

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

PREPARED BY: Jp2g Consultants Inc.  
12 International Drive  
Pembroke, ON  
K8A 6W5

APPROVED: APPROVED AND IN EFFECT October 25, 2017

BY-LAW NUMBER 16-2017

**A BY-LAW TO ADOPT THE OFFICIAL PLAN OF THE CORPORATION OF THE  
TOWN OF DEEP RIVER**

The Council of the Corporation of the Town of Deep River in accordance with the provisions of Section 17(22) of the *Planning Act*, hereby **ENACTS AS FOLLOWS:**

1. **THAT** the Town of Deep River Official Plan consisting of the attached text and Schedules "A", "B", "C" and "D" are hereby adopted.
2. **THAT** the Clerk is hereby authorized and directed to make application to the County of Renfrew for the approval of the Town of Deep River Official Plan.
3. **THAT** the Town of Deep River Official Plan adopted by Council of the Town of Deep River on March 2, 1993 and approved by the Minister of Municipal Affairs and Housing on April 11, 1995, with modifications, and subsequently amended by Amendment Numbers 1 to 15, is hereby repealed.
4. **THAT** this By-law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 30<sup>th</sup> DAY OF MAY, 2017.

\_\_\_\_\_  
Mayor



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



COUNTY OF RENFREW

BY-LAW NUMBER 105-17

A BY-LAW TO APPROVE THE TOWN OF DEEP RIVER OFFICIAL PLAN  
WITH MODIFICATIONS

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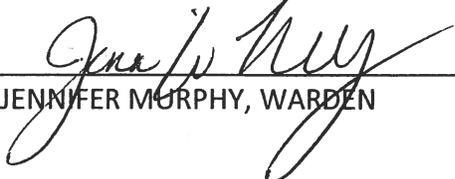
The Council of the Corporation of the County of Renfrew, in accordance with the provisions of Section 17 of the *Planning Act*, hereby enacts as follows:

1. THAT the Decision approving the Town of Deep River Official Plan with modifications, attached to this By-law as Schedule "A", be approved by County Council and that the Warden and Chief Administrative Officer/Clerk sign the Decision accordingly.
2. THAT this By-law shall come into force and take effect on the day of final passing thereof.

READ a first time this 25th day of October, 2017

READ a second time this 25th day of October, 2017

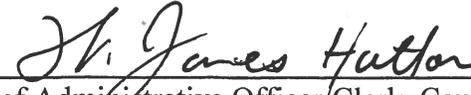
READ a third time and finally passed this 25th day of October, 2017

  
\_\_\_\_\_  
JENNIFER MURPHY, WARDEN

  
\_\_\_\_\_  
W. JAMES HUTTON, CLERK

I, W. James Hutton, Chief Administrative Officer/ Clerk of the County of Renfrew, in the Province of Ontario, do hereby certify this to be a true copy of By-law 105-17, approving the Town of Deep River Official Plan, of the Corporation of the County of Renfrew passed by the Council of the said Corporation at a meeting held October 25, 2017.

Dated at Pembroke, Ontario, this 26th day of October, 2017.

  
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W. James Hutton, Chief Administrative Officer/Clerk, County of Renfrew

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## SECTION 1 - INTRODUCTION

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### 1.1 THE PLANNING AREA

The Planning Area comprises the whole of the Town of Deep River with the exception of lands which are under the jurisdiction of Atomic Energy of Canada (AECL), but managed and operated by Canadian Nuclear Laboratories (CNL), properly known as the Chalk River Laboratory and all of the Federally owned lands adjacent to that site, save and except properties under the jurisdiction within the Town of Deep River outside the main CNL Campus located in the northeast quadrant of the Town boundaries.

### 1.2 THE PLANNING ACT, AUTHORITY FOR AN OFFICIAL PLAN

#### 1.2.1 Purpose of the Official Plan

This Official Plan establishes, in general terms, the overall pattern that development within the Town should follow during the planning period. It is intended to establish guidelines to direct future development and redevelopment in a logical and orderly manner and to protect existing development from the intrusion of incompatible land uses.

This Official Plan also implements the community vision for achieving long-term prosperity, environmental health and social wellbeing by:

- (1) Maintaining a diverse, innovative, prosperous, welcoming and multicultural community in cooperation with CNL and Garrison Petawawa;
- (2) Promoting development that will sustain the financial wellbeing of the Town in the long-term;
- (3) Accommodating a range and mix of housing, employment, institutional, recreational, park and open space and other uses to meet long-term needs; and
- (4) Ensuring that the necessary infrastructure and public service facilities will be available to attract young professionals and families to the community.

It is intended that this Plan will be of assistance to both public administrators and private interests. Public administrators will benefit by having a basis on which to program future services and facilities, such as roads, schools, parks, welfare, storm and sanitary sewers, water supply, and police and fire protection. Private interests will be informed of the future development policies of Council and, hence, be encouraged to plan their operations with more certainty.

#### 1.2.2 Scope of the Official Plan

The Official Plan and its Amendments are legal documents but do not, by themselves,

control or regulate the development of land by public agencies or by private interests. Once an Official Plan is in effect, Council may not pass By-laws or undertake public works contrary to the Plan. It is intended that the policies and statements of basic planning principles contained herein will guide both public administrators and private interests in such a way as to ensure the best form of development under the most desirable conditions. The Official Plan sets out guidelines for the preparation of municipal regulations, such as zoning By-laws. It also establishes policies to govern the development of land by plan of subdivision, consent and site plan agreement.

### 1.2.3 Authority

The *Planning Act*, Section 17 (14) provides the enabling authority for the preparation of an Official Plan and Section 26 provides for the required ten year review and update after the date that the new Official Plan comes into effect as well as a review and update every five years thereafter.

Section 16 of the *Act* sets out the 'contents of an Official Plan':

*"Shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it,...and*

*May contain a description of the measures and procedures proposed to attain the objectives of the Plan and a description of the measures and procedures for informing and obtaining the views of the public in respect of a proposed amendment to the Official Plan or proposed revision of the Plan or in respect of a proposed zoning by-law."*

Council of the Corporation of the Town of Deep River, under Section 17 of the *Planning Act*, is charged with the responsibility of preparing and adopting an Official Plan for the Town of Deep River. Council is also charged with the responsibility of reviewing the Plan from time to time in accordance with Section 26 of the *Planning Act*.

## 1.3 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial "policy-led" planning system.

The new Provincial Policy Statement came into effect on April 30, 2014. The 2014 Provincial Policy Statement replaced the previous Provincial Policy Statement, which came into effect on March 1, 2005. Section 3 of the *Planning Act* states that all decisions of planning authorities (Town Council, for example) in respect of a planning matter "shall be consistent with" the Provincial Policy Statement.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

The Provincial Policy Statement recognizes the complex interrelationships among economic, environmental and social factors in planning and embodies good planning principles. It includes enhanced policies on key issues that affect our communities, such as: the efficient use and management of land and infrastructure; protection of the environment and resources; and ensuring appropriate opportunities for employment and residential development, including support for a mix of uses.

In exercising its authority over planning matters addressed by this Official Plan, the decisions of Council:

- (1) shall be consistent with the policy statements issued under Subsection 3(1) of the *Planning Act* that are in effect on the date of the decision; and
- (2) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

#### **1.4 AN OVERVIEW OF THE COMMUNITY**

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 southeast and Ottawa and North Bay are nearly 200 kilometres away to the southeast and northwest, respectively.

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 Town site, the site of the Chalk River Laboratories of AECL and the intervening, undeveloped forested lands which are a mix of federal, municipal and privately owned lands comprising over 1,000 acres of land, which are managed co-operatively by the Town, the Deep River Cross-Country Ski Club and the Four Seasons Conservancy.

