

**OFFICIAL PLAN**  
**TOWN OF DEEP RIVER**

PREPARED BY: County of Renfrew Planning Department  
9 International Drive  
Pembroke, Ontario.  
K8A 6W5

REVISED: March 2012

CONSOLIDATED: March 2012  
OPA 10 – APPROVED AND  
IN EFFECT MAY 22, 2012

AMENDMENT NO. 10  
TO THE  
OFFICIAL PLAN OF THE  
TOWN OF DEEP RIVER

This amendment was adopted by the Council of the Corporation of the Town of Deep River by By-law 11-2012 in accordance with Sections 17 and 21 of The Planning Act, R.S.O. 1990, c.P. 13, on the 21<sup>st</sup> day of March, 2012.



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MAYOR



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CLERK

CORPORATE  
SEAL OF  
MUNICIPALITY

**THE CORPORATION OF THE TOWN OF DEEP RIVER**

**BY-LAW NUMBER 11-2012**

**A BY-LAW TO ADOPT AMENDMENT No. 10 TO**

**THE OFFICIAL PLAN OF THE TOWN OF DEEP RIVER**

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The Council of the Corporation of the Town of Deep River in accordance with the provisions of Section 17(21) of the *Planning Act*, hereby enacts as follows:

1. THAT Official Plan Amendment No. 10 to the Town of Deep River Official Plan consisting of the attached text and Schedule "A" is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the County of Renfrew for the approval of Official Plan Amendment No. 10 to the Town of Deep River Official Plan.
3. THAT this By-law shall come into force and take effect on the day of final passing thereof.

READ AND PASSED THIS 21<sup>st</sup> DAY OF MARCH, 2012.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer/Clerk

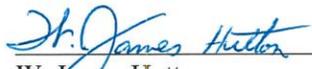


## DECISION

**With respect to Official Plan Amendment No. 10  
to the Town of Deep River Official Plan  
Subsections 17(34), 22 and 26 of the Planning Act**

I hereby approve all of the proposed Official Plan Amendment No. 10 to the Official Plan for the Town of Deep River adopted by By-law No. 11-2012.

Dated at Pembroke, this 30<sup>th</sup> of April, 2012.

  
\_\_\_\_\_  
W. James Hutton  
CAO/Clerk  
County of Renfrew

## TABLE OF CONTENTS

<b>SECTION 1 - INTRODUCTION .....</b>	<b>4</b>
1.1 SKETCH OF DEEP RIVER .....	4
1.2 AUTHORITY AND SCOPE OF THE PLAN .....	5
1.3 PURPOSE AND STRUCTURE OF THE PLAN.....	6
1.4 BASIS .....	6
1.5 ASSUMPTIONS.....	6
<b>SECTION 2 - VISION.....</b>	<b>9</b>
2.1 INTENT OF THE PLAN .....	9
2.2 GOALS .....	9
<b>SECTION 3 - GENERAL POLICIES .....</b>	<b>14</b>
3.1 PLANNED LAND USE .....	14
3.2 GENERAL RESIDENTIAL POLICIES .....	15
3.3 DEVELOPMENT PRIORITIES AND CRITERIA .....	18
3.4 BUFFERING .....	19
3.5 PARKLAND DEDICATION .....	19
3.6 SUSTAINABLE DEVELOPMENT .....	20
3.7 MOBILITY AND ACCESSIBILITY .....	21
3.8 NOISE.....	21
3.9 DEVELOPMENT STAGING.....	22
3.10 NON-CONFORMING USES .....	22
3.11 PUBLIC USES.....	23
3.12 SUBDIVISION OF LAND .....	24
3.13 MAINTENANCE AND OCCUPANCY BY-LAWS .....	26
3.14 HABITAT OF ENDANGERED AND THREATENED SPECIES .....	27
<b>SECTION 4 - POLICIES FOR LAND USE DESIGNATIONS.....</b>	<b>28</b>
4.1 RESIDENTIAL AREAS.....	28
4.2 ESTATE RESIDENTIAL AREAS.....	32
4.3 TOWN CENTRE AREA .....	34
4.4 BUSINESS PARK .....	38
4.5 INSTITUTIONAL AREAS .....	41
4.6 OPEN SPACE AND RECREATION AREAS.....	42
4.7 ENVIRONMENTAL PROTECTION AREAS .....	46
4.8 RURAL AREAS .....	49
4.9 UNDEVELOPED AREAS .....	51
4.10 RECREATIONAL WATERFRONT.....	52
4.11 WASTE DISPOSAL AREAS.....	54
<b>SECTION 5 - OVERLAY DESIGNATIONS .....</b>	<b>57</b>
5.1 WATERFRONT .....	57
5.2 COMMUNITY IMPROVEMENT .....	59
<b>SECTION 6 - TRANSPORTATION AND SERVICES.....</b>	<b>62</b>
6.1 TRANSPORTATION.....	62

6.2	SERVICES.....	63
<b>SECTION 7 - IMPLEMENTATION.....</b>		<b>66</b>
7.1	ZONING AND RELATED CONTROLS.....	66
7.2	SITE PLAN CONTROL.....	69
7.3	PUBLIC WORKS.....	70
7.4	COMMUNITY IMPROVEMENT.....	70
7.5	OTHER LEGISLATION.....	71
7.6	APPROVAL AUTHORITIES.....	71
7.7	INTERPRETING AND AMENDING THE OFFICIAL PLAN.....	71
7.8	TARIFF OF FEES.....	72
7.9	REQUIREMENTS FOR PRE-CONSULTATION ON DEVELOPMENT APPLICATIONS.....	72
7.10	HERITAGE CONSERVATION.....	74

## **SECTION 1 - INTRODUCTION**

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### **1.1 SKETCH OF DEEP RIVER**

A scenic location on the wooded banks of the Ottawa River; the largest nuclear research facility in Canada -- these two attributes exert dominant influences on the Town of Deep River. The physical setting of Deep River is intrinsic in features such as the yacht club, the beautiful beaches, the extensive cross country ski trails and snowmobile trails, the ski hill, and the treed boulevards and parklands. On the other hand, the facility provides a large public sector employment with higher than average wages for the area, a scientific persuasion to the Town and to school programs, and an overwhelming economic stimulus.

Deep River has a number of assets that can be used to promote diversification and stability. "The area offers a combination of outstanding recreational facilities, cultural programs (including a symphony orchestra), affordable housing and safe communities set in a clear, naturally beautiful environment." There is a "highly educated and skilled labour force, excellent schools with province-wide reputations and a pool of untapped employment potential." The presence of A.E.C.L. creates an "extensive research and development capability." There are readily available, inexpensive industrial land and an infrastructure that could sustain substantial growth."

AECL is the second largest employer in Renfrew County (behind Base Petawawa). In 2011 CRL employed over 2700 people. Base Petawawa has grown significantly in recent years and has come to play an increasingly important role in the development of Ottawa Valley communities, including Deep River. Base employment levels were around 7,000 in 2011, and base personnel have become an important source of new residents for the Town.

Deep River is situated along the Trans Canada Highway, approximately mid way between Ottawa and North Bay. It is the northern most urban municipality in the County of Renfrew. The City of Pembroke is 50 kilometres to the south east and Ottawa is nearly 200 kilometres away.

The Town of Deep River has a large geographic area (approximately 51 square kilometres). Where the easterly and westerly corporate boundaries meet the River they are about 16 kilometres apart. This encompasses the built-up townsite, the site of the Chalk River Laboratories of AECL and the intervening, undeveloped forested lands which are mainly federally-owned.

Deep River has a unique "planning" history. It was established in the 1940's as a "company town" for AECL and incorporated as an improvement district in 1956. The layout of the townsite was designed by associates of the School of Architecture at McGill University. According to one of the original architects, the townsite, which is in the western half of the corporate area of Deep River, was chosen from three possible sites. The preferred site had characteristics that made it simple to service and

aesthetically pleasing. The original townsite was planned and developed as a unit. The chosen street pattern was curvilinear in form. While the layout included a central commercial area, that area does not possess the typical main street lined with edifices of a traditional downtown.

The population of Deep River has been reasonably stable since the early 1990's. Population figures in 1991 vary from 4,174 to 4,571 (depending on the source of the data). The population estimate for 2010 was 4,372. The Town is actively pursuing development and population growth through the promotional efforts of Council and the Economic Development Department.

## **1.2 AUTHORITY AND SCOPE OF THE PLAN**

- (1) This Plan constitutes and shall be known as the "Official Plan for the Town of Deep River" when it is approved by the Minister of Municipal Affairs. This document may also be referred to as the "Official Plan" or the "Plan". This Plan replaces the plan that was approved in 1980, and all amendments thereto.
- (2) This Official Plan applies to the portion of the lands within the corporate limits of the Town of Deep River that is shown on Schedule 'A'. This area shall be considered as the planning area for the Town of Deep River. The remaining lands are in federal ownership and control in conjunction with Atomic Energy of Canada.
- (3) As of 2011, the current horizon for the Official Plan is the year 2016. The assumptions and land use allocations look ahead to that year. The relevance of this Official Plan has and will continue to be maintained through regular monitoring, amendments as required, five-year reviews as provided for under the Planning Act and a return to the full review process at the end of the planning horizon or when the planning assumptions and vision are determined to be no longer valid.

### 1.3 PURPOSE AND STRUCTURE OF THE PLAN

- (1) The purpose of the Official Plan is to guide the physical development of the Town of Deep River by articulating policies and land use designations that describe and promote the desired future form of the Town.
- (2) The Official Plan is made up of the following text and the annexed plans identified as "Schedule 'A' - Land Use" and "Schedule 'B' - Transportation and Services."
- (3) The text of the Plan is divided into seven sections:
  1. Introduction
  2. Vision
  3. General Policies
  4. Policies For Land Use Designations
  5. Overlay Designations
  6. Transportation And Services
  7. Implementation

### 1.4 BASIS

- (1) This Official Plan evolved from a thorough review of planning issues and land use information. The plan that has been replaced was adopted in 1980. Since that time there have been changes in the local economy and changes in the Planning Act that diminished the relevance and utility of that 1980 plan.
- (2) Documents which support this Official Plan include the Background Study and the Issues and Options Report. These were prepared during the planning process.
- (3) The Planning Committee of the Town of Deep River consulted the public at specific points in the planning process. A preliminary survey of the opinions of the community leaders, a public forum on the main planning issues and optional planning approaches, and several public reviews of proposed policies and designations were key components of this Plan.

### 1.5 ASSUMPTIONS

This Official Plan is based on the following assumptions:

- (1) The Federal government will continue to support the Chalk River Laboratories of AECL, thereby maintaining a stable foundation for the Town's economy.

- (2) That Base Petawawa will continue to provide residential growth opportunities for the community.
- (3) More seniors residing in Deep River will require more health care, more special retail and higher density housing; including apartments, condominiums and townhouses.
- (4) Economic growth priorities expressed in the Town's Corporate Business Plan will lead to the expansion of the available housing mix and create investment opportunities.
- (5) Efforts to promote tourism growth in the area will continue and will have a positive impact on the Deep River economy.
- (6) Service sector growth will be required to meet the needs of the community and surrounding area.
- (7) Additional industries will help diversify the economic base of the community. The area's highly educated workforce will appeal to high-tech industries who may consider locating here.
- (8) There will be a moderate increase in population based on the ongoing growth at Base Petawawa and stability at Chalk River Labs (CRL). Retirements from CRL will create an opportunity for growth because most retirees stay in Deep River and those replacing them at work often immigrate from outside the community. Population projections for 2015 are 4,455 and 4,528 for 2020.
- (9) A moderate demand for new building lots will be maintained by the realization of population growth and the continuation of the formation of new households and municipal water supply and water treatment facilities will have the capabilities to handle growth. Thus, the Town will require the designation of enough land for residential purposes to afford the creation of over 100 new lots on an ongoing basis.
- (10) There is a relative shortage of medium to high density housing and demand for these will increase.
- (11) Certain open space/natural environment aspects of Deep River are sacrosanct.
- (12) A new electrical substation or new circuit line will be required to support growth westerly in the long term.

- (13) Two features of Deep River are the many pleasing views of the Ottawa River, and the easy access to the Ottawa River waterfront, particularly in the central area. These features are memorable to both residents and visitors to the Town, and will be protected and enhanced in any future planning decisions.
  
- (14) The marina and riverfront areas are attractions for residents and visitors and will be important catalysts for economic development for the Town.

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## SECTION 2 - VISION

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### 2.1 INTENT OF THE PLAN

Through this Official Plan, Council is creating a planning framework that will foster growth, development and diversification while ensuring that the unique character of the Town is retained. The unique character of Deep River is defined by certain physical attributes, including the following:

- orderly pattern of development, the Town was a planned community by the McGill School of Architecture;
- significant amounts of parks and open space exist in residential areas;
- not laid out in a rectangular matrix, rather a curvilinear pattern is the norm;
- mature trees;
- very attractive scenic qualities;
- Ottawa River waterfront remains accessible to the public.

The intent of the Plan is to guide the growth described by the Assumptions of this Plan while ensuring that the growth is properly structured. AECL provides the foundation for the Town's economy. Growth within AECL, while welcomed, is not anticipated in this Plan. However, the Town hopes to achieve moderate economic growth by the development of other businesses and industries, and by the promotion of its assets and attributes.

The Town is in a favourable position to accommodate growth. There is undeveloped land available within the limits of the Town. Some key facilities (e.g. the sewage treatment plant, the water treatment plant, the water supply system) are not being used to their capacities. Therefore, there is room for growth without capital expenditures for these items. Thus, it is also the intent of this Plan to bring about the more complete utilization of established infrastructure and urban lands.

