the Designation

Hazard lands are property or land which, because of physical characteristics (unstable slopes, organic soils, unstable bedrock) in combination with location and potential flooding or erosion hazard, sustain risk for the occupants to loss of life, property damage, and social disruption if developed. Generally, the lands so designated include all of the lands located below the 1:100 year flood line of the Mississippi River; this line forms the basis of the Hazard Lands limit. For information purposes, the fill line is also shown on Schedule "A".

4.7.2 Permitted Uses

Lands so designated are intended primarily for the preservation and conservation of the natural landscape and environment. Uses such as outdoor recreation, forestry conducted in accordance with good forestry and arboricultural practices, and the conservation of wildlife shall be permitted. In addition, public or private parks shall also be permitted, provided these are compatible with adjacent land uses. Neither the erection of buildings nor the placing or removal of fill of any kind shall be permitted in areas subject to periodic flooding or serious physical limitations, except for those public or private works which must by their nature be located in such areas. It is recognized that lands designated Hazard Lands are to be managed so as to complement adjacent land uses and protect them from any physical hazards.

Existing development within the Hazard Lands designation shall be encouraged to overcome potential hazards in accordance with the policies of this Plan.

4.7.3 Policies

4.7.3.1 The boundaries of the Hazard Lands designation as shown on Schedule "A" will be used as a guide for the preparation of appropriate Zoning By-law provisions to implement the policies of this Section.

4.7.3.2 Building setbacks from the boundaries of the Hazard Lands designation will be imposed based on the extent or severity of the hazard. No new lots shall be created that lie entirely within lands designated Hazard Lands. Sufficient land area outside the Hazard Lands designation will be required to accommodate any proposed development.

4.7.3.3 No alterations such as dredging, filling, construction of docks, breakwaters and boat houses, etc. shall be permitted adjacent to the shoreline of the Mississippi River without the prior written approval of the Ministry of Natural Resources. No development shall be permitted below the fill line shown on Schedule "A" without the written approval of the Mississippi Valley Conservation in consultation with the Town.

4.7.3.4 Institutional uses, essential emergency services or uses associated with the disposal, manufacturing or storage of hazardous substances shall not be permitted in the Hazard Lands designation.

4.7.3.5 Where lands designated as Hazard Lands are under private ownership, it shall not be implied that such areas are free and open to the general public or that they will be purchased by the Town or another public agency.

4.7.3.6 Notwithstanding the provisions of Section 4.7.3.2, generally no development shall be permitted below the flood line.

4.7.3.7 Where new development is proposed on a site, part of which has physical or environmental hazards, then such Hazard Lands shall not necessarily be acceptable as part of the parkland dedication under *The Planning Act*. All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town. Where an open watercourse is involved, adequate space shall be provided for maintenance and operation.

4.7.3.8 Notwithstanding the above policies, uses which, by their very nature, need to be located within easy access to the waterfront, such as marinas, canoe clubs, etc. may be permitted, subject to the submission of an Environmental Impact Study, in accordance with Section 3.20 of this Plan, and the necessary approvals from the Mississippi Valley Conservation in consultation with the Town.

4.8 SPECIAL STUDY AREA (SSA)

4.8.1 Intent of the Designation

The appropriate future uses for certain lands within the Town have not yet been determined and detailed planning studies that are beyond the scope of this Official Plan will be required prior to development occurring. The purpose of this designation is to restrict permitted uses on lands designated Special Study Area until such time as appropriate land use studies have been completed and implemented through Official Plan amendments.

4.8.2 Permitted Uses

Lands designated Special Study Area will be subject to the permitted uses of the Open Space (OS) designation. No new development shall be permitted, except for uses permitted in the OS designation and additions or alterations to existing uses.

4.8.3 Policies

Prior to any development, other than uses permitted in the OS designation, planning studies shall be undertaken and implemented through amendments to this Plan. Such studies may be undertaken either as part of a comprehensive Official Plan review or through area or site-specific studies in support of Official Plan amendments. The studies shall determine appropriate future land use designations, and conceptual road patterns, as applicable. All development which may be permitted as a result of Official Plan amendments shall take place on full municipal services, unless specifically permitted otherwise.