Two dominant influences affecting Deep River include its scenic location on the wooded banks of the Ottawa River and Canadian Nuclear Laboratories (CNL) which is the largest nuclear research facility in Canada. The physical setting of Deep River is intrinsic in features such as the beautiful beaches, the extensive walking, hiking, cross country skiing and snowmobile trails, a ski hill, and the treed boulevards and parklands. The CNL nuclear research facility provides a large public sector employment base with higher than average wages for the area; an important economic foundation and an opportunity for future growth and development.

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,

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 Canadian Nuclear Laboratories (CNL) creates extensive research and development capability. There are readily available, inexpensive industrial lands and infrastructure that can accommodate substantial growth.

CNL and Garrison Petawawa are the two largest employers in Renfrew County. In 2016, CNL employed over 2,800 people in Deep River and the Chalk River Laboratories. Garrison 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. Garrison employment levels were around 7,000 in 2016, and Garrison personnel have become an increasingly important source of new residents for the Town.

The population of Deep River has gently declined since the early 1990's. The census population figure for 1991 was 4,571, declining to 4,193 in 2011 and further declining to 4,109 in the most recent 2016 census. The Town would like to promote Deep River as an attractive location for future growth and development. Population growth is desired at rates that are greater than historical trends since the 1990's.

The attraction of future growth and development will be dependent upon the ability of the citizens of Deep River to promote their community as a desirable place to live and conduct business. This will require cultural change to create a greater community acceptance of development proposals and an investment in community infrastructure and public service facilities.

## 1.5 HOW TO USE THIS PLAN

To use this Plan, the reader should first locate the parcel of land affected on **Schedule "A", Land Use Plan**. This **Schedule** will indicate the land use designation that applies. Reference should then be made to the land use policies that apply to that designation for guidance as to how the land may be developed or redeveloped. These policies are generally contained within **Section 4 – Policies for Land Use Designations**.

It is also important to consider other Map Schedules and policies that may affect development. Other Map Schedules include:

**Schedule "B" – Natural Heritage Features and Hazards**

**Schedule "C" – Infrastructure and Public Services**

**Schedule "D" – Secondary Plan and Community Improvement Plan Areas**

**Section 3 - General Policies** outlines policies to review development applications. The extent to which these apply varies depending on the location, land use designation and nature of the application.

**Section 5 - Infrastructure and Public Services** sets out how land should be serviced (water, sanitary and storm sewer, transportation systems).

**Section 6 - Implementation** sets out the policies for implementing the Plan (e.g. community improvement, zoning, subdivision, consents, site plan control, property standards, etc.).

**Section 7 - Interpretation** is intended to help the reader on how to interpret the Plan.

Other important Sections of the Plan include **Sections 1 and 2**, which outline the authority and basis for the Plan.

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## SECTION 2 – COMMUNITY VISION, GOALS AND INTENT

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### 2.1 COMMUNITY VISION

The vision of the Official Plan is essential in providing for the sound interpretation of the Plan and its policies. The vision is future-oriented, and is 'high-level' in scope, rather than focusing on a particular site or issue. As with the policies of the Official Plan, the vision should address the desired form and function of the Town, with a focus on land use, community development, and the desired stewardship of the Town's resources.

The vision for this Plan was developed in consultation with representatives from the Deep River Housing Advisory Committee, the Environmental Advisory Committee, the Accessibility Advisory Committee, the Economic Development Advisory Committee, Council, and the Official Plan Steering Committee at a Visioning Workshop which was held on September 10, 2015. The vision was subsequently presented to the public at a special meeting of Council on December 16, 2015.

The purpose of developing a vision for this Plan is to identify the community vision in respect of key planning matters. Participants in the development of the community vision have been encouraged to think optimistically about how the Town could look and function in 2036. The focus has not been on the likely outcome given historical trends, but what the ideal outcome for the Town could and should be as a result of good land use planning, strong leadership and a committed and engaged citizenry.

The main planning themes and community vision for the Town of Deep River are summarized as follows:

#### 2.1.1 General

Deep River is a diverse, innovative, prosperous, welcoming, multicultural community. The Town will celebrate and promote its nuclear history and its culture, will cooperate with other communities and major employers including CNL and Garrison Petawawa, and will be open to positive change.

#### 2.1.2 Growth & Settlement

Deep River will experience growth beyond what current census trends predict. The ideal demographic mix will include a large segment of young people and families, attracted by employment opportunities and high quality of life. Seniors will continue to be a large segment of a diverse population. Settlement will be in the form of new residential development to the west of the developed area of the Town, infill development in the downtown and periphery, residential intensification and continued commercial and industrial development along the Highway 17 corridor. Rural housing options will be available to the east of the urban area of the Town. The Town will make every effort to facilitate viable land development proposals, and to attract new investment to the area.

**2.1.3 Housing**

Deep River must diversify its housing stock. In 2036, the Town will have a diverse mix of housing options including townhouses, multiple residential, and a range of seniors housing options. Future subdivision development will have smaller lot sizes, higher densities, and smaller dwellings generally. High density housing (e.g., apartments) will be more appropriate within close proximity to downtown (i.e., within a 10-minute walk, or approximately 750 metres).

**2.1.4. Employment Lands (Commercial/Industrial Areas)**

The continued development of the Highway 17 corridor should be supported for commercial and industrial uses. The main challenges to development in this area are related to access, sewer servicing, and Kennedy Creek. In addition to the Highway 17 corridor, home businesses will be important sources of employment in the future, supported by the future development of super-fast high speed internet infrastructure in accordance with the Town’s Strategic Plan.

**2.1.5 Public Health, Safety and Accessibility**

Deep River will be a more accessible community, with barrier-free access to housing, stores, sidewalks and public buildings.

**2.1.6 Environment, Climate Change and Energy Conservation**

Housing will be closer to downtown to facilitate active transportation. Bicycle transportation will be supported in public infrastructure projects. The Town will be a pioneer in alternative and renewable energy sources. Electric vehicle charging stations, small modular nuclear energy, and backup power systems (“microgrids”) are potential initiatives. The natural environment will be prioritized through tree retention during development and a robust tree replacement program.

**2.1.7 Rural Development Areas**

Rural development areas will continue to offer development opportunities characterized by larger lots on private services, and will be focused primarily outside the urban area of the Town where there are challenges to providing full municipal services.

**2.1.8 Public Spaces**

Natural and built public spaces will be a key attraction for new residents and visitors, and will be among the Town’s greatest assets. The Deep River Marina will continue to be an important community gathering place, and will be expanded to include more slips with available electricity. Public buildings will serve multiple purposes to ensure usage throughout the day (i.e., beyond regular business hours), and recreation facilities will continue to be improved. Public open spaces will continue to be developed and existing

spaces preserved, including extension of the natural pathway system as new residential areas emerge, and provision for additional landscaped public spaces in the downtown area through infill and redevelopment. Public spaces and trails will be marked with clear, well-maintained wayfinding signage, providing for orientation to Town landmarks and key public destinations.

### **2.1.9 Transportation**

Deep River will have an attractive highway corridor and a clearly visible gateway to the downtown. The system of footpaths will be expanded into new development areas to provide connectivity throughout the Town. The trail system will be an attraction for tourists, and will have well-maintained signage. The Town will be a participant in any future regional transportation system providing services to seniors and those without access to a vehicle.

## **2.2 GOALS OF THE PLAN**

- (1) To support partnerships between the Town and developers, including CNL and Garrison Petawawa to facilitate development and encourage investment.
- (2) To encourage new employees of Canadian Nuclear Laboratories and Garrison Petawawa to reside in the Town of Deep River.
- (3) To support an efficient and timely development review process that will provide predictability to developers and investors in regards to Council's expectations and requirements.
- (4) To provide guidelines for urban development within the Town of Deep River in the period up to 2036 subject to review and update at ten-year intervals with regard to changing economic, social and technical developments, and to future Provincial Government planning policies and guidelines.
- (5) To form a basis for coordinating public and private development.
- (6) To designate land uses in suitable locations and in sufficient quantity to accommodate development and redevelopment in the Town having regard for the health, welfare, safety and convenience of the present and future inhabitants.
- (7) To provide for a compact and energy efficient land use pattern that optimizes the use of available infrastructure (roads, water, sewer, waste disposal) and public service facilities (schools, hospitals, recreation and cultural facilities, fire and police services), and which utilizes densities and development standards that are cost effective and supportive of active transportation.
- (8) To allow development where it can adequately be serviced within the capacities of the Town's existing facilities or within the Town's financial capability to expand such facilities.