Council's vision, which is represented in this Plan, is of a Town that grows to be more self-sufficient, more balanced in its economy and age structure, more attractive as a tourist destination and as a stopping place, but that retains its character as a community that is in harmony with its landscape.

### 2.2 GOALS

The following are the general and specific goals of this Official Plan.

### **2.2.1 General Goals**

- (1) To help implement development strategies that are consistent with the economic development priorities in the Town's corporate business plan.
- (2) To protect the natural environment and to ensure that land use changes and development adhere to the principles of sustainability (i.e., type, form and design of development minimizes negative impacts on future generations).
- (3) To allow for the diversification of the economic base of the Town.
- (4) To provide for improved integration of compatible land uses.
- (5) To protect the unique aspects of the development patterns and natural features of the Town.
- (6) To enhance Deep River's role as an area service centre.
- (7) To ensure that future development can be efficiently serviced consistent with the capabilities of the Town and in a manner that minimizes cost to the taxpayer.
- (8) To provide a vision for growth that enables the Town to review development applications efficiently and accurately.

### **2.2.2 Residential Goals**

- (1) To designate lands in order to provide a fifteen-year supply for future residential needs.
- (2) To encourage affordability and a range of housing types in new development.
- (3) To facilitate the establishment of medium to high density housing convenient to the town centre area.
- (4) The Town will encourage residential development on full Town services wherever reasonably possible. Estate Residential development will be allowed where services cannot be reasonably supplied.
- (5) To encourage new residential development in Town and the conversion of existing buildings and utilization of vacant lands in the Town Centre Exception designation for residential purposes, to broaden the types of tenure and housing available to residents and make the

community more attractive to people wishing to live in Deep River.

### **2.2.3 Town Centre Goals**

- (1) To ensure that the town centre area functions as the primary administrative and central market place for the residents of Deep River.
- (2) To strengthen the role of the town centre area by designating additional lands, and by allowing the consideration of multi-purpose developments and additional retail/commercial development.
- (3) To promote visual and functional improvements to the town centre area.
- (4) To protect the view of the Ottawa River.

### **2.2.4 Business Park Goals**

- (1) To recognize and enhance the regional role performed by the trans Canada Highway corridor within the economic base of the Town of Deep River.
- (2) To provide a broader range of development opportunities by designating additional lands for commercial and industrial purposes and further diversify the economic base.

### **2.2.5 Waterfront Goals**

- (1) To maintain public access along the Ottawa River Waterfront;
- (2) To protect access to the waterfront through maintenance and development of important access points that link the waterfront to other parts of the community, particularly the Town Centre;
- (3) To encourage community recreation and tourism at appropriate locations on the waterfront through maintenance and improvement of facilities and natural features.
- (4) To ensure that the Riverbank Park area is preserved as public open space.

### **2.2.6 Parks and Open Space Goals**

- (1) To designate the major parks and open space areas that should not be subject to any future change in use.

- (2) To encourage developers to be creative in the design of developments so that new areas of parkland are located and designed to integrate with the existing system.
- (3) To enable the Town to enhance its open space system.

### **2.2.7 Goals for Institutions**

- (1) To enable an appropriate integration of institutions and related amenities with other land uses.
- (2) To encourage the development of social services facilities such as day care centres, seniors residences, social centres and nursing homes.

### **2.2.8 Goals for Environmental Protection**

- (1) To direct development to locations that do not have any serious constraints due to hazards or other physical limitations.
- (2) To identify the flood plain elevations and management concepts associated with the Ottawa River, and to regulate development accordingly.
- (3) To preserve environmentally sensitive and significant natural areas.

### **2.2.9 Goals for Transportation and Services**

- (1) To ensure that new development opportunities are provided in areas that are practical and economical to service.
- (2) To continue the two-level hierarchy (collector vs. non-collector) for Town roads in order to maximize the safety and convenience of vehicular traffic between key areas and facilities.
- (3) To promote the safety of pedestrians and encourage the inclusion of sidewalks in development agreements.
- (4) To require that new development generally be on full municipal sewer and water services, or in the case of an unserved area of development, such as Balmer's Bay, be kept physically separate from the serviced area.

### **2.2.10 Goals for Waste Management**

- (1) To conduct waste management activities that promote long-term effectiveness and the

efficient use of the resources of the community.

- (2) To ensure that waste disposal sites are established, operated and rehabilitated in accordance with the Environmental Protection Act and any other applicable laws or regulations.
- (3) To ensure that appropriate regulations are adopted to prevent adverse impacts from waste disposal facilities.

#### **2.2.11 Goals for Town Centre Exception**

- (1) To broaden the policies related to permitted uses in an area forming part of the Town Centre.
- (2) To encourage medium and higher density residential development on vacant and underutilized lands located in the downtown core.

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## SECTION 3 - GENERAL POLICIES

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### 3.1 PLANNED LAND USE

Council shall manage land use change in the Town of Deep River in accordance with this Plan. The goals and objectives, the general and specific policies contained herein provide guidance for the physical development of the Planning Area for Deep River.

#### 3.1.1 Land Use Designations

The desired arrangement of land uses is established by the designations shown on the Land Use Plan (Schedule 'A'). Section 4.0 of this Plan contains the policies that apply within the land use designations, which include:

- Residential
- Estate Residential
- Town Centre
- Recreational Waterfront
- Business Park
- Institutional
- Open Space and Recreation
- Rural
- Environmental Protection
- Undeveloped Town Centre Exception
- Waste Disposal

#### 3.1.2 Overlay Designations

Several designations are superimposed on the land use designations as overlay designations. Section 5.0 of this Plan contains the policies that must be satisfied before the policies of the land use

designations apply.

The overlay designations include:

- Waterfront
- Community Improvement

### **3.1.3 Roads and Services**

The hierarchy of roads, collector versus local, is established by the Transportation and Services Plan (Schedule 'B'). This Schedule also shows the area serviced by municipal sewer and water, and the area serviced by municipal water only.

## **3.2 GENERAL RESIDENTIAL POLICIES**

### **3.2.1 Temporary Detached Dwellings (Garden Suites)**

- (1) In order to provide an alternative housing type, one temporary detached dwelling unit on the same lot as an existing dwelling may be considered provided that:
  - i) the property owner certifies to the satisfaction of Council that the occupancy will be by elderly or disabled relatives;
  - ii) the construction complies with the Ontario Building Code and the Canadian Standards Association where applicable;
  - iii) the unit is designed and installed to be temporary and removable;
  - iv) the appropriate environmental approvals are obtained;
  - v) the owner demonstrates to the satisfaction of Council that the impact on neighbouring uses will be minimal. To achieve this, site performance standards will be established in the implementing zoning by-law;
  - vi) the property owner enters into an agreement with the Town describing the requirements for installation, maintenance, and removal of the unit; the period of occupancy of the unit; and the form of security to be provided by the owner.
- (2) (a) Permission for the establishment of a detached dwelling unit, as described above

shall be controlled by means of a temporary use by-law under the Planning Act. Council shall determine the period of time (up to a maximum of 20 years) that is appropriate for the authorization of the temporary use, taking into account the circumstances of each case and the governing legislation.

- (b) Before granting further periods of authorization for the same property and owner, Council shall be satisfied that the performance during the initial period was acceptable and that the use will continue to meet the provisions of the preceding paragraph (1).

### **3.2.2 Group Homes**

A group home is a single housekeeping unit in a residential dwelling in which up to ten (10) persons, excluding staff or the receiving family, live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial Statute. Group homes shall be permitted in all designations that allow residential uses, in accordance with the respective development criteria. Standards for a minimum distance separation between these facilities may be included in the implementing zoning by-law.

### **3.2.3 Home Occupations**

Home occupations, including professional and personal services may be permitted as accessory uses to any permanent residential use, provided that the occupations are small scale; compatible with residential uses; not unsightly, noisy or hazardous; and carried on entirely within the residence. Specific provisions relating to matters such as parking, size and permitted uses shall be included in the implementing Zoning By-law.

### **3.2.4 Multiple Residential Development**

- (1) Developments of multiple attached ground-oriented housing should have space around buildings that achieves visual privacy for rooms, useful outdoor living spaces and reasonable separation from neighbouring uses.
- (2) Where private access driveways are a component of a rental or group housing project (ie. co-operatives and condominiums), the driveway should have an adequate width, and an adequate standard of construction and maintenance to support fire trucks, other emergency equipment and service vehicles. The aforementioned matters should be secured through appropriate agreements.
- (3) Communal open space within a development should be planned to link up with proposed

or existing pedestrian systems and public parklands.

- (4) Group housing projects (ie. co-operatives and condominiums) that involve more than one building, containing one or more dwelling units, on the same lot may be permitted provided the foregoing policies for multiple residential will be met to Council's satisfaction.

### **3.2.5 Secondary Dwelling Unit**

- (1) Second units, also known as accessory or basement apartments, secondary suites and inlaw flats, are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages).
- (2) A second dwelling unit shall be permitted in a detached, semi-detached and town house dwelling, as well as in a building accessory to one of these dwellings.
- (3) A second dwelling unit is required to meet all other applicable legislation and standards (i.e. Building Code and Fire Code).
- (4) The Town may establish zoning criteria to ensure that the second dwelling unit is in a suitable location and will not over develop a lot. This criteria may include, but is not limited to, adequate off-street parking, adequate amenity area, and capacity for servicing.

### **3.2.6 Alternative Development Standards**

- (1) Alternative urban development standards such as smaller lot frontages, narrower road rights of way and shared service installations may be considered – normally for greenfield development or for comprehensive development – but these developments will be evaluated on a case by case basis. Minor reductions for one or a few lots for intensification purposes may be considered in accordance with the policies above for intensification.
- (2) Areas of comprehensive development using alternative standards will be subject to site plan control and placed in a special zone in the implementing zoning by-law.
- (3) Prior to the approval of development based on alternative standards, Council will adopt development guidelines that will ensure that adequate provision is made for snow accumulations and parking, among other things, in the design of the development.
- (4) Council need not authorize the increased density unless the proponent provides additional parkland above the minimum five percent and/or related community facilities to Council's satisfaction in order to improve the Town's amenities, as provided under Section 37 of the

Planning Act R.S.O. 1990.

### **3.3 DEVELOPMENT PRIORITIES AND CRITERIA**

- (1) When considering an application for development that involves an official plan amendment, a zoning by-law amendment or a site plan approval, Council shall be satisfied that the proposal is appropriate, compatible with adjacent uses, in the public interest and not premature.
- (2) All new commercial, industrial, institutional, medium and high density residential uses shall be subject to Site Plan approval. Lands being developed under the Condominium Act shall also be subject to Site Plan approval. Lands being redeveloped or additions being added onto existing structures, may also be subject to Site Plan Control. Lands being developed by plan of subdivision in low, medium and high density residential, commercial and industrial uses, shall also be subject to the following information and technical investigations, together with Site Plans, if deemed necessary by Council:
  - A landscape plan prepared by a professional landscape architect. Landscaping may be required along public roads adjacent to the site and vegetation landscaping should be integrated with parking areas.
  - Sites possessing trees may require a tree preservation plan prepared by a professional arborist. The tree preservation plan would be included as part of the landscape plan schedule.
  - Sites located adjacent to arterial or collector roads shall provide sidewalks parallel to the street, to safely separate pedestrian and vehicular traffic.
  - New development may require a Stormwater Management Plan using Best Management Practices. The Stormwater Management Plan shall comply with enhanced Level 1 stormwater quality protection, to the satisfaction of the Municipality.
  - An Erosion and Sediment Control Plan may be required for new development and sites being redeveloped.
- (3) The adequacy of services to satisfy any new demand should be ascertained before Council commits its support for significant residential development.
- (4) (a) Council may consult with such experts and agencies as it considers necessary before passing amendments or making recommendations to the approval authority.  
  
(b) The Town may require, during the approval stages, reports on matters such as soils, geology, hydrology, vegetation, ecology, and drainage; and to supply surveyed elevation information in order that the on-site and off-site impacts of the development may be

assessed. Thus, Council can determine which areas are suitable for development.

(c) An assessment of any development proposal within 500 metres of the perimeter of the fill area of an active, closed or proposed waste disposal site should be undertaken to ensure that the development is compatible with soil and groundwater conditions, and that it will not be affected adversely in any way by the presence of the waste disposal site. This study area may be increased or decreased to coincide with the actual influence area identified by hydrogeologic and/or engineering studies. The implementing zoning by-law should contain measures to restrict development within the potential or actual influence area of a waste disposal site until it has been demonstrated to Council's satisfaction that the adverse impacts will be prevented or minimized.

### **3.4 BUFFERING**

- (1) Where different land uses abut, every effort shall be made to avoid conflicts between different uses. Where deemed necessary, buffering will be provided for the purpose of reducing or eliminating the adverse effects of one land use upon the other. A buffer may be vacant land, a berm, wall, fence, plantings, land use different from the conflicting ones but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose.
- (2) The implementing Zoning By-law may provide for separation distances between potentially incompatible uses.