4.9 NATURAL ENVIRONMENT (NE)

4.9.1 Intent of the Designation

Areas designated Natural Environment are areas which are deemed by the Town to be of high natural and environmental quality. These areas contain important features, functions and processes, and the intrusion of development would pose a severe threat to their natural features or ecological functions. The intent of this designation is to protect and enhance the identified natural environment areas and to encourage a healthy environment. Additionally, the designation is intended to minimize harmful alterations to the Mississippi River Corridor.

4.9.2 Permitted Uses

The permitted uses in the Natural Environment designation include passive recreational uses which do not adversely affect the natural characteristics of the environment or result in landform modifications. In addition, recreational trail development and maintenance, conservation uses related to water, wildlife, and other natural features, the scientific or educational study of the natural characteristics of the area, and forestry conducted in accordance with good forestry and arboricultural practices shall be permitted.

4.9.3 Policies

4.9.3.1 Council shall endeavour to protect and enhance those areas designated Natural Environment.

4.9.3.2 Uses which are ancillary and/or complementary to permitted uses may be permitted, provided that such uses are clearly secondary to, and supportive of, the primary uses.

4.9.3.3 Council shall endeavour to protect the large stands of Hackberry trees, which have been identified as being locally important.

4.9.3.4 As other important features, functions and ecological processes are identified as being locally important by Council, they shall be protected and enhanced.

4.9.3.5 Council shall use the Natural Environment designation to protect and enhance any Provincially-significant natural features which may be identified in the future.

4.10 HAZARD-NATURAL ENVIRONMENT (H-NE)

Lands within the Hazard-Natural Environment designation represent areas that are below the 1:100 year flood line of the Mississippi River, but also contain significant natural features, functions and ecological processes which warrant protection.

The permitted uses and policies of both the Hazard and Natural Environment designations of this Plan shall apply to the lands designated at Hazard-Natural Environment. In the event of policy conflicts, the more restrictive policies shall apply.

SECTION 5 TRANSPORTATION

5.1 GENERAL

The Town of Carleton Place shall ensure that the existing and future road network is a safe, convenient and functional system. A plan shall be in place for the timely upgrading and replacement of roads throughout the Town. Roads shall be upgraded and/or replaced in accordance with appropriate traffic studies and engineering reports.

The road pattern shown on Schedule "A" is based on the Carleton Place Transportation Study. The road pattern is designed to facilitate the movement of both people and goods within the Town.

The road pattern shown on Schedule "A" is based on the following principles:

1. That the overall road network be in harmony with the proposed road pattern of the adjoining municipalities, the County road system and the Provincial Highway system;
2. That a grid or modified grid pattern be encouraged;
3. That extraneous traffic be minimized within neighbourhoods;
4. That Arterial Roads accommodate the movement of large volumes of traffic to and from major traffic generating areas;
5. That Collector Roads accommodate the movement of medium volumes of traffic between Arterial and Local Roads; and
6. That Local Roads provide access to abutting lands and not serve major traffic generating areas.

Generally, it is intended that as traffic conditions and construction warrant, road improvements in the form of jog eliminations, regulation of turning movements, proper signage, installation of traffic signals, marking of traffic lanes, channelization, and new road construction will be undertaken to establish a functional road network.

Sidewalks shall be constructed on one side of the road on Local and Collector Roads, and on both sides on Arterial Streets. In areas of road reconstruction and redevelopment, new sidewalks shall be required where appropriate.

Along McNeely Avenue, a pedestrian trail may be constructed on one side, as development takes place. This trail shall be appropriately located away from the edge of the road, so as to ensure a safe and pleasing trail environment, and shall link into the greater Municipal trail system. The trail system may be used in place of traditional sidewalks.

Council shall support initiatives aimed at the construction of park and ride facilities, the expansion of Highway 7 to four lanes and related activities that facilitate an improved link to the City of Ottawa.

Both existing and proposed roads are classified on Schedule "A" according to their ultimate function. Where additional land is required for widening and extension, such land shall be obtained, where possible, in the course of approving subdivisions or severances under *The Planning Act* and in accordance with the Site Plan Control policies of this Plan.

The locations of all proposed roads are conceptual only and no amendment to the Plan will be required to modify the proposed roads.