- (9) To protect fish and wildlife and all lands having inherent environmental hazards, including the Ottawa River waterfront in accordance with sound principles of conservation and preservation, and to provide for the cleanup of brownfield sites.
- (10) To protect sensitive land uses (dwellings, day care facilities, schools, health care facilities) from incompatible land uses.
- (11) To provide and maintain an adequate supply of open space and recreational facilities in suitable locations to conveniently serve the changing needs of all age groups.
- (12) To protect, restore, and promote the Town's natural heritage features and areas.
- (13) To ensure that the growth of the Town occurs in a balanced fashion through the provision of sufficient land for residential, industrial, commercial, public service and open space uses, and in a manner that will not impose an undue financial burden on the residents of Deep River.
- (14) To provide for a full range of housing types and densities to meet demographic and market requirements of current and future residents of the Town while maintaining at all times at least a twenty year supply of land designated and available for new residential development and residential intensification.
- (15) To provide encouragement and support to promote federal, provincial and local opportunities for the provision of affordable and supportive housing.
- (16) To provide encouragement and support to facilitate private, public and local partnerships in the provision of affordable and supportive housing.
- (17) To maintain the well-being of Town Centre as the community focus for the Town and surrounding area by facilitating the further development of the Town Centre to provide a wide range of activities, including offices for municipal government and branches of the senior governments, the major shopping district for the region, an increased amount and density of housing, tourist and retail facilities, and adequate off-street parking.
- (18) To encourage the growth of light industry, service and administrative activities, the tourism and convention industry, and retail and highway commercial development along the Highway 17 corridor.
- (19) To protect access to the Ottawa River through the maintenance and development of important access points that link the waterfront to other parts of the community, particularly the Town Centre and to limit the use of the remaining lands abutting the Ottawa River to uses that compatible with the open space character of these areas.

- (20) To provide an adequate road system within the Town to support the amount and distribution of urban development proposed in this Plan and to facilitate automobile and truck movements with a minimum of inconvenience, congestion, accident potential and air pollution.
- (21) To encourage the development and maintenance of an efficient and pleasant environment for the residents of the Town.
- (22) To sustain a high quality of life for residents based on the provision of public services, land use planning that considers the element of 'human scale', conservation of the natural environment and open space amenities of the Town, and the application of sound environmental standards.
- (23) To conserve the cultural heritage and archaeological resources of the community.
- (24) To support redevelopment and development that is designed to be sustainable and pedestrian-oriented.
- (25) To support the protection of existing business and employment lands.
- (26) To encourage an innovation centre that would provide a host of service to support the growth of science and technology-focused companies in Deep River.

### **2.3 INTENT**

The intent of the Plan is to promote growth and prosperity in the Town. The ongoing employment at CNL is a key component to the Town's economy. Growth within CNL, and attraction of existing CNL employees are viewed as the main catalysts for growth in this Plan. The Town also strives to achieve economic growth through 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 significant undeveloped land available within the limits of the Town to achieve the desired vision and goals for growth and development. Some key facilities are not being used to their capacities. Other key facilities such as the waste water treatment plant, arena and other recreation and public service facilities will require upgrades to achieve the desired long-term vision for growth and development. Therefore, there is a need for future capital expenditures for these items.

Council's vision, which is represented in this Plan, is of a Town that capitalizes on the innovation agenda of CNL, 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.

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## SECTION 3 - GENERAL POLICIES

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### 3.1 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 and residential uses greater than three units 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, may also be subject to the information and technical investigations included in **Section 6.10.2**, together with Site Plans, if deemed necessary by Council.
- (3) The adequacy of services to satisfy any new demand should be ascertained before Council commits its support for significant development.
- (4) Council may consult with such experts and agencies as it considers necessary before passing amendments or making recommendations to the approval authority.
- (5) The Town may require, during the approval stages, reports on matters such as soils, geology, hydrology, vegetation, ecology, traffic impact study 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.
- (6) In addition to all above municipal required reports, any future development located adjacent to or in the vicinity of a provincial highway or intersection within MTO's permit control area will be subject to MTO's policies, standards and requirements included in **Section 5.3.3 (3) Transportation**. Direct access will be discouraged and often prohibited.

### 3.2 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) Secondary Plans will be implemented for areas of the Town where greater detail is necessary to plan for land use, urban form, environmental, transportation and infrastructure needs of an area. **Section 6.1** includes policies for the development of Secondary Plans. Areas where secondary plans will be required are shown on **Schedule “D” Secondary Plan and Community Improvement Plan Areas**. The Town intends to prepare a Secondary Plan for the future development of the “West End Growth Area”. The Secondary Plan will include infrastructure and public service facility requirements for this planned growth area.

### 3.3 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. Such distances shall be established in accordance with applicable legislation and guidelines of applicable governing agencies (i.e. D-1 Land Use Compatibility, D-2 Compatibility between Sewage Treatment Facilities and Sensitive Land Uses, D-4 Land Use on or Near Landfills and Dumps, and Publication NPC 300: Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning.
- (3) For the purposes of this Plan, sensitive land uses are defined as buildings, amenity areas or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated nearby. Sensitive land uses include dwellings, daycare centres, educational facilities and health facilities.
- (4) The separation distance between the Town’s sewage treatment facility and sensitive land uses shall be 150 metres.

### 3.4 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.
- (2) In residential plans of subdivision, the Town of Deep River may require, as a condition of approval, that five percent of such lands be conveyed to the Municipality for park or other public recreational purposes, as also set out in Section 51.1(1) of the *Planning Act*. In other forms of residential development the same dedication may

be required.

- (3) All land to be so conveyed must be consistent with the policies of this Plan for Open Space 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.
- (4) 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 51.1(3) of the *Planning Act*.
- (5) Land dedication for parkland purposes is the preferred option rather than cash in lieu of such lands. In considering proposals for development, priority will be given to the establishment and/or connection with linear recreational corridors and trails. Where possible, lands dedicated for parkland purposes should also be designed and integrated with stormwater management systems and pedestrian pathways.

### **3.5 ENERGY CONSERVATION AND CLIMATE CHANGE**

- (1) Council will encourage 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) Council will promote energy conservation and climate change mitigation by:
  - (a) initiating, participating and cooperating in conservation programs, including public education and awareness programs.
  - (b) encouraging denser, contiguous development: intensification of existing built-up areas and the efficient use of existing infrastructure.
  - (c) 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;
  - (d) supporting developments that are sensitive to natural environments such as shorelands, wetlands, streams and significant fish and wildlife habitat;
  - (e) supporting developments that will create a healthy, more livable community by encouraging outdoor physical activity, cycling and walking;
  - (f) requiring that developers provide for the control of storm runoff during construction and in the final design;

- (g) requiring developers to preserve a "treed community" through protection, replacement and augmentation;
- (3) On balance, a development should result in some environmental gain, as measured by the following:
- (a) movement toward community self-sufficiency with respect to housing, employment, goods and services, recreation and other needs;
  - (b) 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;
  - (c) reduced dependency on automobiles;
  - (d) incorporation of energy conservation measures into site design, and into the design, construction and renovation of buildings as well as the replacement of inefficient buildings and technologies;
  - (e) reduced traffic congestion on Highway 17;
  - (f) increased population density through infilling and intensification;
  - (g) creation of new habitat for fish and wildlife;
  - (h) increased ratio of "green space" to "built space".
- (4) 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 Study as part of the planning approval statement. The Study may be reduced in scope, but it should identify the existing environmental condition of the site, the components of the development that promote sustainability and the anticipated environmental gains.
- (5) Any development that satisfies energy conservation and climate change criteria set out by this Plan will be given priority consideration.