### **3.5 PARKLAND DEDICATION**

- (1) Whenever development or redevelopment of lands is proposed for commercial or industrial purposes, the Town may require by by-law under the authority of Section 42 of the Planning Act, that up to two per cent of such lands be conveyed to the municipality for park or other public recreational purposes. In residential plans of subdivision, the Town of Deep River shall require, as a condition of approval, that five per cent of such lands be conveyed to the Municipality for park or other public recreational purposes, as also set out in Section 51(5)(a) of the Planning Act. In other forms of residential development the same dedication may be required.
- (2) All land to be so conveyed must be consistent with the policies of this Plan for Open Space And Recreation Areas, and shall require approval by the municipality. Council shall ensure that such lands so conveyed be useful for open space needs, such as being suitable for tot lots, or contiguous with existing paths or trails. Lands having environmental limitations, including lands within a one-in-one hundred year floodplain, may not be acceptable.

- (3) As an alternative to the conveyance of parkland, the Municipality may require the developer to convey cash in lieu of such lands. The cash value of such lands will be determined in accordance with Section 42 and Section 51(5)(a) of the Planning Act. This is not the preferred option, as a general rule.

### **3.6 SUSTAINABLE DEVELOPMENT**

- (1) Council will encourage sustainable development, which means development that is energy efficient, maintains a balance of environmental assets in the community, promotes the conservation of resources and ensures an enhanced quality of life for future generations. Other policies of this Plan will be interpreted so as to adhere to these principles of sustainable development.
- (2) In addition, Council will promote sustainable development by:
  - (a) supporting developments that are sensitive to natural environments such as shorelands, wetlands, streams, and significant fish and wildlife habitat.
  - (b) encouraging developers to design for energy efficiency by taking into account solar orientation, prevailing winds, vegetative protection from wind and sun, topography, and the potential to cluster buildings;
  - (c) supporting developments that will create a healthy, more livable community by encouraging outdoor physical activity, cycling and walking;
  - (d) requiring that developers provide for the control of storm runoff during construction and in the final design;
  - (e) requiring developers to preserve a "treed community" through protection, replacement and augmentation;
- (3) (a) On balance, a development should result in some environmental gain, as measured by the following:
  - i) movement toward community self-sufficiency with respect to housing, employment, goods and services, recreation and other needs;
  - ii) creating advantageous arrangements of uses and buildings so that the relative nearness enables more social needs to be met and energy savings to be achieved within developments;

- iii) reduced dependency on automobile;
- iv) replacement of inefficient buildings and technologies;
- v) increased population density (infilling, apartments, smaller lot sizes, etc.)
- vi) creation of new habitat for fish and wildlife;
- vii) increased ratio of "green space" to "built space".

(b) Council may require the proponent of a development of significant scale, intensity or potential impact (e.g., plan of subdivision, industrial use, waterfront location) to supply an Environmental Impact Statement as part of the planning approval statement. Such statement need not be a thorough environmental assessment but it should identify the existing environmental condition of the site, the components of the development that promote sustainability and the anticipated environmental gains.

- (4) Any development that satisfies the sustainable development criteria set out by this Plan, and any Sustainable Development Strategy adopted by Council, will be given priority consideration.

### **3.7 MOBILITY AND ACCESSIBILITY**

- (1) Handicapped parking at strategic locations should be provided in conjunction with all developments and redevelopments.
- (2) Barrier-free access to commercial, institutional and multiple residential buildings and facilities will be required in all development and redevelopment plans.

### **3.8 NOISE**

- (1) Land uses that generate significant levels of noise (e.g., provincial highway, industrial uses involving frequent movements of products or heavy trucks or involving processes with sounds frequently audible off the site) can be incompatible with adjacent residential uses and some institutional uses. Prior to permitting development that may cause noise or be affected by noise from an existing source, the Town may require a a noise impact study.
- (2) Council may consult the Ministry of the Environment in order to be satisfied that noise levels will not affect residential development or that noise attenuation features will relieve the noise situation. In particular, this policy shall apply adjacent to Highway 17.

- (3) The recommendations and noise attenuation measures contained in the noise impact study will be implemented through provisions in the subdivision agreement, site specific official plan amendment, site specific zoning by-law amendment or site plan agreement.

### **3.9 DEVELOPMENT STAGING**

- (1) Council intends that Deep River's serviced area should grow progressively, so as to maintain a continuous urban form. The aim of growth should be to maintain a reasonable balance of the built up area around the nucleus of the town centre. Important factors for determining the direction of increments of development will be the cost and convenience of connections with services.
- (2) The Town may develop a servicing strategy or a multi-year servicing plan in order to rationalize the costs of trunk sewer and water main extensions with the costs of new hydro electric installations and to provide enhanced guidelines for the extension of the built-up area.

### **3.10 NON-CONFORMING USES**

- (1) Some land uses will not conform to the land use designations of this Plan even though they legally existed on the date of approval of the Plan. Legally existing uses will have the continued use protection that is afforded by the Planning Act. However, should a non-conforming use cease to exist, the site shall be developed in accordance with this Plan. The foregoing will be achieved through zoning techniques, as further described in the Implementation Section of this Plan. Furthermore, Council may seek means to eliminate a use that is not zoned for its present use, through acquisition by the Town if sufficient funds are available, or by assisting to arrange for a more suitable location.
- (2) Where an extension, enlargement or change of a non-conforming use is proposed, permission may be granted under the provisions of the Planning Act, by Council or the Committee of Adjustment, provided that the following criteria are met:
  - (a) It should not aggravate any situation which is detrimental to neighbouring, conforming uses;
  - (b) It should be in reasonable proportion to the existing use and to the land on which it is to be located;
  - (c) Any extension or enlargement involving additional land should be minor in relation to the total property. Any major change shall require an amendment to the Official Plan;

- (d) It should result in equal or greater compatibility with surrounding uses with regard to noise, vibrations, fumes, smoke, dust, odours, lighting and traffic generation;
  - (e) Adequate buffering, landscaping, setbacks and any other measures necessary to reduce the nuisance may be required as a condition of permission, and where possible, should be extended to the existing use;
  - (f) Proper access to the site will be provided to ensure that no traffic hazards are created;
  - (g) Adequate off-street parking and loading spaces will be provided;
  - (h) Applicable services such as public utilities, storm drainage works, water supply and sewage disposal systems must be adequate;
  - (i) Neighbouring property owners shall be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.
- (3) Non-compliance with site performance standards does not constitute a non-conforming use.

### **3.11 PUBLIC USES**

- (1) Public uses include educational, institutional, administrative, cultural and recreational facilities that are owned by a public authority, and public utilities such as hydro, natural gas and telephone transmission facilities. Unless otherwise prohibited in this Plan, public uses shall be permitted in all land use designations subject to certain criteria:
- (a) The site design, and the design of the buildings and structures must be in keeping with the character of the surrounding area and the use will not detract from the primary function of the area;
  - (b) Buildings and structures shall be subject to the policies of this Plan for Environmental Protection Areas;
  - (c) Off-street parking shall be adequately provided; and
  - (d) The requirements of the implementing zoning by-law are satisfied.
- (2) Notwithstanding the policy in the preceding subsection (1), the development of electric power facilities and works defined in the Power Corporation Act shall occur in an orderly

manner to facilitate the efficient and reliable provision of adequate electric power. As such, it is the policy of this Plan that electric power facilities are permitted in all land use designations without a Plan amendment provided that the planning of all such facilities is carried out having regard to the other policies of this Plan, and provided that such development is authorized by the Environmental Assessment Act. Furthermore, Hydro One shall consult the Town regarding the location of any new electric power facilities.

- (3) Public uses except electrical power facilities as described above will be subject to site plan control.
- (4) The Town of Deep River shall participate in discussions about the location of all electric power facilities and other public uses.

### **3.12 SUBDIVISION OF LAND**

#### **3.12.1 General Policies**

- (1) The Planning Act provides for two methods of subdividing land (or the interest in land): a registered plan of subdivision and a consent. The division of land in Deep River shall generally take place by plan of subdivision.
- (2) Council shall oppose applications to the Committee of Adjustment for consents to sever lands except where Council considers that a plan of subdivision is not necessary for the proper and orderly development of the Town of Deep River, as further explained in this Plan.
- (3) Parcels of land, or interest in land shall be created only where they conform and comply with the provisions of this Plan and the implementing zoning by-law.
- (4) The creation of a new lot or lots shall not isolate or landlock any lands.
- (5) The size, shape and dimensions of any lot should be appropriate for the intended use, and flanking lots should have similar depths.

#### **3.12.2 Plans of Subdivision**

- (1) Council will require that creativity, sensitivity to the natural landscape, and recognition of existing development patterns be evident in the design of a plan of subdivision. Therefore, a developer should design a concept plan of subdivision for submission to Council that:
  - (a) contains a balance of efficient road connections or extensions with a continuation of the curvilinear form of existing development;

- (b) maximizes the amount of usable open space to be dedicated as parkland in accordance with the policies of this Plan for Open Space and Recreation Areas;
  - (c) achieves balance and integration with adjacent development; and
- (2) An applicant for subdivision approval shall be required to enter into an agreement, as provided for by the Planning Act, which shall be registered against the lands to which the agreement applies.

### 3.12.3 Consents

In determining the appropriateness of consents to divide land, Council and the Committee of Adjustment will be guided by the following policies.

- (1) Consents for new lot creation may be considered to infill existing developed areas and in other situations to achieve the better utilization of land.
- (2) Consents should not be granted where a significant extension of any major municipal service will be required.
- (3) The lot to be created and the retained lands shall have adequate frontage and access on a public road.
- (4) Consents may be granted for technical purposes or minor adjustments to existing parcels of land, such as title corrections, boundary adjustments, lot additions, easements and rights-of-way.
- (5) Consents should not be granted if the result would be to interfere with or deter potential plans of subdivision.
- (6) A consent shall not be appropriate where detailed and complex implementation mechanisms would be required.
- (7)
  - (a) Generally, a proposal for land division by consent should involve the creation of no more than two lots (plus a retained parcel).
  - (b) Sequential consents for new lots from a given parcel of land should not be permitted as an alternative to a plan of subdivision.
- (8) Consent may be granted for the assembly of land for a future plan of subdivision.

### 3.12.4 Condominium Act Development

Further to meeting the Development Criteria requirements of Section 3.5(2) of this Plan, lands may be developed or redeveloped pursuant to the provisions of the Condominium Act, 1998 and Regulations 48/01 and 49/01 thereto. A condominium permits the subdivision and title separation of land and buildings; and the areas within buildings on either a freehold or leasehold basis.

A Freehold Condominium may be standard, common element, vacant land and/or phased, but does not consist of a Leasehold Condominium.

A Leasehold Condominium is a registered condominium on leased lands for a term of not less than 40 years less a day and not more than 99 years.

Section 9(2) of the Condominium Act, 1998, shall apply to the approval and registration of a condominium plan. The County of Renfrew as the approval authority may grant exemptions to Planning Act approvals. However, vacant land condominium plan applications shall require a public meeting to be held.

Condominium development shall be subject to implementing Condominium Agreements. The Municipality may require that conditions be included in the condominium declaration. For instance, occupancy restrictions and short term/temporary residence should be addressed in the “declaration” of the condominium.

### 3.13 MAINTENANCE AND OCCUPANCY BY-LAWS

Council may pass by-laws establishing minimum standards of maintenance and occupancy in the Municipality. Maintenance and occupancy by-laws, applicable to all properties in the municipality may contain requirements with respect to:

- (a) Garbage disposal;
- (b) Pest control;
- (c) Structural maintenance, safety and cleanliness of buildings;
- (d) Services to buildings;
- (e) Keeping properties free from rubbish, debris, weeds, abandoned or inoperative vehicles, trailers, boats, barges, mechanical equipment or material;
- (f) Maintaining yards, land, parking and storage areas;
- (g) Maintaining fences, swimming pools, accessory buildings and signs; and
- (h) Occupancy standards

### **3.14 HABITAT OF ENDANGERED AND THREATENED SPECIES**

Development and site alteration shall not be permitted in the significant habitat of endangered species and threatened species. Development and site alteration may be permitted in adjacent area (within 120 metres) provided an Environmental Impact Study shows that the proposed development or site alteration will have no negative impact on the species or habitat.

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## **SECTION 4 - POLICIES FOR LAND USE DESIGNATIONS**

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### **4.1 RESIDENTIAL AREAS**

#### **4.1.1 Intent**

The areas designated "Residential" are intended to remain or to be developed as residential neighbourhoods on full municipal services. Residential areas will provide a fifteen year supply of lands for future residential needs. An appropriate mix of housing types and supporting facilities and amenities will be achieved.

#### **4.1.2 Permitted Uses**

The following uses may be permitted, subject to the relevant policies of this Plan:

- low density dwellings, normally single detached, semi-detached and duplex;
- medium density dwellings, such as row housing;
- high density dwellings, such as apartments;
- social/public facilities, such as schools, churches, parks, day nurseries, resident care facilities.

#### **4.1.3 Policies**

- (1) New development shall generally be achieved through the plan of subdivision and/or condominium process in a manner that represents a rational extension of the urban environment.
- (2) Council will work with developers to encourage proposals that meet Deep River's housing needs, and will commission studies as needed to determine the range of housing types needed and the need in terms of quantity, quality and affordability.
- (3)
  - (a) The densities of residential development shall not exceed 15, 22 and 60 dwelling units per gross hectare respectively for low, medium and high density developments on full services.
  - (b) Residential developments shall be designed so that there is compatibility between adjacent uses. For residential uses, this shall be achieved through functional design, the orientation of buildings, the grouping of similar types of dwellings and the

provision of amenity areas rather than the physical separation of different residential densities into separate and distinct neighbourhoods.