5.2 PROVINCIAL HIGHWAYS

This designation applies to roadways under the jurisdiction of the Ministry of Transportation (M.T.O.) of the Province of Ontario. They are designed to facilitate through traffic movement of medium to high volumes.

Development within the M.T.O. control area will be subject to the requirements of the Ministry of Transportation. Prior to any construction and/or grading being undertaken, permits must be obtained from the Ministry of Transportation. Traffic impact studies shall be required that address the anticipated traffic volumes of the proposed development, as well as stormwater management plans which show the intended treatment of the calculated runoff. Additionally, other studies shall be provided as required by the Ministry of Transportation as part of their review and approval of any development plans.

All development which is to occur adjacent to or within the M.T.O. control area of a Provincial Highway will be carried out in accordance with all of the requirements of the Ministry of Transportation, as well as in accordance with other policies within this Plan. Highway 7 and a portion of Highway 15 at the south end of Town are subject to Controlled-Access Highway criteria of M.T.O., and all proposed access points are subject to M.T.O. approval.

5.3 ARTERIAL ROADS

Arterial Roads are intended to carry large volumes of traffic. These streets serve the major traffic flows between principal areas of traffic generation and connect to the Provincial Highways. Access to these roads shall be limited to a level that will not interfere with the primary function of moving traffic and on-street parking shall generally be prohibited. The minimum right-of-way shall be 26 m, wherever possible.

5.4 COLLECTOR ROADS

Collector Roads are existing and proposed roads designated to connect and carry local traffic to the Arterial Roads or distribute traffic to Local Roads. Access is to be permitted to abutting properties and some on-street parking may be permitted. The minimum right-of-way shall be 20 m.

5.5 LOCAL ROADS

The main function of Local Roads is to provide access to individual properties. Direct access is permitted to all abutting properties. Local Roads are not intended to carry large volumes of through traffic. The minimum right-of-way for these roads shall generally be 20 m or 15 m on cul-de-sacs.

5.6 PRIVATE ROADS

Private roads are privately-owned rights-of-way which have not been assumed by the Town for maintenance purposes, but which provide access to two or more land holdings without frontage on a municipal street. There are several private roads in the Town.

Where access by private road either exists or is proposed, the Town shall not assume any liability for such road. Where access to properties is provided by private roads, municipal services such as snow ploughing or road maintenance and improvement are not the responsibility of the Town. Additionally, in some cases, other public services such as school bussing and protection to person/property from services including police, fire and ambulance may be unavailable or limited due to physical constraints posed by either the road itself or maintenance levels.

The creation or extension of private roads is not permitted, except in exceptional situations involving non-residential development.

If an existing private road is constructed or reconstructed to a standard acceptable to the Town and at no expense to the Town, the Town may consider the assumption of the private road by by-law, if it abuts an existing maintained public road. Prior to undertaking any such reconstruction for the purposes of allowing Town assumption, landowners of property on a private road must obtain the approval of the Town. The work shall be undertaken to the standards of, and supervised by, the Town.

5.7 TRAIL SYSTEM

A trail system shall be constructed throughout the Town, as shown on Schedule "A", and includes the Trans Canada Trail and the Bypass Trail. This trail system shall provide linkages to major Municipal features, parks, etc., and shall provide a safe, enjoyable system for pedestrian and cyclists.

5.8 ROAD WIDENINGS

The Town or other approval authority may require land to be conveyed at no cost for the purpose of widening the existing public road right-of-way as a condition of severance, subdivision or site plan approval.

Land for the widening of an existing right-of-way shall generally be sought equally from both sides of the right-of-way, however, in certain situations site-specific conditions may necessitate taking widening on an unequal basis.

SECTION 6 MUNICIPAL SERVICES

6.1 DEVELOPMENT POLICIES

The following policies will apply to development within the Town of Carleton Place:

6.1.1 Generally, future development shall proceed on the basis of municipal water and sewers and storm drainage. Full municipal services means piped sewage and water services that are connected to a centralized water and waste water treatment facility. Calculations for the uncommitted reserve capacity of water and sewer systems will be required, where necessary, to determine the capacity of services to support new development.

6.1.2 Council may consider permitting alternative servicing for specific properties, but only in isolated cases where full municipal services cannot be extended due to technical obstacles of extending services relative to the limited extent of existing development. Alternative servicing may include individual on-site systems or communal services.