### **3.6 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.

### 3.7 NOISE AND VIBRATION

- (1) Land uses that generate significant levels of noise and vibrations (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 and/or vibrations or be affected by noise and/or vibrations from an existing source, the Town may require a noise impact and/or vibration study to assess the impact on existing or proposed residential or sensitive land uses within minimum distances prescribed by the Ministry of the Environment and Climate Change.
- (2) Council shall consider noise and vibration levels within 250 metres of lands adjacent to Highway 17 and be satisfied that noise and vibration levels will not affect residential development or that noise attenuation features will relieve the noise or vibration situation.
- (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.
- (4) The Ministry of Transportation (MTO) will not be responsible for any impact, inclusive of noise and vehicle light impact that Highway 17 may have on the subject properties and that MTO will not construct any works to abate those impacts. It will be the responsibility of the owner/developer of the proposed development(s) (Subdivisions) to ensure that noise levels are consistent with provincial objectives, and if necessary, that adequate noise control measures are applied.

### 3.8 ARCHAEOLOGICAL RESOURCES

- (1) Where new development is proposed within an area which has been identified as containing known archaeological resources or having archaeological resource potential, a development proponent shall undertake an archaeological impact assessment of the property in accordance with the archaeological assessment and technical guidelines of the Ministry of Tourism, Culture and Sport. Such assessments shall be undertaken by a consultant archaeologist licensed pursuant to the provisions of Section 38 of the *Ontario Heritage Act*. Adequate measures shall be undertaken to mitigate potential impacts upon identified significant archaeological resources. Impact mitigation may include preservation in situ as the preferred method, followed by avoidance and removal if necessary.
- (2) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*. Council may maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34(1) 3.3. of the *Ontario Planning Act* R.S.O. 1996, to prohibit any land use activities

or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- (3) In considering applications for waterfront development, Council shall ensure that archaeological and cultural heritage resources both on shore and in the water are not adversely affected. For applications adjacent (within 300 metres) to navigable waterbodies, the policies of this section shall apply.
- (4) In considering a subdivision application or a major commercial development, Council shall ensure that archaeological and cultural heritage resources on the proposed developed site are not adversely affected.
- (5) Council shall make every effort to conserve and protect known areas of archaeological potential when undertaking municipal public works, such as roads and infrastructure projects, carried out under the Municipal Class Environmental Assessment (EA) process.

### **3.9 BROWNFIELD SITES**

- (1) Brownfield sites are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. Sources of site contamination can include the disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses, such as gasoline stations and automotive repair garages have a potential to be contaminated.
- (2) Brownfield sites shall be remediated prior to any activity on the site associated with the proposed use such that there will be no adverse effects. Measures to be taken by Council and/or approval authority and the proponent include the following:
  - (a) The identification and inventory of sites by the municipality of existing and past uses that may have contributed to the presence of contaminants. Such an inventory does not imply that a site is clean or that the inventory is exhaustive.
  - (b) The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant Ministry of the Environment and Climate Change (MOECC) guidelines and procedures.
  - (c) Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When considering applications for development which include sites suspected or known to be contaminated, the Town will require at its discretion that a Phase 1 Environmental Site

Assessment be undertaken by the applicant in accordance with Ontario Regulation 153/04. If recommended by a Phase I ESA or mandated under Regulation 153/04, a Phase II ESA must be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the Phase I ESA report.

- (d) As a condition of approval, the Town will require that remediation, where required, is undertaken to appropriate standards of the MOECC, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act, or other regulatory requirements of the MOECC, as amended from time to time.
- (e) Mandatory filing of a Record of Site Condition (RSC) in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the MOECC. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MOECC guideline "Records of Site Condition-A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition" dated October 2004 or associated guidelines.
- (f) Council may supervise the excavation and soil handling activities during site cleanup.
- (g) Site plan control may be used as a measure to enhance site decommissioning and remediation.
- (h) Brownfield sites may be placed in a holding zone in the municipality's Zoning By-law. Where a holding zone is used, the 'h' may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan, and subject further to the submission to the municipality of a Ministry of the Environment and Climate Change acknowledged Record of Site Condition.

### **3.10 DEVELOPMENT ON OR NEAR WASTE DISPOSAL SITES**

- (1) 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 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 hydrogeological and/or engineering studies.

- (2) Proposed development should be supported by studies as outlined in the Ministry of Environment and Climate Change Guideline D-4 – Land Use On or Near Landfills and Dumps. The studies will address contamination by leachate, surface runoff, ground settlement, visual impact, soil contamination, hazardous waste and landfill generated gas.
- (3) 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.

### 3.11 NATURAL HERITAGE FEATURES

#### (1) General

Natural heritage features include those areas that are important for their environmental and social values as a legacy of the natural landscapes of the area. It is intended that the natural heritage features identified in Deep River will be conserved for their natural heritage value.

For the purposes of this Plan, the natural heritage features are identified on **Schedule "B" - Natural Heritage Features**.

#### (2) Wetlands

##### (a) Local Wetlands

Local wetland areas are identified on **Schedule "B"** as "Unevaluated Wetlands" and designated on **Schedule "A"** as Environmental Protection. Development in or adjacent to local (unevaluated) wetlands shall comply with the Environmental Protection policies of this Plan. For the purposes of Local Wetlands, adjacent lands are considered to be the area within 30 metres of the approved wetland boundary.

##### (b) Provincially Significant Wetlands

The Ministry of Natural Resources and Forestry determines provincially significant wetlands through an evaluation process. As such the areas contain many species of flora and fauna and are considered environmentally sensitive to development. There are no wetlands within the Town of Deep River that are classified as Provincially Significant Wetlands, however if Provincially Significant Wetlands are identified in the Town in the future, the newly identified Provincially Significant Wetland will be implemented by way of an amendment to the Official Plan. Development and site alteration shall not be permitted in provincially significant wetlands.

Development and site alteration may be permitted on adjacent lands, if it has been demonstrated by way of an Environmental Impact Study undertaken in accordance with the policies of **Section 3.11(7)** of this Plan, that it will not negatively impact the natural features or ecological functions for which the area is identified. The diversity of natural features in an area and the natural connections between them should be maintained and improved where possible. For the purposes of Provincially Significant Wetlands, adjacent lands are considered to be the area within 120 metres of the approved wetland boundary. Modification to a Provincially Significant Wetland boundary requires the approval of the Ministry of Natural Resources and Forestry.

Nothing in these policies is intended to limit the ability of agricultural uses to continue.

**(3) Habitat of Endangered and Threatened Species**

Development and site alteration shall not be permitted in the habitat of endangered and threatened species, except in accordance with provincial and federal requirements.

**(4) Significant Wildlife Habitat**

Wildlife habitat means an area where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory and non-migratory species. Significant Wildlife habitat is identified on **Schedule "B"** to this Plan includes Kennedy Creek, the associated wetlands and adjacent lands. There is no other known wildlife habitat shown on **Schedule "B"**. Development or site alteration within 30 metres of Kennedy Creek or the associated wetlands will be supported by an Environmental Impact Study that demonstrates that there will not be a negative impact on the natural features or ecological functions of these shoreline habitats. Development within or adjacent (within 120 metres) to any other identified significant wildlife habitat should be supported by an Environmental Impact Study that demonstrates that there will not be a negative impact on the natural features or the ecological functions of the habitat.

**(5) Fish Habitat**

All rivers and natural watercourses have the potential to be fish habitat. No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that

support such a fishery. There is no known fish habitat identified on **Schedule “B”** to this Plan. The Ministry of Natural Resources and Forestry will be consulted on the extent and significance of fish habitat when reviewing development proposals adjacent to the Ottawa River and other watercourses.