- (4) Council will encourage developments that result in higher densities of dwelling units and ensure that there is a sufficient supply of land that is zoned to allow new high density dwellings, whether vacant lots or existing lower density areas that could be developed into higher density dwellings. While other areas may be candidates for high density dwelling, key locations for such development include areas in close proximity to the Town Centre Area and in the Town Centre – Exception, Town Centre - Exception One and Recreational Residential designations.
- (5) The intensification of residential land, whether through redevelopment of land or incremental changes (described in section 4.1.3(7)) shall not cause the neighbourhood or original subdivision area to exceed the maximum for its density classification as prescribed in the zoning by-law.
- (6)
  - (a) Council will encourage infilling, which means the development of vacant lots or lands surplus to the needs of the Town within established subdivision areas.
  - (b) Council may consider a new plan of subdivision to be premature if there remains considerable potential for infill development.
  - (c) Priority will be given to lands that do not require the extension of municipal services.
- (7)
  - (a) Council considers the incremental intensification of residential uses -- for example: the conversion of an existing single-detached dwelling to a two unit structure -- to be an acceptable method of providing a range of housing types which enable alternative styles of living.
  - (b) Incremental residential intensification shall not cause major alterations to the scale or physical appearance of the neighbourhood. In other words, the creation of the dwelling units should not be achieved by additions or changes to the building that result in its height, bulk, character, or yard configurations being appreciably different than those of other dwellings in the neighbourhood.
  - (c) The residential lot should have the capacity to handle the additional parking needs resulting from the intensification.
- (8) The development of permitted social/public facilities in Residential Areas shall adhere to the policies of this Plan for Institutional Areas, and shall be buffered adequately.

- (9) The policies of this Plan for the Open Space and Recreation Areas shall provide guidance where land use decisions may affect such parkland areas.
- (10) Lands currently designated Residential or for residential purposes, shall have priority for development. Opening up additional lands by amendment to this Plan shall be discouraged until the lands currently designated are mostly developed. A justification report including a housing market analysis, which clearly shows need, may be required by Council, before additional lands are designated.

**4.1.3(A) Residential -Exception One (Pine Point Trail Subdivision)**

Notwithstanding any policies of this Plan to the contrary, for those lands designated Residential-Exception One on the Land Use Schedule and located in Part of Lots 7 and 8, Range B, geographic Township of Rolph, now in the Town of Deep River, no development shall be allowed to proceed to construction, until such time as the following is achieved:

- i) 25% of the lots designated Residential, within the Pine Point Trail Subdivision west of Thomas Street receive a building permit; and
- ii) an additional 25% of the lots designated Residential, within the Pine Point Trail Subdivision west of Thomas Street are sold.

**4.1.4 Recreational Residential Area**

**4.1.4.1 Intent**

The area designated “Recreational Residential” delineates an area of land adjacent to the Deep River Golf Course where alternative development standards may be utilized in the development of medium and/or high density residential development. The unique location and recreational attributes of the golf course and Four Seasons’ lands, makes the site a lifestyle choice for residents desiring a stimulating outdoor environment.

**4.1.4.2 Permitted Uses**

The following uses may be permitted, subject to the relevant policies of this Plan:

- Residential development and accessory uses such as a recreation centre, health/fitness facilities;
- Parks and open space

#### **4.1.4.3 Policies**

All development within the “Recreational Residential” designation shall meet the “Development Criteria” of Section 3.5(2) of the Official Plan and be on full municipal services.

#### **4.1.5 Residential Dwellings Utilized Solely for Business Purposes**

##### **4.1.5.1 Intent**

The area designated Residential encompassing the original “town site”, laid out during the years 1945 and 1950, may be utilized for a limited number of businesses on a primary or principal use basis, based on meeting certain development standards and criteria. The intent is to provide alternative low cost venues for start-up or incubator stage businesses.

##### **4.1.5.2 Permitted Uses**

High technology research facilities; professional office uses.

##### **4.1.5.3 Policies**

Residential dwelling units may be utilized for the uses described in Section 4.1.5.2 of this Plan if they meet each and every minimum development criteria contained herein:

- (1) Compatibility with adjacent and surrounding residential neighbours must be respected and maintained by the business and its operation;
- (2) The residential character of the exterior and landscaped grounds of the dwelling unit shall not altered, if it makes the structure visually or physically “out of character” with the surrounding residential lands and buildings;
- (3) Maintenance of the front, rear and side yards shall be consistent with that of the residential neighbourhood;
- (4) A single sign may be utilized by the business, which must meet the requirements of the Municipality’s Sign By-law; if a sign is utilized it shall be attached to the dwelling unit and not be freestanding;
- (5) Only dwelling units accessed by a rear lane shall be permitted to convert;
- (6) All employee and customer parking shall be provided for on the subject lands at the rear of the property, with access provided via the rear laneway;

- (7) Only single detached and semi-detached residential units may be utilized;
- (8) A maximum of five (5) employees shall be employed where a single detached dwelling is utilized and three (3) in a semi-detached;
- (9) No wholesale or retail display or sales area shall be permitted on the premises;
- (10) Accessory attached or detached buildings such as a garage, may be utilized for storage/shipping or in conjunction with the principal use;
- (11) A minimum separation distance between residential units utilized for business purposes shall be a minimum of 300 metres in all directions, in order to maintain the residential character of the neighbourhood and not concentrate businesses in specific residential areas;

If the proposal meets these minimum standards, Site Plan Approval and a Zoning By-law amendment would be required. The public will have an opportunity to evaluate the implications of any proposal and have input into the decision making process.

## **4.2 ESTATE RESIDENTIAL AREAS**

### **4.2.1 Intent**

The areas designated "Estate Residential" delineate some of the non-built-up area of Deep River where an alternative form of residential development, larger lots on individual private services, will be considered. The intent is to permit some diversity in the form of residential development and in living style. The Town has a large land area relative to the developed part and some lands may never be economical to develop on full services. The designated lands are characterized by tree cover and a mostly natural appearance. The policies are meant to allow developments that retain these attributes.

Balmer's Bay Road is the only existing public road in this area so the policies are meant also to focus on that fact in ensuring safe and efficient access to development.

### **4.2.2 Permitted Uses**

The following uses may be permitted, subject to the relevant policies of this plan:

- single detached dwellings;
- non-commercial animal husbandry;

- non-commercial agricultural uses;
- non-commercial camping facilities;
- silviculture;
- parks and open space;
- day nurseries.

#### **4.2.3 Policies**

- (1) Estate residential development shall be required to maintain gross density of 1 dwelling unit per 0.6 hectares, with a minimum lot frontage of 40 metres per lot.
- (2) An estate residential development should be small in scale. Generally, no more than ten lots should be contiguous within one parcel of land being developed.
- (3) Lot creation will not be appropriate if the utility or efficiency of Balmer's Bay road would be diminished by the new lot and entrance.
- (4) The creation of lots with frontage supplied by a new road must be undertaken through the plan of subdivision process.
- (5) Developments shall adhere to the latest environmental standards as identified by the Ministry of the Environment and Energy and the Renfrew County and District Health Unit.

For Estate Residential subdivisions a hydrogeological and terrain analysis study, in accordance with the guidelines of the Ministry of Environment and Energy, shall be conducted by a qualified professional to the satisfaction of the Ministry and District Health Unit prior to the consideration of approval of the subdivision proposal.

- (6) Council will require proponents to show sensitivity for the natural environment in the design of developments. Before approving a development, Council must be satisfied that the subdivision agreement and other means of implementation do ensure that such harmony will be achieved.
- (7) An existing commercial use may be recognized as a permitted use in the implementing zoning by-law, in accordance with Section 7.1.1 (2) (b) of this Plan, notwithstanding the permitted uses for this designation.

- (8) A section of Balmer's Bay Road close to the Ottawa River is identified by the Ministry of Natural Resources as being below the floodway elevation (see Section 5.1 for definition). During a one-in-one hundred year flood event, floodwater could isolate development at or south of this section of the Road. In the short term, the guarantee of alternative emergency access through AECL land will enable further development to be considered in accordance with this plan. In the long term, the low section of the road should be floodproofed to within 0.5 metres of the one-in-one hundred year flood elevation.
- (9) Within the Estate Residential designation, notwithstanding other policies of this Plan to the contrary, where Council determines that exceptional circumstances exist such that it is not in the Town's interest that a new public road be developed, a lot created by consent may abut a private right-of-way, provided that:
- (a) Only one new lot, plus a retained portion, is created abutting a private right-of-way by any such consent; and
  - (b) No previous consents have been granted creating lots abutting the same private right-of-way; and
  - (c) The general policies in this Plan with respect to consents (Section 3.14.3) are complied with; and
  - (d) The proposed lots are zoned in the implementing zoning by-law to a category which identifies the limited service nature of the development; and
  - (e) The owner(s) enter(s) into agreements as required by the Town setting out the private responsibilities for maintenance of the right-of-way, guaranteeing successor rights, and indemnifying the Town against liability in all matters pertaining to the private right-of-way. This agreement shall be registered on title.
- (10) Public access to the shoreline shall not be denied on lands adjacent to the Ottawa River and development shall be designed to promote the use of access trails along the shoreline. The waterfront shall be retained in municipal or public ownership.

### **4.3 TOWN CENTRE AREA**

#### **4.3.1 Intent**

The area designated "Town Centre" comprises the existing central commercial development, the Town Hall, and other lands that are or could be developed for similar purposes. The intent of the designation is to provide flexibility for land use change that will enhance the function and economic

health of the central area. This will lead to a blend of commercial, institutional and residential uses. The policies are meant to clarify the role of the Town Centre as a place where residents would normally go to make grocery purchases, and, once there, to purchase other goods and services without the need to drive.

#### **4.3.2 Permitted Uses**

- (1) The following uses may be permitted, subject to the relevant policies of this Plan:
  - Commercial Uses: including retail stores, business and professional offices and services, eating establishments, hotels, financial institutions, and personal services;
  - Institutional Uses: including public/government buildings, health care facilities, and social services and cultural facilities;
  - Residential Uses: dwelling units over stores and apartment buildings; Parks and Open Space uses;
  - Mixed Use developments which combine any of the aforementioned permitted uses.
- (2) The following types of uses shall not be permitted:
  - Automotive-related uses involving gas pumps, service bays and/or sales lots;
  - Commercial uses requiring outdoor storage.

#### **4.3.3 Policies**

- (1) Council will encourage new development and redevelopment in the Town Centre area that reinforces the function of the area as a place to work, shop and visit. The addition of a significant residential component to that function will also be considered.
- (2) The Town Hall is the focal structure in the Town Centre area. Any development in the Town Centre should be designed to be compatible with the architecture, orientation and amenities of the Town Hall.
- (3) Business and retail enterprises that cater to the immediate needs of office workers and residents located in the Town Centre Area, specialty retail stores and services, financial institutions and grocery stores are considered to be vital components of the Town Centre.
- (4) The needs of pedestrians must be addressed in any development scheme. In particular, there

should be some features providing protection from the elements, parking areas should be close and conveniently linked by walkways to businesses.

- (5) (a) Council recognizes that the amount of vacant land in the Town Centre is limited. Therefore, it is understood that development must be accomplished through a combination of infilling, conversion from single residences to the desired uses and total redevelopment of certain properties.
- (b) Rather than targeting any specific location or pattern for development in the Town Centre, Council will encourage schemes that are integrated and thus take into account the overall function of the Town Centre.
- (6) Some significant views of the Ottawa River must be retained or created by development within the Town Centre. In particular, there should be such a vista on the north side of Ridge Road from the Post Office to Champlain House.
- (7) (a) Parking areas should be designed and located to be convenient but also as unobtrusive as possible.
- (b) Council will ensure that the supply of parking spaces is adequate to serve developments within the Town Centre, according to current standards. Council will consider a reduction of the required parking spaces for new development only if an acceptable parking needs study for the Town Centre area is completed.
- (8) Compatibility between adjacent uses within the designation or an abutting designation will be considered in the design of any new uses.
- (9) Council will encourage the removal of overhead wires when redevelopment is in progress.
- (10) The arrangement of land uses within the Town Centre Area will be controlled through the implementing Zoning By-law as deemed necessary to meet the concept and enhance the function of the Area, or to promote compatibility with abutting uses in peripheral designations. In particular, this policy shall apply to prohibit the use of property adjacent to the Campus for retail purposes unless justified through appropriate studies and supported through public review.
- (11) Linkage between the Town Centre and the Recreational Waterfront area will be promoted. This will be achieved through the establishment and maintenance of pedestrian walkways, the design of roads, and the use of common themes in landscaping and signs.

#### **4.3.4 Town Centre Area –Exception**

##### **4.3.4(1) Intent**

The lands designated “Town Centre Area – Exception” primarily lie adjacent to or in close proximity to the Town Centre Area designated area. Some of the lands designated as “Town Centre Area – Exception” comprise parcels of land with existing buildings on them such as the former A&P store site; the former Keys Public School and the A.E.C.L garage site. The intent of the designation is to allow all the land uses currently permitted in the “Town Centre Area” designation, but also an additional wider range of uses of a technical, residential and light industrial nature.