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

Communal services means sewage works and sewage systems and water works that provide for the distribution, collection or treatment of sewage or water, but which: are not connected to full municipal sewage and water services; are for the common use of more than five residential units/lots; and are owned, operated, and managed by the Town, another public body, or a condominium corporation or single owner which has entered into an agreement with the Town or public body, pursuant to Section 51 of *The Planning Act*, providing for municipal/public body assumption of the communal services in the event of default by the owner.

6.1.3 Development on individual on-site systems shall generally be permitted only in isolated cases. Further, these systems shall be subject to the regulations of the Ministry of the Environment and/or the Health Unit. In all cases, the form of service delivery shall conform with the implementing Zoning By-law, or the property owner shall proceed with a Zoning By-law amendment to ensure conformity. In addition, it shall be demonstrated that such development will not impose an undue burden on public authorities for such matters as road maintenance or school bus costs by reason of isolation from existing development, and that such development will not prejudice the ultimate, serviced development of the land. Finally, Council shall be satisfied that there is an acceptable quantity and quality of groundwater to service the lot.

6.1.4 Where residential development on private services is proposed, it shall be on lots which are sufficiently large to satisfy the Health Unit requirements for septic systems.

6.1.5 Government funding programs will be fully examined and utilized to improve the water and sewer systems of the Town.

6.1.6 In order to conserve the financial resources of the Town and to allow the economical extension of services, development will generally take place as logical extensions of existing development. Further, the cost of providing municipal services shall be paid by the developer either directly as a condition of development approval and/or by lot levies or similar development charges.

6.2 OTHER MUNICIPAL SERVICES

Council shall support the establishment of waste management and diversion facilities. Where appropriate, Council may set aside lands for such purposes, having regard to land use compatibility and environmental issues.

SECTION 7 IMPLEMENTATION

7.1 GENERAL

This Official Plan shall be implemented by means of the powers conferred upon Council by *The Planning Act*, *The Municipal Act*, and such other statutes as may be applicable. In particular, this Plan shall be implemented by a zoning by-law and legislation pursuant to *The Municipal Act*. In addition, the Plan shall be implemented through initiatives such as the Town's Capital Works Programs and the construction of various public works.

7.2 ZONING BY-LAWS AND HOLDING PROVISIONS

It is intended that a comprehensive zoning by-law shall be prepared and adopted by Council in accordance with the provisions of *The Planning Act*. Such zoning by-law shall contain land use zones in accordance with the policies and provisions of this Plan and will establish regulations to control the use of land and the character, location and use of buildings and structures.

It is not intended that all land use areas designated in the Official Plan will be zoned for such uses immediately by the Zoning By-law. Areas may be zoned in the Zoning By-law for their existing uses or in a Holding category pursuant to Section 36 of *The Planning Act*, and in accordance with the following objectives and criteria.

7.2.1 It is the intention of Council to place certain lands with a Holding symbol in the implementing Zoning By-law when the principle of development has been established, in order to:

1. Identify future development areas;
2. Reserve their use until necessary municipal services become available;
3. Determine the phasing and/or proper design of large scale residential, commercial, or industrial development;
4. Ensure proper financial agreements are in place;
5. Delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council;
6. Protect Contaminated Sites until such time as the lands have been acceptably decommissioned or cleaned up in accordance with Ministry of the Environment Guidelines For Use At Contaminated Sites in Ontario and a Record of Site Condition has been received.

7.2.2 Generally, it is intended that the Holding symbol is to be used on lands zoned for residential, commercial and industrial uses within areas for which municipal water and sanitary sewage services are to be provided, but are not yet constructed.

Notwithstanding the foregoing, lands throughout the Town may be zoned with a Holding symbol where Council determines such a Holding category is needed to achieve the objectives listed in Subsection 7.2.1 above.

7.2.3 Lands which are subject to Holding provisions shall be identified in the Zoning By-law by an "h" symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land. Lands subject to Holding provisions shall be subject to the following policies:

1. Uses shall generally be restricted to existing uses; and

2. New development shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending by-law, in accordance with Section 7.2.4 below.