Development and site alteration within identified fish habitat is not permitted except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands to identified fish habitat (within 120 metres) unless it is demonstrated that there will not be negative impacts on the habitat. Certain development activities within fish habitat may require a permit from the Ministry of the Environment and Climate Change, Ministry of Natural Resources and Forestry or the Department of Fisheries and Oceans. Development proponents are encouraged to directly pre-consult with MOECC, MNRF and DFO early in the process if development is proposed within fish habitat.

**(6) Areas of Natural and Scientific Interest (ANSI)**

ANSIs are areas of land and water containing natural landscapes or features which have been identified as having values related to protection, appreciation, scientific study or education. These areas are identified, mapped and ranked by the Ministry of Natural Resources and Forestry. There are no ANSIs located within the geographic limits of the Town of Deep River at this time. Should an ANSI be identified by MNRF, the boundaries of the identified ANSI will be included on **Schedule “B” Natural Heritage Features** through an amendment to this Plan. The Official Plan amendment will also include policies regulating development and/or site alteration within the ANSI or, on adjacent lands to the ANSI.

**(7) Environmental Impact Study (EIS)**

An Environmental Impact Study (EIS) will be prepared to support planning applications such as Official Plan amendments, Zoning By-law amendments, plans of subdivision, consent etc., prior to the approval of the proposed development or site alteration. Development will not be permitted where the impact and/or site alteration cannot be mitigated. The EIS will assess impacts that are anticipated from a proposed development application on natural heritage features, functions, and adjacent lands, including but not limited to:

- Fish and aquatic habitat
- Wetlands
- Wildlife habitat
- Areas of Natural and Scientific Interest (ANSI)
- Species and Habitats of Endangered and Threatened Species
- Reduction of a water setback
- Other Environmentally Significant Areas
- Significant water features such as sensitive water features, groundwater recharge/discharge areas, well head protection areas and intake zones are

also considered through an EIS.

An Environmental Impact Study (EIS) is intended to provide a study of the potential impact of a proposed development or site alteration on a particular natural heritage feature and/or area and shall be used to determine whether the proposed development, redevelopment or site alteration should or should not be permitted. The EIS will be undertaken by the proponent of the development and/or site alteration.

The components of the EIS shall be tailored to the natural heritage features and values involved and scale of development and may range from a simplified (scoped) assessment to a full site assessment. For example, a single detached dwelling may only require a scoped assessment, while a subdivision, multiple unit residential complex or commercial development will require a full site assessment. Council may consult with the Ministry of Natural Resources and Forestry, or the Department of Fisheries and Oceans in determining information requirements and the type and content of an EIS, particularly in relation to habitat of endangered species and threatened species. The following is intended to provide a guideline on the potential scope of an EIS:

- (a) description (including a map) of the study area;
- (b) description of the development proposal;
- (c) methodology;
- (d) identification of those features and functions likely to be affected by the development proposal;
- (e) assessment of the potential impacts of the proposed development on key features and functions;
- (f) identification of mitigation requirements and monitoring requirements;
- (g) quantification of residual impacts (those that cannot be mitigated) if any;
- (h) summary of all recommendations and conditions to implement mitigation measures: and
- (i) conclusion.

Council may retain the services of a qualified professional at the expense of the proponent to assist with the technical review and findings of an EIS.

### 3.12 WATER SETBACK AND PROTECTION OF SHORELINE INTEGRITY

#### (1) Water Setback

Generally all buildings and structures and associated private waste disposal systems, where applicable, will be set back a minimum horizontal distance of 30 metres (or approximately 100 feet) from the normal high water mark of a waterbody. The normal high water mark includes any riparian areas adjacent to a waterbody and can be identified by a change in vegetation or soil type. The normal high water mark is often above the water's edge. This requirement may be increased, or in very limited situations decreased. In the case of existing lots, where the setback cannot be met, the setback shall be as remote from the high water mark as the lot will permit.

Where a development is proposed to decrease the minimum 30 metre horizontal setback of a waterbody, an EIS, prepared by a qualified professional in accordance with **Section 3.11(7)**, may be required that demonstrates the reduction is justified and that the development will not have a negative impact on the quality of the creek, river, natural features or neighbouring properties.

New lots created through the consent or plan of subdivision process shall be a sufficient size to ensure that the new lot(s) and retained lands can accommodate the proposed use with no decrease to the 30 metre water setback. A greater setback would apply in those areas where the Ottawa River flood plain is more than 30 metres from the normal high water mark.

#### (2) Protection of Shoreline Integrity

The property between the shoreline of the waterbody will be retained, where possible, in its natural state to serve as a buffer which will assist in minimizing the land-surface transport of nutrients to the river or waterbody and maintaining a natural landscape view from the water. The retention of the natural soil mantle and vegetation within 30 metres (or approximately 100 feet) of the shoreline of the waterbody is encouraged. Boat houses, docks, boat launching facilities, and flood and erosion control devices shall be permitted. As a general guideline, 25% of the vegetation along the waterfront property may be disturbed for recreational amenity areas, pathways, and other waterfront uses. The local municipality may use agreements, site plan control, or other measures to ensure the protection of a natural shoreline.

The MNRF may require a work permit or crown land tenure disposition for the construction of boat houses, docks, boat launches and flood or erosion control structures. MNRF approvals under the Public Lands Act or Lakes and Rivers Improvement Act may be required prior to development".

Written approval is required from the Ministry of Natural Resources and Forestry

under the Public Lands Act or Lakes and Rivers Improvement Act prior to straightening, changing, diverting or interfering in any way with the channel of a watercourse. Dredging and/or filling activities involving the littoral zone shall be discouraged in order to avoid the re-suspension of nutrients from sediments in the waterbody and the destruction of fish habitat. Any such dredging or filling shall require the prior approval of the Ministry of Natural Resources and Forestry and the Federal Department of Fisheries and Oceans.

### 3.13 HAZARDS

#### (1) General

Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

- (a) An institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- (b) An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or
- (c) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

#### (2) Ottawa River Flood Plain

A two-zone approach is applied to all 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.

##### (a) Flood Plain Elevations and Delineation Requirements

The Ottawa River Flood Plain Limit is shown on **Schedule "B" Natural Heritage Features** for information purposes only. In the absence of detailed mapping of the floodway and flood fringe along the Ottawa River, all applications for building permits involving substantial construction on lands affected by the Ottawa River flood plain 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.

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.

**(b) Flood Plain Policies**

The following policies apply to all applications for building permits involving the construction of buildings and structures on lands affected by the Ottawa River flood plain:

- (i) Buildings and structures including additions and enlargements shall not be permitted on lands below the floodway elevation with the exception of boat docking and launching facilities or improvements that do not increase the size of an existing building or structure;
- (ii) Buildings and structures may be permitted within the flood fringe, provided any habitable or serviced building or structure is adequately flood proofed to a design elevation of 115.5 metres G.S.C.
- (iii) All flood proofing methods shall conform to acceptable engineering techniques and resource management practices. Where more than one (1.0) metre of fill is required for flood proofing, the certification of a qualified engineer shall be required.

**(c) Balmer's Bay Road**

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, as shown on **Schedule "B"**. 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 flood proofed to within 0.5 metres of the one-in-one hundred year flood elevation.

**(3) Hazardous, Unstable and Steep Slopes**

Development shall generally be directed to areas outside of hazardous, unstable and steep slopes. Hazardous slopes and unstable slopes will be identified in the Schedules to this Plan as information becomes available. Such areas may also be identified in the implementing zoning by-law.

Development proposed adjacent to a potentially unstable or hazardous slope shall be accompanied by a geotechnical study, prepared by a qualified geotechnical engineer, indicating how development can be accommodated on the site. The

Ministry of Natural Resources Natural Hazards Technical Guides can be used for the preparation of the slope evaluation. Adjacent lands are defined as 50 metres from the unstable slope.