##### **(2) Permitted Uses**

The following uses may be permitted, subject to the relevant policies of this Plan:

- All the uses permitted within the Town Centre Area designation;
- High tech research facilities;
- Light manufacturing/assembly within a wholly contained building with no outside storage;
- Places of entertainment, cultural tourism, health/fitness facilities and education including theatres, cultural centres, museums, archives, tourist facilities, daycare facilities and schools; parks and open space;
- Restaurants;
- Commercial lodging;
- Seniors housing;
- Medium and high density residential uses

##### **(3) Policies**

- Council will encourage new development and redevelopment of the lands located within the Town Centre – Exception area that supports and reinforces the function of the Town Centre Area as a place to work, shop, recreate and visit;
- The Town Centre Area – Exception area provides a significant opportunity to create a much broader range of housing types and tenure in the community, which could be attractive to a large age cohort that is aging and downsizing;
- All new development and redevelopment within this designation shall meet the Design Criteria of Section 3.5(2)(a) and be architecturally compatible with the Town Hall;
- Compatibility between adjacent uses within the designation and abutting designations shall be considered in the design of any new uses;

- Maintaining and improving pedestrian, wheelchair and bicycle linkages between this designation and the Town Centre Area shall be an important consideration in the approval of projects;
- Projects which generate large truck traffic, heavy traffic volumes, emit noise, dust and/or odour shall not be permitted.

#### **4.3.5 Town Centre Area-Exception One**

##### **4.3.5 (1) Intent**

The lands designated “Town Centre Area-Exception One” comprise the lands known as the “Keys Conference Centre”, situated on the shores of the Ottawa River, proximate to the Town Centre. This prime location is intended to become a commercial/residential focal point for new development that focuses on the waterfront and at the same time supports the uses and activities of the Town Centre.

##### **(2) Permitted Uses**

- Conference centres
- Recreation facilities
- Commercial accommodations
- Parks and open space
- Medium and high density residential

##### **(3) Policies**

The policies of Section 4.3.4 (3) “Town Centre Area – Exception” shall apply.

#### **4.3.6 Town Centre Area-Exception Two**

##### **4.3.6 (1) Policies**

For the lands designated Town Centre Area – Exception Two on Schedule “A” to this plan, in addition to the permitted uses listed under Section 4.3.2, dwelling units shall be permitted on the first floor.

#### **4.4 BUSINESS PARK**

##### **4.4.1 Intent**

The lands designated “Business Park” are located along the south side of Highway 17 and

comprise a mixture of land uses such as retail sales, service commercial, light industrial, professional offices, large format automotive and hardware store outlets, warehousing, interspersed with vacant lands.

The intent of this designation is to recognize, strengthen and maximize, the regional marketplace role played by the trans Canada highway in the economic base of the Town of Deep River and the municipalities in close proximity – the Town of Laurentian Hills; the Township of Head, Clara and Maria and the Town of Petawawa.

The business park area along the highway corridor is an area for significant commercial and industrial expansion that complements the Town Centre Area. Efforts will be made to connect these areas through suitable walking areas for pedestrians.

#### **4.4.2 Permitted Uses**

The following uses may be permitted subject to the relevant policies of this Plan:

- Commercial uses typically dependent on or associated with heavy traffic flows including hotels, motels, restaurants and automotive establishments such as vehicle dealerships, service stations, repair shops and gas bars;
- Commercial uses that require large land areas because of floor area, parking needs or storage needs such as building supply stores, garden supply centres, automotive supply stores, home improvement, furniture, discount goods, electronics and warehouse outlets;
- Highway commercial, light manufacturing, assembly, high tech scientific research, and development including assembly, transportation terminals;
- Grocery stores;
- A new shopping centre, conditional upon a favourable retail market demand study as set out in the policies of subsection 4.4.3(4);
- Commercial or publicly-owned uses geared to tourists such as small parks, interpretive/information centres and museums, retail outlets for the work of artists and artisans;

#### **4.4.3 Policies**

(1) Uses in the Business Park designation shall be designed to provide a high quality aesthetic appearance. The following additional guidelines and criteria shall be followed on lands being developed or redeveloped within this designation in addition to Section 3.3(2):

- (1) new development should improve and harmonize streetscape appearance with

- neighbouring uses;
  - (2) individual entrances should be kept to a minimum; mutual entrances, service roads, maneuvering lanes and clear, consistent signs should be used to ensure traffic safety. Linked parking areas between adjacent businesses should be encouraged to reduce the number of turns onto and off Highway 17;
  - (3) landscaping should be provided between the traveled portion of Highway 17 and any adjacent service road, parking lot commercial use or industrial use;
  - (4) outside storage shall be well removed and/or screened from Highway 17;
  - (5) pedestrians should be able to circulate among the commercial establishments on the south side of Highway 17. A sidewalk along the Highway must be continued in all developments and redevelopments.
- (2) The full depth of the lands designated Business Park should be utilized in an economically sound and efficient manner. To this end:
- (a) Lands closest to Highway 17 should be assigned to those commercial uses that require proximity and visibility to the tourist or business traffic for the successful marketing of products and services;
  - (b) A commercial use with large space or outdoor storage requirements should be further back from Highway 17 unless it can be shown to the satisfaction of Council that the preceding paragraph (a) applies;
  - (c) Light industrial and warehouse uses should be located on the south side of McConnell/Walker's Creek and Kennedy's Creek with access via Boundary Road.
- (3) Commercial uses should be oriented and designed to relate to each other so that a non-linear character is produced. Therefore, there should be groupings or clusters of uses around internal roads, parking areas, or walkways.
- (4) The lands owned by the Town may be opened in phases into a "prestige business park", which is well landscaped with attractive signage, complete with an internal street; development could be best facilitated by plan of subdivision and the removal of part lot control to create individual lots as needed, from larger "blocks". The park should be at least partially serviced to facilitate quick building permits for prospective businesses.
- (5) The Town will encourage the establishment of a recreational walking trail along Kennedy and Walker's Creeks together with treed picnic area(s) to encourage motorists to stop and stretch. A visitor information/display centre would be a permitted use and assist in stopping traffic along corridor. The recreational trail lands may be acquired as part of the 2% parkland requirement for new commercial and industrial development.

## **4.5 INSTITUTIONAL AREAS**

### **4.5.1 Intent**

The areas designated "Institutional" contain the major facilities and associated lands that are used in common by a number of people for some public purpose and that are likely to remain dedicated to such use. Such facilities may be owned by public or quasi-public agencies or by private interests. As well as identifying those major institutions, the policies of this designation will provide guidance for the use and development of the institutions that are permitted in other land use designations.

### **4.5.2 Permitted Uses**

The following uses may be permitted in Institutional Areas, subject to the relevant policies of this Plan:

- arenas;
- assembly halls;
- community centres;
- day nurseries;
- schools;
- churches;
- cemeteries;
- Town utilities;
- hospitals;
- libraries;
- nursing homes;
- homes for the aged;
- similar public and private institutions;

- ancillary uses such as parking lots, accessory residences and open space and parks.

#### **4.5.3 Policies**

- (1) Institutional uses shall be located strategically according to function, to integrate well with adjacent uses, to improve services to different sectors of the Town and to provide maximum benefits and efficiency for the users of the facility as well as for the Town.
- (2) Adequate off-street parking shall be provided.
- (3) Council encourages the use and development of institutional buildings for multiple purposes.
- (4) As permitted institutional uses are very broad in nature, not all uses may be appropriate in all areas. Council may create separate institutional zoning categories in the implementing zoning by-law as required.

### **4.6 OPEN SPACE AND RECREATION AREAS**

#### **4.6.1 Intent**

The areas designated "Open Space and Recreation" comprise the Town's system of major parks and open space, and the features and facilities used for outdoor recreation. It is proposed that these areas remain dedicated to open space and recreation. Since parklands may be included in other land use designations, the policies of this designation are meant to provide some guidance for the use of those other parklands.

#### **4.6.2 Permitted Uses**

The following uses may be permitted, subject to the relevant policies of this Plan:

- natural parks and open space areas;
- marinas and yacht clubs;
- tennis courts and clubs;
- golf courses;
- playing fields;
- children's playgrounds;

- picnic areas;
- trails for walking, running, cycling and skiing;
- ski hills;
- other similar uses associated with active or passive recreation, or with outdoor cultural activities.

#### 4.6.3 Policies

- (1)
  - (a) Wherever possible, new open space and park areas should be designed and located to enhance a system composed of waterfront lands, green spaces, parks, playgrounds, walkways and trails, and buffers.
  - (b) Linkages between major institutions, the Town Centre and the waterfront should be maintained or established.
  - (c) Components of the open space system should be located so as to ensure that individual neighbourhoods have convenient and safe pedestrian access to them.
- (2)
  - (a) Lands that are designated under this Plan as "Open Space and Recreation" and owned by the Town cannot be conveyed to a private owner without an amendment to this Plan, except for minor property adjustments.
  - (b) Other municipal parklands, contained in a different designation under this Plan, will be zoned in a category in the implementing zoning by-law that none the less identifies the parks and open space aspect.
  - (c) Generally, the Town will not consider disposing of municipal open space and recreation lands unless such lands do not have a function within the open space system, as defined in policy (1) of this subsection, and provided that,
    - i) if the land is to form an independent lot, it should not be a landlocked parcel and the relevant requirements of the implementing zoning by-law must be complied with;
    - ii) if the land is to be attached to an abutting property, the land to be sold must form a natural and logical extension of the abutting property;

- iii) if the land to be sold is a part of a larger parcel, the location and configuration of the portion remaining should be rational or the concurrent acquisition of several portions of land comprising the entire vacant area should be pursued with several adjacent landowners and;
  - iv) this Official Plan and/or the implementing zoning by-law are amended, as indicated by the preceding paragraph (a) or (b).
- (3) Parks with playing fields, children's playgrounds and tot lots should be centrally located within neighbourhoods or sectors of the Town, be visible and be designed for the safety and security of children.
- (4)
  - (a) In new developments, Council prefers that the Town receive land as a dedication for park purposes under the Planning Act of Ontario. Council requires that developers bring forth their subdivision plans at the earliest possible stage of formulation in order to discuss open space expectations.
  - (b) Council desires that the high ratio of open space land to developed land, that was achieved in the original townsite, be achieved also in new developments. Therefore, Council will explore means and opportunities to acquire more than the legislated maximum five percent parkland dedication.
  - (c) Lands dedicated for park purposes must be physically suitable for the future function within the open space system.
  - (d) Council shall ensure that the land conveyed is located and configured so as to be useful for the purposes identified in policy (1) of this Subsection. In some instances, Council may consider it worthwhile to accept less than the maximum parkland dedication in order to acquire lands that would be a more useful component of the Town's open space system.
  - (e) The development agreement shall set out the responsibilities for the development of a park area and for the provision of facilities and equipment.
  - (f) Cash in lieu of parkland, as provided for under the Planning Act of Ontario will be considered only where Council deems that the goals and intent of this Plan will be served better than if lands were acquired.
- (5) Structures shall be permitted in Open Space and Recreation Areas only if Council is satisfied that,

- (a) the structures are required for the proper functioning of such Area;
  - (b) the structure does not detract from the public enjoyment of the site or surrounding park or open space; and
  - (c) the structure does not seriously diminish any buffering function of the lands and amenities.
- (6) Developed facilities and attractions shall be provided with adequate off street parking.
- (7) The "Campus" shall remain as a common park and playing field.
- (8) (a) The property which the Community Centre occupies was transferred from AECL to Deep River under restriction in effect until 2032 that stipulate that this property and all new or existing buildings on it will be used only for recreational, charitable, instructional, and other such community oriented purposes.
- (b) The designation of open space for Community Centre reflect historic Town policy to improve the visual setting of the Campus by the eventual removal of the community centre building. In this case, such removal would be pursued at a time agreeable to the current tenants and users, and in the meantime, the Town would not make unnecessary expenditures on the building.
- (c) Notwithstanding this historic policy (paragraph (b) above), Council may consider development or re-development of this property or building for community-oriented uses consistent with the legal restrictions until 2032 (paragraph (a) above) and implement Official Plan and Zoning amendments as needed.
- (9) Private recreational facilities, whether profit or non-profit, shall be subject to Site Plan Control, pursuant to Section 41 of the Planning Act.
- (10) (a) Where any lands within this designation are under private ownership, this Plan does not intend that this land will remain as Open Space and Recreation indefinitely, nor shall it be construed as implying that these areas are necessarily free and open to the general public or that the lands will be purchased by a public authority.
- (b) If proposals are made to develop such private lands, and no public authority wishes to purchase the lands in order to maintain them as part of the open space system, then an application for redesignation will be considered as an amendment to this Plan.

- (11) The Town may authorize the owners of land abutting open space land categorized as "buffer" to use the municipal lands for limited purposes, but definitely excluding buildings. In these instances the private land owner must maintain the buffer function of the land and a written agreement must be concluded specifying the terms and conditions of the authorized use.
- (12) The Town may, from time to time, adopt policy statements or recreation master plans for the purposes of improving the open space system and categorizing the various types of open space and recreation lands.
- (13) In order to retain and extend roadside treescapes in the Town:
  - (a) the Municipality should participate with landowners to add or replace trees on private property;
  - (b) the Municipality will plant and maintain trees on boulevards; and
  - (c) developers will be required to carry out roadside tree planting in new subdivisions.

#### **4.7 ENVIRONMENTAL PROTECTION AREAS**

##### **4.7.1 Intent**

Certain areas within the Town of Deep River have been designated "Environmental Protection" because they have locations and/or characteristics that constitute potential threats to life and property (such as flooding, slope instability); and/or because they are natural features that are sensitive to damage, or have environmental significance. For these reasons, development should occur in other locations and the Environmental Protection designation is meant to direct development away from unsuitable lands. The flood plain of the Ottawa River has the foregoing characteristics but it is not identified within this designation because it is defined by means of elevation. Policies for the Ottawa River flood plain are contained as overlay policies in section 5.1 Waterfront.