7.2.4 A request for removal of the Holding symbol shall be reviewed by the Council in consideration of the following:

1. That the proposed use is in conformity with the requirements of the Zoning By-law;
2. That the required services are available or will soon be available;
3. That the financial requirements of the Town have been fulfilled;
4. That the phasing and design of the proposed development are to Council's satisfaction; and/or
5. That any development constraints which have been identified can be overcome to the satisfaction of Council.

7.2.5 A written request from the property owner shall be required prior to the removal of a Holding symbol. Subsequently, the Town will review the request in relation to Section 7.2.4 above and, if appropriate, adopt an amending by-law.

7.3 INTERIM CONTROL BY-LAWS

Pursuant to Section 38 of *The Planning Act*, Council may pass an Interim Control By-law, for a period of time as specified in the by-law, to a maximum of one year from the date of the passing of the by-law, prohibiting the use of land buildings or structures within a defined area for such purposes as set out in the by-law. The purpose of such by-law is to allow sufficient time to undertake reviews or studies as Council deems necessary to consider land use planning policies in the defined area. Council may extend the period of effect of an Interim Control By-Law, provided the total period does not exceed two years.

7.4 TEMPORARY USE BY-LAWS

In accordance with Section 39 of *The Planning Act*, Council may pass a by-law to allow the temporary use of a parcel of land, a building or a structure for a use that would otherwise be prohibited in the Zoning By-law. The period of time for a temporary use may be for a period of up to ten years for a garden suite and up to three years in all other cases. A temporary use by-law may be renewed for further periods of up to three years. Any use introduced pursuant to a temporary use by-law does not acquire the status of a legal non-conforming use upon the expiration of the by-law(s), and must cease to exist.

When considering a Temporary Use By-law, Council shall be guided by the following:

1. The temporary use should not jeopardize the long term development of the land or surrounding areas as intended by the policies of this Plan;
2. The temporary use should be compatible with surrounding uses, or be made compatible through the provision of appropriate buffering or other such measures as may be required; and
3. The by-law should contain adequate provisions to ensure that the use is terminated upon the expiry of the by-law.

It is not the intent of the Official Plan that Temporary Use By-laws be used to permit a new use while an amendment to the Official Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. Temporary uses shall not be permitted where considered incompatible with adjacent land uses and the character of the surrounding neighbourhood.

Temporary uses shall be subject to the Site Plan Control policies of this Plan.

7.5 MINOR VARIANCES

A Committee of Adjustment will be appointed to consider applications for relief from Zoning By-law provisions. The Committee will be guided by Section 45 of *The Planning Act*, and by the rules of procedures and regulations issued from time to time by the Minister.

The Committee of Adjustment shall have regard to the policies contained in this Plan and in particular, to those policies relating to non-conforming uses in Section 3.6 Existing Land Uses.

7.6 LEGISLATION PURSUANT TO THE MUNICIPAL ACT

It is intended that Council shall review existing legislation pursuant to *The Municipal Act* governing such uses as automobile wrecking yards, garbage dumps, gravel pits, quarries, trailers and signs and, where necessary, amend existing By-laws or pass new By-laws as may be required to ensure such uses are properly regulated and controlled.

7.7 LAND DIVISION

Land development shall generally take place by plan of subdivision. Under certain circumstances, where a plan of subdivision is not necessary for proper and orderly development, a consent to a land conveyance may be granted in accordance with the following applicable consent policies. In addition to the following policies, all land division is subject to the policies located elsewhere in this Plan, as well as to the provisions of Sections 51 and 53 of *The Planning Act*.

7.7.1 Consents

7.7.1.1 Consents should not be granted in areas where the undue extension of any major service would be required.

7.7.1.2 A consent for the purpose of creating a new lot shall be permitted only where the proposed new lot abuts an existing maintained public road.

Notwithstanding the foregoing, a consent for the purpose of allowing freehold ownership of part or all of a building and its associated parcel of land within a multiple-unit or multiple building project where the project has frontage on a public road, but where proposed individual freehold parcels do not, may be permitted provided that:

1. The proposed consent conforms to the provisions of the Zoning By-law;
2. Any parcel of land associated with an individual unit or building has an appropriate registered right-of-way over a common internal driveway system leading to a public road; and
3. All other requirements of the Town relating to common elements are addressed to the satisfaction of the Town.