The lands located in part of Lots 10 and 11, Range “B”, geographic Township of Rolph, in the Town of Deep River, containing an unstable slope is identified as Hazardous, Unstable and Steep Slope on **Schedule “A”** and **Schedule “B”**. Development, including the construction of new buildings or additions to existing buildings, occurring on lands adjacent to the unstable slope will require the support of a geotechnical slope stability evaluation.

**(4) Wildland Fire**

The Provincial Policy Statement defines hazardous forest types for wildland fire as “forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.” Hazardous forest types for wildland fire have not been identified on a Schedule to this Plan, as the current data is pixelated. When a better map becomes available, this data will be shown on a schedule to this plan. Development adjacent to woodlands will be reviewed in accordance with wildland fire risk information and mitigation measures will be implemented, where required.

**(5) Septage Spreading**

Hauled septage means waste removed from a septic tank. Land application of septage is regulated by the Province. Development applications adjacent to licensed spreading areas will be reviewed to ensure land use compatibility. Studies that may be required to ensure land use compatibility include a hydrogeological assessment, environmental impact study and odour assessment. Setback requirements from licensed spreading areas will be implemented in the zoning by-law.

**3.14 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 natural gas, electricity generation facilities and transmission and distribution systems. 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 Policy 1 of this section, electricity generation facilities and transmission and distribution systems are permitted in all designations, subject to any regulatory requirements for the utility involved.
  - (3) Public uses except electricity generation 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 electricity generation facilities and other public uses.
  - (5) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

### **3.15 ACTIVE TRANSPORTATION**

Active transportation means human powered travel, including but not limited to walking, cycling, inline skating and travel with the use of mobility aids including motorized wheelchairs and other power-assisted devices moving at a comparable speed. Active transportation increases physical activity, community engagement and social connections; contributes to economic development; provides accessible infrastructure to all segments of the population; and connects people to parks, open spaces and the natural environment.

It is the intent of this Plan to address active transportation in planning decisions by addressing, where appropriate, such matters as accessibility, density, access to amenities, connectivity/linkages between land uses, provision of sidewalks in new residential plans of subdivision and safety along walking routes. The goal is to achieve a land use pattern composed of housing, employment, recreation, parks and open spaces that promote and use active transportation.

Proposals for active transportation that impact provincial highways, or which would require changes to provincial highway infrastructure, are invited to contact MTO's Regional Offices to discuss their plans.

### **3.16 STORMWATER MANAGEMENT**

The Town of Deep River shall require the use of stormwater management facilities for new development, where appropriate, to mitigate development impacts on stormwater quantity

and quality. The Town will promote naturalized stormwater management facilities. Stormwater management facilities shall, where possible, be integrated with parks, open spaces, trails and other recreational resources. Planning for stormwater management shall:

- (1) Minimize, or, where possible prevent increases in contaminant loads;
- (2) Minimize changes in water balance and erosion;
- (3) Not increase risks to human health, safety and property damage;
- (4) Maximize the extent and function of vegetative and pervious surfaces; and
- (5) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

A stormwater management plan or report must be reviewed and approved by MTO for those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream.

Any stormwater that is directed into natural water bodies should comply with the Ministry of the Environment and Climate Change's Stormwater Management Planning and Design Manual and water quality criteria. A Fisheries Act Authorization issued by the Department of Fisheries and Oceans and Endangered Species Act approvals by the Ministry of Natural Resources and Forestry may be required prior to development.

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## SECTION 4 - POLICIES FOR LAND USE DESIGNATIONS

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### 4.1 LAND USE PLAN

The Town of Deep River shall be developed in accordance with the land use pattern shown on the **Land Use Plan**, attached as **Schedule “A”** to this Plan, as well as to **Schedules “B”, “C” and “D”** where they apply. The **Land Use Plan** establishes the pattern of development, in very general terms, by dividing the following land use categories:

#### LAND USE CATEGORY

- Residential
- Town Centre
- Highway Commercial
- Waterfront
- Institutional
- Open Space
- Rural
- Development
- Environmental Protection
- Waste Disposal

### 4.2 RESIDENTIAL

#### 4.2.1 Intent

Residential neighbourhoods are the building blocks of the community. The intent of the Plan is to develop neighbourhoods with a mix of housing types designed to meet a range of housing needs. Residential design principles will be used to ensure compatibility between housing of different types, densities and heights, and to ensure the safety and comfort of residents. Lotting patterns will be designed to ensure convenient vehicular and pedestrian flows and access to schools, parks and commercial areas. The character of residential areas will be conserved from the intrusion or impact of incompatible non-residential uses. The form of development will be generally compact, energy efficient and fully serviced. Efforts will be made to maintain existing natural features and/or beautify residential areas with trees and landscaped open space areas.

Within existing neighbourhoods, the focus will be on maintaining the housing stock in good repair and encouraging infill on vacant lots. Change will be gradual where it occurs (e.g. intensification of the existing housing stock, infill on vacant lots or development/redevelopment at a higher density). Development/redevelopment will only be permitted provided there is compatibility with the density and height of existing surrounding development.

Non-residential uses in residential areas will be integrated using site plan control and other tools and may include parks, limited local commercial uses serving the neighbourhood, public service facilities (schools and churches) and utilities.

Special housing needs will be considered where they can be integrated into residential areas with sensitivity. These needs include garden suites, group homes, second units and seniors housing.

To ensure an adequate supply of housing, the Plan maintains an adequate supply of land designated land for residential development, provides a strategy for Council intervention in the housing market, encourages infill and intensification in built-up areas, and encourages mixed use housing developments in commercial districts.

#### 4.2.2 Objectives

- (1) To designate lands in order to provide a twenty-year supply for future residential needs.
- (2) To promote “New Urbanism” as the preferred approach to urban design, including the design of new residential subdivisions.
- (3) To encourage affordability and higher densities in new development.
- (4) To support partnerships between the Town and developers to facilitate development and encourage investment.
- (5) To provide predictability to developers and investors in regards to Council’s expectations and requirements
- (6) To facilitate the establishment of medium and high density housing generally within a 10 minute walk (750 m) of the Town Centre.
- (7) The Town will encourage residential development on full municipal services wherever reasonably possible. Rural Residential development will be directed to the Rural designation, where services cannot be reasonably supplied.
- (8) To encourage new residential development in Town, and the conversion of existing buildings and utilization of vacant lands in the Town Centre—Exception designations for residential purposes.
- (9) 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.

### 4.2.3 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;
- local commercial uses;
- bed and breakfast establishments;
- home based businesses;
- office uses;
- garden units and second units in single detached, semi-detached or row dwelling;
- second dwelling units as ancillary buildings (separate from principal building).

### 4.2.4 Policies

#### (1) General

##### (a) Housing Densities

Various types of dwellings are permitted in this classification, but similar density types shall generally be located together. The densities of residential development shall not exceed 20, 30 and 75 dwelling units per gross hectare respectively for low, medium and high density developments.

##### (b) Infill

Where possible, vacant lots in established residential areas shall be built on, in order to consolidate existing development and make cost-efficient use of existing services, before new subdivisions are established. Infilling on lots where services are available shall be encouraged to take place in the first instance.

##### (c) Intensification

The Town of Deep River will encourage all forms of residential intensification that create a potential supply of new housing units. Residential intensification will be encouraged in the built-up areas of the Town where there is sufficient existing or planned infrastructure to accommodate such development.

It is the intention of Council to permit the conversion of larger single detached dwellings or non-residential buildings where they can be practicably converted to increase the supply of housing. In the conversion of a building, the proponent must demonstrate sufficiency of off-street parking, compliance with the building code, including accessibility for the disabled, if applicable, compatibility with adjacent land uses or low density housing, and the adequacy of municipal services. Conversions of designated heritage buildings will be permitted where the conversion retains the integrity of the heritage or architectural features of the building.