The Council of the Town of Deep River recognizes the importance of locally significant natural heritage features and functions and may require technical investigations to be completed, when an application to remove and/or develop these lands is made.

##### **4.7.2 Permitted Uses**

- (1) The following uses may be permitted subject to the relevant policies of this Plan:
  - conservation of soil, vegetation and wildlife;

- non-intensive outdoor recreation activities, such as hiking or cross-country skiing;
  - natural areas;
- (2) The following uses shall not be permitted:
- New buildings and structures except for such buildings and structures that are intended for flood or erosion control or are normally associated with the proper management of the natural environment, or where such buildings or structures are for public utilities.

#### 4.7.3 Policies

- (1) Lands designated "Environmental Protection" will be preserved and managed as natural areas that contribute to the open space system and overall quality of life in Deep River, regardless of the basis for the designation. Normally, this will mean no development.
- (2) (a) New land uses may be considered only if a hazardous situation, or an appreciable reduction in the quality of the natural environment would not result.
- (b) Where a development proposal encompasses lands designated "Environmental Protection," plans must show the existing natural features and how these will be recognized and protected.
- (3) Kennedy Creek and the flanking lowlands are considered by Council to be a significant natural area, and shall remain essentially a natural corridor. This does not limit the general applicability of other policies.
- (4) The boundaries of the Environmental Protection designation are not capable of strictly representing all natural deviations in the limits of a hazardous or significant area. In addition, there may be situations where it is reasonable to allow some minor works to overcome a physical limitation. For these reasons, Council may consider a rezoning without the need for an Official Plan amendment, to allow uses and development permitted in an abutting designation after taking into account certain information:
- (a) The adjacent land use designations;
  - (b) The nature, extent and potential impact of any physical hazard, and the costs and benefits of overcoming the impacts of the hazard in terms of monetary, social and biological values, which shall be considered in conjunction with the following:

- i) lands within a one-in-one hundred year floodplain shall not qualify for such rezoning, except in a flood fringe where a two-zone approach to floodplain management is applicable;
  - ii) an applicant may be required to provide any information (e.g., engineering study, site elevation plan by an Ontario Land Surveyor) that Council considers necessary to determine that a physical hazard does not exist or to show how the impact on the proposed development can be overcome;
- (c) The impact on any water systems, including water quality and the fishery environment, and on other areas of environmental sensitivity or natural significance;
- (d) The proposed methods by which the above impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices;
- (5) The expansion of a legal non-conforming use may be permitted only in accordance with the criteria contained in the preceding paragraph (4).
- (6)
  - (a) Activities such as brushing, tree removal and the placing or removal of fill, whether originating on site or elsewhere, shall not be permitted unless intended for a use permitted by the relevant policies of this Plan, and approved by Council.
  - (b) The Town will promote public awareness that approval of the Ministry of Natural Resources is required for diverting, impounding or otherwise modifying watercourses and for altering shorelands, in accordance with the Lakes and Rivers Improvement Act and the Public Lands Act.
  - (c) For the purpose of limiting erosion and the transport of nutrients to water bodies, Council will encourage landowners to retain vegetation on shorelines, steep slopes and banks of streams.
- (7) This Plan does not intend that privately-owned lands designated "Environmental Protection" are free and open to the general public, or that such lands will be purchased by the Municipality or other public agencies.
- (8) Specific policies relating to the Ottawa River floodplain are contained within the Waterfront Area section of this Plan.
- (9) Lands designated "Environmental Protection" may not be acceptable to the Town as part of the five percent parkland conveyance under the Planning Act. Where such lands are accepted and contain an open watercourse, access sufficient for maintenance and control of the

watercourse shall be included in the dedication.

## **4.8 RURAL AREAS**

### **4.8.1 Intent**

The designation "Rural" applies to several areas of the Town that have developed without full municipal services. The Rural designation is meant to indicate that Council will support development that requires the extension of full services if it is in conjunction with an amendment to this Plan. However, this designation is meant to allow for economic and community development. This will be achieved by allowing limited public facilities and limited commercial and institutional uses that are ideally suited to located outside other commercial designations. It is understood that such uses would not require connections to municipal services.

As well, the designation will provide some options for economic and community development. This will be achieved by allowing limited public facilities and limited commercial and institutional uses that are ideally suited to locate outside other commercial designations. It is understood that such uses would not require connections to municipal services.

### **4.8.2 Permitted Uses**

The following uses may be permitted subject to the relevant policies of this Plan:

- single detached and semi-detached dwellings;
- tourist-related accommodations and facilities such as motels, bed and breakfasts, and campgrounds;
- storage and transportation uses such as warehouses and bus garages;
- small businesses and entrepreneurial ventures such as contractor workshops, cottage industries, small engine sales and service operations, riding stables;
- neighbourhood convenience stores.
- permitted uses for "Institutional Areas" (Section 4.5.2)

### **4.8.3 Policies**

- (1) All development must be of a scale, type and form that enable it to obtain regulatory approvals for servicing by private sewage disposal systems. On the north side of Highway

- 17, new developments will be required to connect to the municipal water system. On the south side of Highway 17, the scale, type and form of developments must enable regulatory approval for both wells and private sewage disposal systems.
- (2) Residential lots may be altered and some new infill residential lots may be created in order to achieve more efficient use of available land. However, no major residential development will be permitted.
  - (3) Where any of the permitted commercial types of uses is being considered, Council must be satisfied that:
    - (a) the proposed use is compatible with nearby established uses;
    - (b) the proposed use would not be located more appropriately in another land use designation;
    - (c) the large space and/or small number of staff and clientele characteristics of the use are such that connections with the municipal sewer and water systems are not required;
    - (d) there is sufficient off-street parking for the anticipated use.
  - (4) In considering development proposals, ones that utilize the full depth of lands will be given preference. If interior lands are not included in a proposal, lands acceptable for future access shall be protected from development.
  - (5)
    - (a) It is important that the safe and efficient movement of traffic along Highway 17 be upheld. Therefore, Council must be satisfied that existing entrances or proposed entrances are of a suitable design and in a suitable location. Where necessary, service roads will be required rather than direct individual entrances onto Highway 17.
    - (b) The comments of the Ministry of Transportation will be considered by Council before any planning approvals are given.
  - (6) The appropriate locations and/or types of institutional uses within the Rural designation will be established through amendment(s) to the Zoning By-law. Where a rezoning for an institutional use is being considered, Council must be satisfied that,
    - (a) the proposed use is compatible with established uses;
    - (b) the large space, intermittent use and/or small number of staff and clientele

characteristics of the use are such that connections with the municipal sewer and water systems are not required. Uses which consume large volumes of water or produce large volumes of waste water will not be permitted on private services;

- (c) the development will adhere to the policies of this Plan for Institutional Areas and will be adequately buffered; and,
- (d) the development will adhere to the policies of Section 6, Transportation and Services, of this Plan.

## **4.9 UNDEVELOPED AREAS**

### **4.9.1 Intent**

Lands designated "Undeveloped" are reserved for future development. The land use policies for Undeveloped Areas are meant to direct development to other areas of the Town.

### **4.9.2 Permitted Uses**

- (1) The following uses are permitted, subject to the relevant policies of this Plan:
  - single detached dwellings in limited situations as outlined in subsection 4.9.3;
  - passive and/or rural uses that do not require permanent buildings, such as agriculture, forestry, open space and outdoor recreation, campgrounds; limited types of waste management and/or disposal uses.

### **4.9.3 Policies**

- (1) (a) Should a major development proposal be considered, a secondary plan as an amendment to this Plan will be necessary. This secondary plan will indicate the location of major land uses, including the road pattern, the municipal services proposed, density of development, the staging of such development, and additional studies deemed necessary/appropriate by the Town (e.g. retail study, tourism impact study). Council will only support such a secondary plan when satisfied that the plan and the development will create a logical, efficient and desirable enhancement to the structure of the Town.
- (b) Council may prepare, or require a proponent to prepare a conceptual plan(s) showing potential road and lot patterns, collector/service road designations and open space patterns prior to finalization of any secondary plan.

- (2) The development of a single-detached dwelling on a vacant parcel of land that existed at the time of adoption of this Plan shall not be prevented by the Undeveloped designation. However, the other policies of this Plan relevant to that type of development must be satisfied.
- (3)
  - (a) Council will discourage the division of large parcels of land to create new lots by providing a large minimum lot size in the implementing zoning by-law.
  - (b) A proposal to divide a holding into new, separate parcels will be considered by means of a zoning by-law amendment only if:
    - i) the proposed use is a single-detached dwelling;
    - ii) all parcels to be created have a minimum lot area of about four (4.0) hectares;
    - iii) the other relevant policies of this Plan for Estate Residential areas, and the preceding criteria for the development of existing vacant parcels are satisfied; and
    - iv) No further division of any parcel shall be permitted for purposes of lot creation once the holding existing at the time of adoption of the Plan comprises two (2) separate parcels.
- (4) The use of a site for relatively benign types of waste disposal uses may be considered through the zoning process for either permanent or temporary permission. Such waste disposal uses include composting sites, processing sites, transfer sites, processed organic waste (sewage sludge) sites and hauled sewage (septage) sites. The Ministry of the Environment and Energy and/or the Renfrew County and District Health Unit will be consulted in this regard.
- (5) Public access to the shoreline shall not be denied on lands adjacent to the Ottawa River and development shall be designed to promote the use of access trails along the shoreline. The waterfront shall be retained in municipal ownership.

## **4.10 RECREATIONAL WATERFRONT**

### **4.10.1 Intent**

The area designated "Recreational Waterfront" is considered to be the focal point for intensive recreational activities and facilities and for commercial development activities associated with the waterfront. The intent of the designation is to delineate the one area from the entire shoreline of the

Ottawa River within the Town, where commercial development will be welcomed. This will enable the potential of the Ottawa River for economic growth to be realized within the area identified by the *Waterfront Master Plan* as the Marina Node. The designation of part of the shorelands as Recreational Waterfront area contrasts with other sections of shoreline, which are to remain in municipal ownership, without encumbrance, for passive recreational pursuits.

#### 4.10.2 Permitted Uses

- (1) The following main uses may be permitted, subject to the relevant policies of this Plan:
  - conference centres
  - recreation facilities
  - commercial accommodations
  - parks and open space
- (2) Commercial uses, including retail stores, business and professional offices, eating establishments, marine-related services, and personal services shall be permitted as ancillary uses to a main use, subject to the relevant policies of this Plan.
- (3) Mixed use developments that combine high-density residential uses, such as apartments, with commercial accommodations or conference centres shall be permitted, subject to the relevant policies of this Plan.

#### 4.10.3 Policies

- (1) Council will encourage, and undertake where it is deemed appropriate, new development and servicing in the Recreational Waterfront area that fulfills the vision of the *Waterfront Master Plan*.
- (2) The Recreational Waterfront area shall be developed in such a way as to integrate with the adjacent institutional uses and the Town Centre through vehicle and pedestrian access and landscaping and design. Adjacent residential uses shall be buffered through the placement of buildings and the use of landscaping.
- (3) Buildings and facilities on land shall be designed to harmonize with the setting, with particular regard to the vistas of the Ottawa River and the far shore. The implementation of this policy may include limitations on building height in the zoning by-law.
- (4) Council shall ensure that the appropriate public facilities, such as washrooms/change rooms, are available for visitors to the beach and marina.

## **4.11 WASTE DISPOSAL AREAS**

### **4.11.1 Intent**

The area designated "Waste Disposal" encompasses land that will become a landfill site. The Town of Deep River acquired the property for the landfill site. The attenuation zone remains under the ownership of AECL, a federal Crown corporation, and is therefore not affected by this amendment. The Ministry of the Environment has issued a provisional certificate of approval to the North Renfrew Waste Management Board.

The Waste Disposal policies are intended to ensure that appropriate regulations and measures are applied to minimize disturbance to the environment and provide for positive rehabilitation and recycling programs for waste disposal sites operated by the public or the private sector.

### **4.11.2 Permitted Uses**

- (1) The following main uses may be permitted, subject to the relevant polices of this Plan:
  - waste disposal site or other parts of a waste disposal system as described by the Environmental Protection Act;
  - storage, handling and processing of solid waste.

### **4.11.3 Policies**

- (1) Waste disposal sites shall be located an adequate distance away from any existing or proposed residential, commercial, institutional or recreational use. A report from a qualified professional, which establishes appropriate separation distances based on site-specific considerations, will be required for new waste disposal sites.
- (2) All disposal sites shall be located so that contamination of the groundwater or of any watercourse is prevented or restricted by measures taken in accordance with standards established or approvals granted by the Ministry of the Environment or other authority having jurisdiction.
- (3) All disposal sites shall be adequately screened on all sides, either naturally or by artificial means (e.g. berms), and such screening will apply to all open storage areas and all disposal site operations.
- (4) Sites shall be located so that ingress and egress points from the site do not create any traffic hazard.
- (5) All disposal sites no longer in use shall be rehabilitated to the standards required by the

- Ministry of the Environment and Energy. No use shall be made of land, or land covered by water, that has been used for the disposal of waste within a period of 25 years from the year in which such land ceased to be so used, unless approval of the proposed use has been given by the Ministry of the Environment, in accordance with Section 46 of the Environmental Protection Act.
- (6) An amendment to the Official Plan and implementing Zoning By-law will be required for the establishment of any new site for permanent or long-term disposal of waste (e.g. landfilling), except as provided under the policies of this Plan for Undeveloped areas. In addition to the requirements under the Environmental Protection Act and Environmental Assessment Act, when considering an amendment, Council shall have regard for:
- (a) the type and abundance of soil cover material,
  - (b) the surface and groundwater characteristics,
  - (c) isolation,
  - (d) the physiography of the area,
  - (e) public acceptability of the facility location,
  - (f) appearance,
  - (g) truck traffic,
  - (h) noise and dust,
  - (i) the potential damage to the existing ecological regime,
  - (j) the compatibility of the site with future land use goals,
  - (k) the ability to control gas release; and
  - (l) the minimization of engineering design and operational problems.
- (7) Lands use for waste disposal sites or systems shall be identified in one or more separate categories in the implementing zoning by-law. Uses considered as being of equal or more compatibility with sensitive lands uses may be permitted within a category. Land shall not be zoned for the long-term disposal of hazardous waste except in conjunction with a certificate of approval for such waste disposal. An attenuation zone for the

landfill site remains under the ownership of AECL, a federal Crown Corporation, and is not zoned in the implementing zoning by-law.