7.7.1.3 Consents should have the effect of infilling in existing developed areas in order to efficiently use land, resources, infrastructure and public service facilities, and avoid undue extension of the urban area.

7.7.1.4 The size of any parcel of land created by a consent should be appropriate for the use proposed and the physical characteristics of the property, as well as in conformity to the provisions of the Zoning By-law.

7.7.1.5 Direct access from Arterial Roads should be restricted and residential lots should, where possible, have access only to Collector or Local Roads.

7.7.1.6 Consents should not be granted for land adjacent to a road from which access would create a traffic hazard due to limited sight lines on curves or grades.

7.7.2 Subdivision and Part Lot Control

Land development shall take place primarily by plan of subdivision. A plan of subdivision shall generally be required for, but not limited to, those applications for land division where three or more lots or blocks are proposed. In cases where Municipal monies would be required for matters such as the extension of municipal services for water and sewer, new road construction or road maintenance, or where large blocks of vacant land within existing plans of subdivision are re-divided, land division shall generally be via a plan of subdivision. An application for a plan of subdivision shall be in accordance with the requirements of *The Planning Act*. Additional information may be required in assessing the appropriateness and the location of the subdivision.

7.7.2.1 Notwithstanding Section 7.7.2, land division involving more than three lots may proceed by the consent process where it is clearly evident to the Town that a plan of subdivision is not necessary for the orderly development of the lands. Such situations would include consents for infill situations or for freehold severances of attached dwelling units.

7.7.2.2 When reviewing an application for a plan of subdivision, regard shall be given to the requirements for an Environmental Impact Study, in accordance with Section 3.20 of this Plan, for subdivisions proposed in the vicinity of natural heritage features, archaeological or cultural resources, or natural or human-made hazards. Reference should also be made to the servicing policies of this Plan.

7.7.2.3 It shall be the policy of Council to recommend approval to the County of Lanark for only those plans of subdivision which comply with the provisions of this Plan and which, Council has determined can be supplied with adequate services such as schools, fire protection, water supply, storm drainage, sewage disposal and road maintenance, without adversely affecting the economy of the Town.

7.7.2.4 Applications for plans of subdivision shall be processed in accordance with the procedures established by the County of Lanark and the policies of this Plan.

7.8 INCREASED DENSITY (BONUS) BY-LAWS

Section 37 of *The Planning Act*, allows Council to include provisions in the Zoning By-law to permit an increase in the maximum height or density of development, in exchange for the provision of such facilities, services or matters as are set out in the By-law.

7.8.1 One or more of the following must be provided to the satisfaction of the Town, in order to be eligible for increases in the height and/or density of development beyond that otherwise permitted by the Zoning By-law:

1. The provision of affordable housing, assisted housing or housing for those with special needs;
2. The preservation of architectural, historic, archaeological and/or scenic features; and/or

3. The dedication or provision of open space, recreation or community facilities, parks, waterfront lands, or trail systems, provided that such lands and amenities are significantly in excess of any parkland dedication requirements of *The Planning Act*.
- 7.8.2 The increased height and density provisions will be implemented through the implementing Zoning By-law. The Zoning By-law will identify the detailed development standards upon which the bonus provisions will be based, and identify the areas or zone classifications in which such bonus provisions shall apply.
 - 7.8.3 In all cases, the facilities, services or matters provided in exchange for increased height or density of a development project shall be directly linked to the nature of the development and shall be located on the lands which are being developed.
 - 7.8.4 The transfer of increased height and density provisions from one site to another site or from one project to another project shall not be permitted.
 - 7.8.5 In all cases, development resulting from the application of increased height or density provisions shall meet all other applicable Zoning By-law provisions and regulations.
 - 7.8.6 Before adopting a zoning by-law amendment to allow an increase in the height or density of a development project, the Town will review the implementation of increased height and density provisions of *The Planning Act*, having regard to the following:
 1. The type or types of development to which increased height or density provisions may apply;
 2. Area(s) of the Town where these provisions may apply;
 3. The facilities, services, or matters which may be provided in exchange for increased height or density; and
 4. The extent of the increases in height and density which may be granted.
 - 7.8.7 In all cases, development resulting from the application of increased height or density provisions shall be compatible with adjacent uses and meet the general intent and purpose of this Plan.
 - 7.8.8 The facilities, services or matters to be provided shall be commensurate with the increased height or density which may be granted for each development project.
 - 7.8.9 Where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of a proposed development, the owner will be required to enter into a Site Plan Control agreement with the Town, to be registered against the title of the land. The agreement will deal with the facilities, services or matters that are provided, and the timing of their provision.