Council's policy is that, through the intensification of land use in existing built-up areas involving infill, redevelopment and the conversion of existing buildings, Deep River will strive to accommodate a minimum of 15 per cent of each year's new residential units within the already built-up urban area. Council will promote opportunities for redevelopment and intensification through the provision of adequate infrastructure and community facilities and through incentives for the reuse of brownfield sites.

**(d) Intensification Compatibility Criteria**

Compatibility refers to development that 'fits' with the character of a neighbourhood. It does not mean that the development looks the 'same' as neighbouring development; rather, the housing form is similar in size, scale, massing and architectural elements. As an example, attached housing forms could be considered compatible with single detached housing if they were ground oriented and similar in height and architectural details.

Residential infill is permitted subject to compliance with the following criteria:

- (i) Infill development on a property that is larger than the prevailing lot size of the surrounding neighbourhood or existing zoning of the lot may include the following:
  - 1) A possible change in lot size and configuration providing that:
    - a) the proposed lot area and widths should be not less than 80% of the lot area and width prescribed under the predominate or adjacent zoning in the surrounding neighbourhood;
    - b) the proposed lot configuration is similar to the prevailing lot pattern that exists within the neighbourhood; and
    - c) the proposed housing form is consistent in scale and massing to that of the surrounding neighbourhood.

- 2) A change in unit type – unit types such as single detached dwellings, second units, garden suites, semi-detached dwellings, duplexes and triplexes that resemble a single detached dwelling, with an emphasis on orientation to the street.
- (ii) Residential infill must be designed to be compatible with the surrounding neighbourhood and will be evaluated against the following criteria:
- 1) The ability of the existing infrastructure to support the new development.
  - 2) The compatibility of the site design, setbacks, and lot configuration with the existing pattern of development in the area.
  - 3) The compatibility between building massing and the type of dwelling units in the proposed development and the surrounding residential properties.
  - 4) The location, orientation, and visual impact of vehicle access/egress in relation to:
    - (i) adjacent developments
    - (ii) the street; and
    - (iii) the pedestrian environment.
  - 5) Minimizing adverse parking and traffic impacts on the existing neighbourhood.
  - 6) A gradual transition of scale and density through the design of building mass and form, such as:
    - (i) reduction in building heights at the edges of a development;
    - (ii) location of lower density components towards the perimeters of a site; and
    - (iii) concentration of density to the centre of a development or towards a non-residential boundary.

- 7) Retention and preservation of significant trees, other natural vegetation, and environmental features.
- 8) Maintaining adequate light, view and privacy for residents on adjacent properties.

**(e) Housing Supply**

Council’s policy is to maintain a 20 year supply of land designated and available for new residential development and at least a three year supply of residential units in serviced areas in draft approved or registered plans of subdivision.

Council may strategically intervene in the housing market to increase the supply by such measures as:

- (i) Acquiring land within areas designated for residential development.
- (ii) Selling or leasing land for residential development, including preparing plans of subdivision.
- (iii) Co-venturing with the residential development industry to service and sell/lease land for residential development.
- (iv) Partnering with senior levels of government in designing programs or in facilitating residential development.
- (v) Proactively working with landowners in the community to facilitate residential land development through intensification, infill, conversion of non-residential buildings, financing and servicing.
- (vi) Expediting planning approvals.
- (vii) Working with local housing authorities to add to the stock of affordable housing.

**(f) Housing Affordability**

The Town shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents.

For the purpose of determining “affordability”, “**low and moderate income households**” is defined as:

- (i) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- (ii) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

**“Affordable”** is further defined as:

- (iii) in the case of ownership housing, housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- (iv) in the case of rental housing, a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Council’s policy is to establish a minimum target of 25% of new units to be affordable to low and moderate income households.

Affordable housing planning and development should consider the *County of Renfrew 10 Year Housing and Homelessness Plan* (August 2013).

**(g) Municipal Services**

All residential development shall be adequately serviced with municipal water and sewer services, waste disposal and utilities as a condition of development subject to prior verification that there is adequate capacity.

**(h) Group Housing Projects**

Group housing projects (e.g. 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 policies for medium and high density uses in **Subsection 4.2.4(3)** will be met to Council’s satisfaction.

**(i) Housing for Seniors**

The Town of Deep River has a growing number and percentage of residents that are seniors. Council supports the creation of an arm’s-length corporation, headed by residents with strong experience in successful community projects that will:

- (i) Examine the viability and feasibility of various seniors’ housing options for the Town of Deep River.

- (ii) Prepare a housing strategy that includes recommendations for developing and financing a preferred model(s) that will meet the housing needs of seniors;
- (iii) Implement a housing strategy and preferred seniors housing model(s).

Housing for seniors should be designed for their particular needs e.g. functional layouts that minimize stairs, optimize natural light and ventilation, incorporate security measures, minimize maintenance, provide easy access to services (postal and neighbourhood-serving uses). Walkways and access points shall be constructed to provide for safe passage e.g., width, height clearance, grade, material composition, barriered against vehicular use, and lighting.

**(j) Transportation and Access**

Access to adjacent streets shall be governed through zoning and the use of site plan control. In the design of medium and high density residential projects, an assessment will be made as to the capacity and type of street to accommodate projected traffic volumes. Access and egress points shall be of an appropriate width and shall be set back from any adjacent street intersection. Access points that may be unsafe will not be permitted.

Where a draft plan of subdivision is proposed abutting or in the vicinity of a provincial highway (Highway 17 corridor), the layout of the subdivision should be designed such that the lots back onto the provincial highway and front onto a local internal road.

**(k) Energy Conservation**

Energy conservation will be promoted by considering the orientation and massing of buildings to take advantage of solar gain, by using vegetation to shield buildings from wind and provide shade from summer sun, by encouraging pedestrian and bicycle usage over motorized travel, and by considering alternative development standards.

**(l) Barrier Free Access**

Barrier free access shall be provided to all buildings where required by the *Building Code*, also:

- (i) providing handicapped parking for all high density residential developments and non-residential uses where public access is

required;

- (ii) by making provisions in the zoning by-law for barrier free access to all residential buildings;
- (iii) by ensuring the street and sidewalk surfaces are constructed and maintained to permit barrier free passage and that slopes do not exceed 5% (1:20) (e.g. ramps, sidewalks, pedestrian walkways); and
- (iv) by ensuring that retrofitted buildings include barrier free design features.

**(2) Low Density Uses**

- (a) The dwelling units considered suitable in low density areas are single unit residential, semi-detached, duplex and triplex dwellings.
- (b) Council shall ensure that the amenity of such areas is preserved and that different types of structures shall be mutually compatible.

**(3) Medium and High Density Uses**

- (a) In medium and high density areas, the intent of this Plan is to permit multiple residential uses, such as townhouses, 3-storey apartments, maisonettes, and high rise apartment dwellings. Council may utilize Section 37 of the *Planning Act* to encourage higher density residential development in accordance with **Section 6 - Implementation** of this Plan.
- (b) Medium and high density uses shall be encouraged to locate in or within walking distance of the Town Centre or in areas where the criteria as outlined in subsection 3 below can, in the opinion of Council, be met.
- (c) Medium and high density uses shall be located in close proximity to schools, parks and local shopping facilities, and with convenient access to collector roads. In addition, regard shall be had to the compatibility of such development with surrounding land uses, and such uses shall be designed to integrate with the adjacent uses in order to produce a pleasant residential environment.
- (d) Medium and high density uses shall require on-site amenities, such as landscaping and play areas, proper vehicle and pedestrian access to avoid traffic congestion and danger to pedestrians, and adequate on-site parking to ensure that resident and visitor parking is readily available. Landscaping shall be used to buffer and screen non-residential development or incompatible features or structures (e.g. acoustical intrusions, waste

receptacles, storage or outdoor display areas) from residential areas. Landscaping should be used to both shade and obscure parking areas. Existing natural vegetation will be conserved wherever possible and/or enhanced with additional tree planting along street boulevards using healthy native species stock.