- (8) All Waste Disposal areas shall be operated and maintained in accordance with the standards set by the Ministry of the Environment.
- (9) The operation of all waste disposal sites shall comply with the requirements of *the Forest Fire Prevention Act*.

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## SECTION 5 - OVERLAY DESIGNATIONS

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### 5.1 WATERFRONT

#### 5.1.1 Intent

The purposes for applying the waterfront overlay designation to certain lands are two-fold. Firstly, the designation is meant to recognize the constraint on development that is imposed by the Ottawa River flood plain. Secondly, the designation sets forth the policies for the use of the Ottawa River Waterfront based on the *Waterfront Master Plan*.

A two-zone approach is applied to proposed development in the Ottawa River floodplain in accordance with the Provincial Policy Statement. The more hazardous portion of the flood plain is referred to as the *floodway* and it is managed to restrict new development. The less hazardous portion of the flood plain is referred to as the *flood fringe* and development may be considered conditional on it being adequately flood proofed.

The *Waterfront Master Plan* identifies the marina area as the desired focal point for more intensive use of the waterfront. To facilitate economic growth and to recognize the potential for enhancing recreational amenities, this area has been designated "Recreational Waterfront" in the Plan. The remainder of the waterfront is intended to receive minimal alterations and to remain an important community feature. Policies within this section and other sections reinforce the elements of the *Waterfront Master Plan*.

#### 5.1.2 Policies

- (1) New uses must first satisfy the policies of this Waterfront designation before they are tested against the other relevant policies of this Plan, including those of the underlying designation.
- (2)
  - (a) In the absence of detailed floodline mapping, all applications for building permits involving substantial construction on lands within the Waterfront overlay designation shall be accompanied by a plan of survey, prepared by an Ontario Land Surveyor at the owner's/proponent's expense, that identifies the one in one hundred year flood elevation and the floodway elevation. However, such an elevation survey shall not be required if it is established to the satisfaction of Council that the entire property is outside the one in one hundred year floodplain.
  - (b) The estimated elevations are 115.2 m Geodetic Survey of Canada (G.S.C.) for the one in one hundred year flood and 114.2 m G.S.C. for the floodway. These elevations will be identified in the implementing zoning by-law and may be revised by amendment to the zoning by-law only.

- (3) The policies of the underlying designations shall apply, subject to the other policies of the Waterfront designation, provided that:
- (a) buildings and structures including additions and enlargements shall not be permitted on lands below the floodway elevation; but boat docking and launching facilities or improvements that do not increase the size or add more than 50% to the market value of an existing building or structure are permitted;
  - (b) Structural development may be permitted within the flood fringe, so long as any habitable or serviced building or structure is adequately flood proofed. Flood proofing measures must provide protection to a *design elevation* relative to the elevation of the one in one hundred year flood. The design elevations are 115.5 metres G.S.C. without dry basements and 115.7 metres with dry basements unless revisions are made under paragraph (2)(b) of this subsection.
  - (c) All floodproofing methods shall conform to acceptable engineering techniques and resource management practices. Where more than one (1.0) metre of fill is required for floodproofing, the certification of a qualified engineer shall be required.
- (4) (a) Council has completed a *Waterfront Master Plan*. Decisions on detailed land use, site design, building design and infrastructure shall be consistent with the *Waterfront Master Plan*.
- (b) The shoreline allowance originally established along the Ottawa River should be identified as the preferred location of a shoreline walkway linking the entire shoreline. If the shoreline allowance has been transferred to private ownership or if the allowance does not afford convenient, safe access, an alternative walkway alignment should be determined and signed.
  - (c) Encroachments by structures or other obstructions on the shoreline allowance shall not be permitted. In this regard, the municipality should enter into encroachment agreements to allow existing structural encroachments on the allowance with the objective of ultimately removing the encroaching structures. The Municipality should not close or transfer ownership of any shoreline allowance to private ownership and may embark on a program of acquisition as the lands become available and budgets allow.
  - (d) In proposing the development of lands in the Waterfront Overlay designation, the applicant shall be required to demonstrate how the proposal meets the objectives of the *Waterfront Master Plan* and how it is consistent with the goals and policies of

this Plan and with good planning. The justification may include market research, an indication of feasibility, and a demonstration of the impacts on/relationship with other land uses. Consideration of flood proofing shall be required. If an official plan amendment is required because the proposed use does not conform to the underlying designation, the aforementioned justification shall form part of the basis of the amendment. The Municipality may obtain independent advice on the appropriateness of the proposal and the reasonableness of the justification provided in support of the proposal.

- (e) All development, with the exception of single detached dwellings, in the Waterfront overlay designation shall be subject to site plan control. In addition to the matters referred to in Section 7.2 of this Plan and the Planning Act Section 41, all site plans shall be reviewed to determine the relationship of any building to public sight lines of the Ottawa River and where feasible adjustments shall be made to preserve these public sight lines.
- (5) The policies for Environmental Protection Areas with respect to works on shorelands (section 4.7.3 (6)) shall apply for the Ottawa River.

## **5.2 COMMUNITY IMPROVEMENT**

### **5.2.1 Intent**

Community Improvement policies are intended to help the Town where deficiencies are identified. The policies commit the Town to a strategy of rehabilitation of the areas where the Community Improvement overlay designation has been applied.

### **5.2.2 Objectives**

- (1) The main objectives of the Town for municipal improvement are contained in several of the goals of this Plan, which are summarized as follows:
  - (a) To improve the integration of compatible land uses (2.2.1(4));
  - (b) To enhance the role as an area service centre (2.2.1(6));
  - (c) To promote the business and trade role of the Town Centre Area (2.2.3(1));
  - (d) To promote visual and functional improvements to the Town Centre Area (2.2.3(3));
  - (e) To enhance the Open Space System (2.2.6(3));

- (f) To promote the safety of pedestrians (2.2.9(3));
- (2) Additional objectives for municipal improvement are as follows:
  - (a) To ensure that municipal services remain at an acceptable community standard;
  - (b) To produce a favourable climate for private investment in the upgrading of existing commercial areas;
  - (c) To encourage the redevelopment of property in accordance with the intent of this Plan.

### **5.2.3 Criteria for Project Area Selection**

The following criteria shall be used in the selection of Community Improvement Project Areas:

- (1) The building stock suffers from poor maintenance or lacks architectural integrity;
- (2) Parking areas are inadequate;
- (3) There is poor accessibility and protection from the elements and from traffic for pedestrians visiting commercial buildings;
- (4) Streetscapes require aesthetic improvements, e.g. underground wiring, landscaping, signs;
- (5) Buildings are poorly arranged or oriented;
- (6) There is inefficient use of available space;
- (7) Municipal services are inadequate;

#### **5.2.4 Selected Areas**

- (1) Council has determined that the Town Centre Area, Town Centre Exception Areas and the Business Park Area adjacent to Highway 17 satisfy a number of the Criteria for Community Improvement Project Areas. The overlay designation "Community Improvement" is shown on the land use schedule accordingly.

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## SECTION 6 - TRANSPORTATION AND SERVICES

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### 6.1 TRANSPORTATION

#### 6.1.1 Intent

Municipal roads are designated as "collector" or "local," and policies are established accordingly, in order to maintain efficient traffic flows and desirable patterns of traffic movement. Collector roads will maintain convenient access between Highway 17 and the Town Centre Area, or from residential areas to one of the foregoing. The Trans Canada Highway No. 17 is the only Provincial Highway in the portion of Renfrew County north of the City of Pembroke. As the highway link between Ottawa and North Bay, it is a significant conveyor of commercial traffic and tourist traffic, which makes it a desirable location for development. The Transportation policies recognize the significance of Highway 17. Finally, the Transportation policies recognize the needs of pedestrians, in order to promote safety and reduced dependency on automobiles for local trips.

#### 6.1.2 Policies

- (1)
  - (a) The road network is shown on Schedule 'B'. The existing municipal collector roads are identified and all other existing municipal roads are designated as local roads.
  - (b) Collector roads shown on Schedule 'B' will be extended in order to ensure that the safe, efficient movement of traffic is continued in new developments. The collector status will be identified in the implementing zoning by-law. Schedule 'B' to this plan need not be amended to permit such extensions, but the policies of this Plan for collector roads shall be applicable.
  - (c) Other roads may be added to the network as local roads in accordance with the other relevant policies of this Plan without an amendment to Schedule 'B'.
- (2)
  - (a) Direct access to roads will be restricted where it would adversely affect the design capacity and function of the road.
  - (b) Residential lots created in a plan of subdivision shall not front on Highway 17 or on a collector road.
  - (c) Municipal streets, group entrances or service roads should be utilized instead of increasing the number of individual entrances onto Highway 17.

- (3) All development adjacent to Highway 17 must satisfy the requirements of the Ministry of Transportation and obtain the necessary permits for the location and design of entrances and signs, and for building setbacks and similar matters.
- (4) Municipal roads should have a minimum right-of-way width of 20 metres. However, a proposal for the development of a neo-traditional or other innovative type of neighbourhood may include designs for reduced right-of-way and/or pavement width. Support for such reduced width will be contingent upon provisions for parking, snow accumulation, parkland or common areas, drainage, and utility installations being acceptable to the Town.
- (5) New roads may be accepted into the municipal road system only when designed and constructed to the standard acceptable to Council.
- (6) Private roads are not considered to be an element of the Town's transportation system so private roads normally would not be acceptable as the internal accesses for new developments.
- (7) Developers are responsible for providing the local roads in new subdivisions, and for contributing to the extension of collector roads in reasonable proportion to the benefits accrued to the specific development.
- (8)
  - (a) An essentially continuous system of pedestrian walkways comprising sidewalks, formal footpaths, and linked open space should connect the major residential areas, institutional uses, recreational facilities and the Town Centre.
  - (b) Sidewalks shall be required along collector roads unless alternative provisions for pedestrians are acceptable to Council. Developers will be expected to contribute toward the establishment of sidewalks along collector roads.
  - (c) Individual commercial developments should be designed, as much as possible, to protect pedestrians from vehicles and to facilitate the movement of pedestrians between adjacent uses. In particular on the south side of Highway 17, the sidewalk along the highway must be continued in all developments and redevelopments.

## 6.2 SERVICES

### 6.2.1 Intent

The servicing strategy which is delineated in the following policies, should ensure that new developments receive the same level of municipal services as comparable existing developments. Further, the policies are meant to bring about service extensions that are economical to provide. The

policies also raise environmental considerations for servicing development.

### 6.2.2 Policies

- (1) The areas of Deep River where municipal sewer and/or water services are provided via trunk water mains and trunk sewers are shown on Schedule 'B'. Development should proceed in reasonable increments. Schedule 'B' need not be amended to permit service extensions for new development.
- (2) In all areas except those designated "Rural," "Estate Residential" or "Undeveloped," all development shall be connected to municipal water and sewer services.
- (3)
  - (a) Where the policies of this Plan permit the consideration of development on private water supply and/or private sewage disposal systems, Council shall be satisfied that the proposed development meets the requirements of the Ministry of the Environment and Energy and/or the Renfrew County and District Health Unit before Council grants any planning approval. Where there is potential for salt contamination from Highway 17, the Ministry of Transportation also shall be consulted.
  - (b) Site specific lot area standards may be established in the implementing zoning by-law on the basis of hydrogeological studies or the recommendations of the foregoing agencies.
- (4) Storm water drainage must be addressed in plans of subdivision and site plans, through the identification of site design and grading features and/or facilities for controlling and conveying storm water. Council will require developers to undertake measures necessary to mitigate adequately the potential flooding, erosion, sedimentation and pollution problems associated with storm water runoff.
- (5) Developers are responsible for the cost of installing all services in new subdivisions and will be required to contribute to the costs of trunk mains and of lighting for access roads. Servicing easements shall be provided, as necessary, and developers should provide for these when preparing plans.
- (6) Underground electrical and communication services and energy efficient street lights will be the norm for new installations.
- (7) The servicing capacities and operating performance of all facilities, including the hydro-electric installations, the water treatment plant, the water pollution control plant, and the landfilling site and other components of the waste disposal system, will be monitored.

Council shall be satisfied that adequate capacities are available and/or secured before supporting developments, particularly those of a larger scale.

- (8) The Ministry of Natural Resources has identified the Town as an "Intensive Fire Protection Area". The Town will ensure that adequate fire protection for development is available and that developments are designed to minimize risk from forest fires.