7.9 PUBLIC WORKS AND CAPITAL WORKS PROGRAM

The implementation of the policies of this Plan which require the provision of municipal facilities and services will involve the Town directly in the financing of such projects. This shall include the development of neighbourhood and community parks and playgrounds, the upgrading of roads, the improvement of intersections, the installation of water mains, sanitary sewers and storm drainage facilities.

It is intended that Council, on the basis of the policies of this Plan dealing with community facilities, will establish a priority list for the implementation of these projects with estimates of cost (land

acquisition, construction and maintenance costs), wherever possible. A five-year capital works program will then be developed which the Council could carry out systematically. It is intended that the program will be reviewed annually as part of the capital budget process.

7.10 SITE PLAN CONTROL

7.10.1 Under the authority of *The Planning Act*, Council may control the details and design of development proposals through the use of a Site Plan Control By-law. The entire Town of Carleton Place shall be considered a Site Plan Control Area except that the following uses shall be exempt from Site Plan Control:

1. One and two family dwellings and buildings or structures accessory thereto, in any area zoned in a Residential zone in the implementing Zoning By-law; and
2. Additions or alterations to existing one and two family dwellings and buildings or structures accessory thereto throughout the Town.

7.10.2 Notwithstanding the specific exclusions set forth above, all properties which abut the Mississippi River shall be subject to Site Plan Control.

7.10.3 As a condition of approval of plans and drawings, the owner of the land may be required to provide to the satisfaction of, and at no expense to, the Town, any or all of the following:

1. Road widening, access ramps and curbs and traffic direction signs;
2. Parking, loading facilities and access driveways, including provisions for emergency vehicles;
3. Pedestrian walkways;
4. Site lighting;
5. Landscaping;
6. Storage and collection facilities for garbage and other waste material;
7. Easements for the construction, maintenance and improvement of watercourses, ditches, land drainage works, sewage, water and other public utilities; and
8. Grading and drainage.

Further, the Owner may be required to enter into a Site Plan 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 envisioned in the Site Plan Approval;
2. Detailed drawings and specifications of the work to be completed, including plans showing the physical relationship to the adjacent properties and public right-of-ways;
3. The timing of construction, including commencement and completion; and
4. Any financial guarantees and/or fees required by the Town to ensure the completion of the works described on the Site Plan.

7.10.4 In imposing Site Plan Control, Council will seek to regulate the general site design of the property and, when appropriate, the conceptual design of all buildings and structures on the property. Site plan drawings will be requested in all cases. Plan, elevation and cross-section drawings of each proposed building may be requested. Plan, elevation and cross-section drawings will not be required for a proposed building which is to be used for residential purposes containing less than 25 dwelling units.

7.10.5 Where the existing road allowance abutting any property is less than the designated width, the Town may require, as a condition of Site Plan approval, the dedication of a strip of land required for a road widening.

7.11 CASH-IN-LIEU OF PARKING

Council may develop a policy and implementing by-law in relation to cash-in-lieu of parking, pursuant to Section 40 of *The Planning Act*. Cash-in-lieu of parking shall generally be discouraged and, if required, will only be considered in exceptional circumstances, such as changes in use within existing older buildings in built-up areas, where there is little potential to augment parking facilities to accommodate more intense uses.

7.12 PUBLIC NOTICE PROCEDURES

7.12.1 *The Planning Act*, requires notification to the public of planning applications, with requirements defined through Ontario Regulations. The objective is to provide a public participation process which allows individuals and organizations affected by an Official Plan, a Community Improvement Plan, Zoning By-law and amendments thereto, to be made aware of planning proposals and to be provided an opportunity to express their views to Council. The requirements of *The Planning Act*, will apply to the public notification process .

7.12.2 Council shall make planning documents and by-laws such as the Official Plan, Community Improvement Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters.

7.12.3 In order to facilitate public participation in planning issues, Council will employ appropriate consultation methods at various stages of the decision-making process. These may include, but are not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with neighbourhood/rate-payers associations, and posting of affected properties.

7.13 MAINTENANCE AND OCCUPANCY (PROPERTY STANDARDS) BY-LAW

7.13.1 It is the policy of Council to encourage the maintenance of the Town as a pleasant environment for living, working, shopping and recreation. Continued maintenance of property is essential to the welfare of the Town.

7.13.2 It is the intention of the Town to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of by-laws specifying standards for property maintenance and occupancy for all properties.

7.13.3 Council will endeavour to 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. Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance; and

3. Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.
- 7.13.4** Upon adopting a Maintenance and Occupancy Standards By-law, Council will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.
- 7.13.5** Council will also appoint a Property Standards Committee for the purpose of hearing appeals against an order of the Property Standards Officer.
- 7.13.6** The By-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.
- 7.13.7** The Maintenance and Occupancy Standards By-law will prescribe standards for the following matters and any other matters that may be considered necessary:
1. The maintenance of yards, vacant lands, parks, waterfront areas, laneways and passageways, including accumulation of debris and rubbish;
 2. The adequacy of sanitation control, including sewage and drainage;
 3. The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep; and
 4. The establishment of occupancy standards including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces and room heights.

7.14 OFFICIAL PLAN AMENDMENTS

Notwithstanding the provisions of *The Planning Act*, where changing conditions necessitate the need for an amendment to this Plan, the following notification procedure shall apply.

- 7.14.1** Prior to approving any amendment to this Plan, Council shall prepare the amendment, notify affected ratepayers or hold a public meeting, or meetings, to present the amendment and request comments or discussion of the amendment.
- 7.14.2** In the event that the amendment affects a large number of ratepayers, or is of a general nature, the notice of the public meeting, or meetings, shall be given by advertisement in the local newspaper.
- 7.14.3** A record shall be made of the public involvement and it shall be appended to the amendment prior to its submission to the Ministry of Municipal Affairs and Housing for approval.
- 7.14.4** When considering amendments to this Plan, Council shall have regard to, among other things, the following criteria:
1. The need for the proposed change;
 2. The impact of the proposed change or the achievement of goals, objectives and policies expressed in this Plan and in other municipal policies;
 3. The effect of the proposed change on the need for municipal services and facilities;

4. Whether there is a need to add the lands to lands already within the proposed designation;
5. The physical suitability of the lands for the proposed use; and
6. The impact on adjacent lands or the community, as applicable, having regard to land use compatibility and other relevant considerations.

7.15 MONITORING AND REVIEW

7.15.1 It is the intent of Council that a special public meeting be held not less frequently than every five years, pursuant to Section 26 of *The Planning Act*, to determine the need for review of this Plan, or parts thereof, to ensure that:

1. The Plan's goals and objectives remain valid and realistic in light of prevailing circumstances; and
2. The Plan's policies are adequate for the achievement of the goals and objectives.

7.15.2 In order to facilitate the review of this Plan, Council will monitor the achievement of its objectives and effectiveness of its policies. If monitoring over several years indicates that targets are not being met, the monitoring report will recommend corrective action or a policy review.

SECTION 8

INTERPRETATION

- 8.1** It is intended that the boundaries of the land use classifications shown on Schedule "A" be considered as approximate and absolute only where bounded by roads, railways, rivers or streams or other similar geographical barriers. It is also intended that the location of roads as indicated on Schedule "A" be considered as approximate and not absolute. It is recognized that Schedule "A" is subject to the typical and inherent inaccuracies associated with base mapping sources and digitized assessment parcel information. Accordingly, amendments to the Official Plan will not be required in order to make minor adjustments to the parcel fabric, physical features or approximate land use boundaries shown on Schedule "A", provided that such adjustments do not, in the Town's opinion, compromise the intent of the Plan.
- 8.2** Typographical, grammatical and formatting modifications to this Plan may be undertaken without an Official Plan amendment, provided that such modifications do not, in the opinion of the Town, affect the intent of the Plan.
- 8.3** It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.
- 8.4** Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.