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## SECTION 7 - IMPLEMENTATION

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### 7.1 ZONING AND RELATED CONTROLS

#### 7.1.1 Zoning By-law

- (1) Council shall undertake a review of the Comprehensive Zoning By-law following the adoption of this Plan. The review shall ensure that the Zoning By-law contains suitable land use categories and development standards to meet the intent of this Plan.
- (2)
  - (a) When the Zoning By-law is reviewed, lands generally will be zoned in conformity with the designations of this Plan.
  - (b) Where land is being used legally for a purpose that does not conform with the land use designations of this Plan, and Council accepts that such use meets the following tests, the use may be recognized as a permitted use in the Zoning By-law, provided that:
    - i) The zoning will not permit any major change of use or major enlargement that will aggravate any situation detrimental to adjacent conforming uses;
    - ii) The use does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic flow they generate;
    - iii) The use does not pollute the air, water or soil to the detriment of health and/or property; and
    - iv) The use does not interfere with the development or enjoyment of adjacent areas in accordance with this Official Plan.
- (3) Criteria for the extension or enlargement of a non-conforming use, as provided for under Sections 34(10) and 45 of the Planning Act are contained in the General Provisions of this Plan.

#### 7.1.2 Holding Provisions

- (1) It is the intent of Council to apply holding provisions within the Zoning By-law as provided for under Section 36 of the Planning Act. In this regard, Council may zone lands in a holding category if the principle of development has been established and certain criteria for development are to be met at a later date. The criteria may include such things as the phasing

of development, the conclusion of any necessary agreements or site development arrangements, the satisfaction of financial requirements or the completion of technical studies. Council may consider additional criteria beyond those specified in this Plan as deemed necessary for a particular development, provided these are specified at the time of rezoning to the holding category by way of a Council resolution, an explanatory note to the by-law amendment or other appropriate means.

- (2) The holding provision shall be applied by the use of a holding symbol "h" in conjunction with the appropriate zone symbol denoting the eventual use of the lands. The full public notification, the public meeting and the opportunity for appeal occur at the time that the holding symbol is being applied to the zoning of the lands.
- (3) Council shall consider the removal of the holding symbol "h" once the necessary criteria have been met to their satisfaction.
- (4) Existing uses, interim uses, and passive uses such as open space and conservation, which would not preclude the use of the land for its eventual purpose, will be permitted under the holding provision. These will be further specified in the implementing zoning by-law.
- (5) An amending by-law removing the holding symbol shall not require the full public participation process with mechanism for appeal as outlined in Sections 34(11) and 34(26) of the Planning Act. Council shall give notice of its intention to pass an amending by-law to persons and agencies prescribed by regulation made under the Planning Act. When the holding symbol "h" has been removed, the land use provisions of the appropriate zone shall apply.

### **7.1.3 Temporary Uses**

- (1) Council may, in an amending Zoning By-law, permit the temporary use of land, buildings or structures for a maximum period of three (3) years, in accordance with Section 39 of the Planning Act. Council may grant further three (3) year extensions by By-law. Upon expiration of the time period, the temporary use shall not be entitled to the continuation protection of a legal non-conforming use.
- (2) Notwithstanding any other policy in this Plan to the contrary, Council may pass a temporary use By-law to permit a temporary use that does not conform to the uses permitted under this Plan, subject to any other provisions stated herein.
- (3) Temporary uses shall be permitted only where the proposed use is clearly of a temporary nature. Council must be satisfied that the purpose and location for the proposed temporary use is appropriate. Temporary uses shall not be permitted where considered incompatible

with adjacent land uses. Examples of uses that may be considered temporary are, portable living units for seniors, recurring special events or special construction projects (e.g. Trans Canada Pipeline).

#### **7.1.4 Increased Density (Bonus) Provisions**

- (1) Council may authorize increases in the density or height of development otherwise permitted by the zoning by-law in order to achieve certain goals of this Plan, which are summarized as follows:
  - (a) To encourage affordability and a range of housing types (2.2.2(2));
  - (b) To adhere to the principles of sustainable development, as further described in Section 3.13, (2.2.1(2));
  - (c) To encourage developers to be creative in the design of development and in the location and design of parkland (2.2.6(2));
  - (d) To enhance the open space system (2.2.6(3)).
- (2) To authorize increases in density or height, the implementing zoning by-law shall contain the detailed provisions that describe how and to what extent increased density or height will be awarded. In particular, the zoning by-law shall:
  - (a) Contain the detailed development standards that would apply when the bonus is awarded;
  - (b) Set out how the bonus standards relate to the criteria set out in paragraph (1) of this subsection;
  - (c) Address the matters to be dealt with in an agreement which will be entered into as part of the award of the bonus and the application of the standards;
  - (d) Be written to ensure that the bonus to be authorized is not open to contradictory or discretionary interpretation.
- (3) Council will ensure that the benefits accrued from bonusing tend to work for the betterment of the development area.
- (4) Increased density provisions shall apply only for lands being developed on a comprehensive basis, such as a plan of subdivision.

## 7.2 SITE PLAN CONTROL

Site plan control is a mechanism used to control design features of residential, commercial, industrial and institutional developments. Provisions for such features as off-street parking and loading, walkways, lighting, buffering, landscaping, garbage storage, grading, storm water facilities, exterior façade and other features can be addressed.

- (1) Council shall encourage the use of the site plan control provisions of the Planning Act to implement the policies and provisions of this Plan and to coordinate and enhance the built environment of the local community.
- (2) Pursuant to the Site Plan Control provisions of the Planning Act, the entire area of the Town of Deep River is designated as a proposed Site Plan Control Area. The Municipality may, by by-law, apply site plan control to the whole or any part of the proposed site plan control area. The municipality may require site plans, drawings and/or agreements to ensure the provisions of all or any of the matters described in Section 41 of the Planning Act, including matters relating to exterior design, and facilities for accessibility for people with disabilities. With respect to exterior design, site plan control may address the character, scale, appearance and design features of buildings and their sustainable designs as well as sustainable design elements on the adjoining street (landscaping, permeable pavement materials, street furniture, curb ramp, waste and recycling containers and bicycle parking facilities.)
- (3) For all residential uses subject to site plan control, Council may require the drawings mentioned in paragraph 2 of Section 41(4) of the Planning Act. Where an agreement is entered into, the signed agreement shall be registered on title by the Municipality at the developer's expense prior to any development taking place.
- (3) All commercial uses, industrial uses, private institutional uses and residential uses, with the exception of residential uses containing less than four dwelling units, are herein described as a proposed site plan control area for the purposes of Section 41 of the Planning Act. Lands which exhibit physical constraints to development and lands which are environmentally sensitive to development (including waterfront lands) are also considered a proposed site plan control area. Notwithstanding the foregoing, all temporary uses as described under Section 20.8 of this Plan are also herein described as a proposed site plan control area.
- (5) The following uses will be excluded from site plan control:
  - (a) residential development of one or two dwelling units, unless the associated lands

- exhibit physical constraints to development or are considered environmentally sensitive;
  - (b) minor alterations or additions to a building in any zone;
  - (c) buildings and structures for flood control or conservation purposes; and
  - (d) any building and structure used for the purpose of a public service by the Town or any local board, the County, and any department or agent of the Government of Canada or Ontario.
- (6) Where proposed development is subject to site plan control and an amendment to the zoning by-law is required, Council shall ensure that consideration is given to site plan control measures prior to finalization of the rezoning, including approval of preliminary site plans and drawings, the adequacy of proposed buffering, landscaping, servicing, parking etc. and any pertinent conditions to be incorporated in a site plan agreement. Where an agreement is entered into, the signed agreement shall be registered on title after the rezoning is finalized, unless otherwise provided under this Plan.

### **7.3 PUBLIC WORKS**

- (1) All public works will follow the intent of this Plan.

### **7.4 COMMUNITY IMPROVEMENT**

Community Improvement within the context of Section 28 of the Planning Act, R.S.O. 1990 and this Plan means the planning or replanning, design or redesign, subdivision, clearance, development or redevelopment, reconstruction and rehabilitation, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.

A community improvement plan means a plan for the community improvement of a community project area.

A community improvement project area means a municipality or an area within a municipality, the community improvement of which in the opinion of the Council is desirable because of the age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

Pursuant to the provisions of Section 28 of the Planning Act, R.S.O. 1990 and Sections 106, 107, 108, 109, 110, 111, 112, 113, 114 and 365 of the Municipal Act, S.O. 2001, Chapter 25, the Town may prepare or require the preparation of a Community Improvement Plan and designate a portion of the Municipality as a Community Improvement Project Area by by-law.

Among other things, the Municipality, subject to the approval of the Minister of Finance, may cancel taxes, reduce taxes, and provide assistance to rehabilitate “brownfields” sites.

## **7.5 OTHER LEGISLATION**

- (1) In addition to its powers under the Planning Act, Council will implement the Official Plan through powers conferred upon Council by other legislation (The Municipal Act, the Environmental Assessment Act and any other applicable statute.)
- (2) By-laws passed by Council pursuant to such other legislation must be in conformity with the Official Plan, as prescribed by Section 24 of the Planning Act.

## **7.6 APPROVAL AUTHORITIES**

- (1) The bodies and agencies that have the authority for various planning approvals (e.g. consents, plans of subdivision, minor variances, zoning by-law amendments) shall be satisfied that a proposal meets the intent of this Plan before granting such approval.

## **7.7 INTERPRETING AND AMENDING THE OFFICIAL PLAN**

- (1) The boundaries of the areas designated on the land use schedule are to be considered as approximate except where they coincide with clearly defined features such as existing roads, railway lines, rivers, transmission lines and lot lines. It shall not be necessary to make amendments to the Official Plan where minor adjustments in the approximate boundaries will maintain the intent of this Plan.
- (2) Office consolidations of this Plan and amendments thereto shall not require an amendment in order to be adopted by Council.
- (3) It is intended that dimensions, figures and quantities stated herein are not to be interpreted rigidly but rather are approximate only for general guidance in the administration of the Plan. Accordingly, reasonable variations from these figures will not require an amendment unless specifically stated otherwise.

- (4) The Plan shall be read with such changes of gender and grammar as the context may require.
- (5) References to legislation imply the most recent statutes, as amended (e.g., Planning Act, R.S.O. 1990 Chapter P.13, as amended). Therefore, this Plan need not be amended to maintain the applicability of such references.
- (6)
  - (a) Amendments may be made to the Official Plan when Council is satisfied that such changes are warranted.
  - (b) An amendment to the Plan may be initiated by Council and result from:
    - i) changes in the internal or external economic, social and technological conditions of society;
    - ii) the examination of the Plan at five year intervals as prescribed by the Planning Act.
  - (c) An amendment to this Plan shall be required in order for:
    - i) a significant change to be made in the boundaries of the designated areas;
    - ii) a land use to be allowed that is not in conformity with the uses permitted in a designated area, or not contemplated by the policies of the Plan;
    - iii) a revision to be made to any goal or policy statement of the Plan.

**7.8 TARIFF OF FEES**

The Council of Deep River, by by-law, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the Municipality or to the Committee of Adjustment or to the Planning Committee in respect of the processing of each type of application provided for in the tariff.

**7.9 REQUIREMENTS FOR PRE-CONSULTATION ON DEVELOPMENT APPLICATIONS**

- (1) Prior to the submission of an application under the Planning Act an applicant is encouraged to pre-consult with the Town. The purpose of the pre-consultation is to determine the scale and scope of any required information or material necessary to ensure the submission of a complete application.

- (2) Applications for official plan amendment, zoning by-law amendment, plan of subdivision and consent shall be supported by a complete application. The purpose of requiring a complete application is to ensure that Council has the necessary information to make informed decisions and/or comments on the aforementioned applications and to initiate the time frames for processing applications under the Planning Act.

The applications noted above must be accompanied by the information prescribed under the Planning (including the fee) and any or all information outlined below:

- a) Air Emissions Study
  - b) Archaeological/Heritage Assessment
  - c) Blasting Impact Study
  - d) Environmental/Biological Survey
  - e) Environmental Impact Study (EIS)
  - f) Environmental Site Assessment (Phase I and II)
  - g) Geological/Geotechnical Study
  - h) Housing Study
  - i) Hydrogeological Study
  - j) Landscaping Plan
  - k) Land Use Compatibility Assessment
  - l) Market Impact Study
  - m) Noise Impact Study
  - n) Planning Rationale Report
  - o) Servicing Study
  - p) Stormwater Management Plan
  - q) Traffic Impact Study
  - r) Tree Preservation Plan/Study
  - s) Urban Design Study
  - t) Vibration and/or Noise Impact Study
- (3) This list of information is not intended to be exhaustive. Other information may be required by the Town in consultation with other agencies in response to a particular development proposal to deem an application complete. In addition, other studies may be required to address issues that arise during the processing of applications. Qualified professional consultants retained by and at the expense of the proponent shall carry out the studies. The Town may require peer review of the studies at the proponent's expense.
- (4) The specific submission requirement for any given application will be based on the scale of the proposal, its location, and its location in relation to other land uses.

## **7.10 HERITAGE CONSERVATION**

As a twentieth century “planned community”, the Town of Deep River has many physical and cultural features, which make it unique in the Province of Ontario.

Council recognizes the importance of preserving and protecting significant built heritage resources and cultural heritage landscapes. The “campus” and associated waterfront lands, for instance, are considered to be cultural heritage landscapes worthy of protection. They provide a strong sense of place and identity to the people of Deep River.

The predominance of back laneways and absence of driveways in the old original “town site”, provide another unique and recognizable cultural heritage feature that is strongly associated with the first area of settlement.

Council may designate under the Ontario Heritage Act, 2005, properties, districts and areas having historic and architectural value or interest in the Town under Parts 1V and V of the Act.