- (e) Communal open space within a medium and high density use should be planned to link up with proposed or existing pedestrian systems and public parklands.
- (f) Ground floor commercial uses, including professional offices, shall be permitted in apartment buildings to serve the daily needs of the inhabitants therein without amendment to this Plan.
- (g) Service areas for delivery and waste disposal pickup shall be provided for all medium and high density residential developments and shall be located to minimize or avoid any incompatibility or health safety concern from residential buildings on the same or an adjacent property.
- (h) Fire Protection: all new proposals for residential development shall provide adequate vehicular access and circulation for firefighting and other emergency vehicles and equipment. This may include dedicated or posted fire lanes. Best practices shall be used to achieve the same objective for retrofitted buildings or redevelopment projects.

**(4) Local Commercial Uses**

- (a) Local convenience stores necessary to serve the day-to-day needs of the immediate surrounding residential area may be permitted in a separate zoning category without amendment to this Plan. Where necessary, special measures such as increased yards and parking, landscaped buffer strips, etc., may be required in order to protect the amenities of the surrounding residential area.
- (b) Local commercial uses shall generally be restricted to arterial or collector roads. Service stations may only be permitted on arterial roads.
- (c) A local commercial use shall not include a residential unit in the same building or on the same lot, unless the open space and other amenities normally associated with a residential use are provided on the lot.

**(5) Bed And Breakfast Establishment**

- (a) A bed and breakfast establishment shall be permitted within a single detached dwelling provided the exterior physical character of the dwelling is not altered. The single detached dwelling must clearly be the principal use

of the land and the bed and breakfast clearly an accessory use to the dwelling. A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. Such establishments must have the proprietor living on the premises. The local health unit or delegate shall be consulted when a new bed and breakfast establishment is proposed to accommodate nine or more guests and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing zoning by-law shall define a bed and breakfast use and the appropriate residential zones where they may be permitted and the zone provisions that apply to this use. (Reference should also be made to the applicable urban design principles of **Section 6** in reviewing applications for a bed and breakfast establishment.)

**(6) Home Based Business**

- (a) In order to recognize changing lifestyles and to provide for economic development opportunities within the community, it is the policy of Council to permit home occupations, including professional and personal services, 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.
- (b) Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

**(7) Office Uses**

- (a) Certain compatible office uses may be permitted in a separate zoning category, without amendment to this Plan, provided that adequate measures are taken to ensure that the residential character of the surrounding neighbourhood is not adversely affected. No office use will be permitted that will be detrimental to the residential character of the area by virtue of obtrusive lighting or signs, parking requirements, traffic flows or undue

evidence of commercial activity.

- (b) Provisions shall be made for adequate buffering, as defined in **Section 3.3 - Buffering** of this Plan, between office uses and any adjacent residential uses.

A permitted office use may include a residential use on the same lot, if the open space and other amenities normally associated with a residential use are provided for on the lot.

**(8) Second Units**

- (a) Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages).
- (b) A second unit shall be permitted in a single-detached, semi-detached and row house dwellings as well as in ancillary buildings subject to the following:
  - (i) A building permit is issued for the second unit;
  - (ii) A municipal inspection is completed to determine compliance with the Building Code/Fire Code;
  - (iii) Adequate water supply and sewage disposal facilities are available;
  - (iv) The size of the second unit may be no more than 40% of the total GFA of the principal dwelling;
  - (v) The second dwelling must maintain the external appearance of the principal dwelling;
  - (vi) Compliance with the Zoning By-law;
  - (vii) No more than one secondary unit will be permitted per principal dwelling; and
  - (viii) No more than one parking space will be required per secondary dwelling unit

**(9) Garden Suites**

- (a) In order to provide an alternative housing type, a garden suite may be permitted as one temporary detached dwelling unit on the same lot as an

existing dwelling provided that:

- (i) The construction complies with the Ontario Building Code and the Canadian Standards Association where applicable;
  - (ii) The unit is designed and installed to be temporary and removable;
  - (iii) The appropriate environmental approvals are obtained;
  - (iv) 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;
  - (v) 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.
- (b) Permission for the establishment of a detached dwelling unit, as described above shall be controlled by means of a rezoning to a temporary use in accordance with Section 39.1 of the *Planning Act*. Council shall determine the period of time that is appropriate for the authorization of the temporary use, taking into account the circumstances of each case and the governing legislation.
- (c) 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).

#### **(10) Group Homes**

- (a) 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.

#### **4.2.5 Exceptions**

##### **(1) Residential – Exception One (Former Morison School Property)**

Notwithstanding any policies of this Plan to the contrary, for the lands designated

Residential – Exception One on the **Land Use Schedule** and described as Block E, Plan 331, in the Town of Deep River, and located at the corner of Avon Road and Frontenac Crescent, the following provisions shall apply:

**(a) Permitted Uses**

- Medium and high density residential uses
- Business and professional offices and services
- Institutional uses including public/government buildings, health care facilities, and social services and cultural facilities
- High Tech Research Facilities

**(b) Special Policies**

The following policies shall apply:

- (i) All new development shall comply with the policies of **Section 3 – General Policies** of the Official Plan and all relevant policies of this Plan.
- (ii) Development and redevelopment in the Residential – Exception One designation will provide a mix of uses that will support the planned function of the Residential designation and will not adversely affect the function of the Town Centre as a place to work, shop and visit.
- (iii) Uses that require outdoor storage, involving the processing or manufacturing of materials or goods, or that produce emissions (i.e., noise, vibration, odour, air or water) shall not be permitted.

**(2) Residential – Exception Two (Recreational Residential)**

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.

**(a) Permitted Uses**

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

- Medium or high density residential development and accessory uses such as a recreation centre, health/fitness facilities;

- Parks and open space

**(b) Special Policies**

All development within the Residential – Exception Two (Recreational Residential) shall comply with the policies for medium and high density residential development of this Official Plan and be on full municipal services.

**(3) Residential – Exception Three (56 Glendale Avenue)**

The area designated Residential – Exception Three located at 56 Glendale Avenue, may be utilized for a business 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 a start-up or incubator stage business.

**(a) Permitted Uses**

- High technology research facilities;
- professional office uses.

**(b) Special Policies**

The Residential dwelling unit may be utilized for the uses of the Residential – Exception Three designation if they comply with the following development criteria:

- (i) Compatibility with adjacent and surrounding residential neighbours must be respected and maintained by the business and its operation;
- (ii) The residential character of the exterior and landscaped grounds of the dwelling unit shall not be altered, if it makes the structure visually or physically “out of character” with the surrounding residential lands and buildings;
- (iii) Maintenance of the front, rear and side yards shall be consistent with that of the residential neighbourhood;
- (iv) 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;
- (v) Only dwelling units accessed by a rear lane shall be permitted to convert;

- (vi) 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;
- (vii) Only single detached and semi-detached residential units may be utilized;
- (viii) A maximum of five (5) employees shall be employed where a single detached dwelling is utilized and three (3) in a semi-detached;
- (ix) No wholesale or retail display or sales area shall be permitted on the premises;
- (x) Accessory attached or detached buildings such as a garage, may be utilized for storage/shipping or in conjunction with the principal use;

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.

### 4.3 TOWN CENTRE

#### 4.3.1 Intent

The area designated "Town Centre" on **Schedule "A", Land Use Plan** 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 purchase goods and services without the need to drive.

#### 4.3.2 Objectives

- (1) To ensure that the Town Centre functions as the primary administrative and central market place for the residents of Deep River.
- (2) To strengthen the role of the Town Centre 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.
- (4) To protect the view of the Ottawa River.

- (5) To promote use of vacant lands for high density development.

#### 4.3.3 Permitted Uses

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, an innovation centre, 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.

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.

#### 4.3.4 Policies

- (1) Council will encourage new development and redevelopment in the Town Centre 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. 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, 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 proposal. 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) 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.
- (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) Council will ensure that the supply of vehicular and bicycle parking spaces is adequate to serve developments within the Town Centre, according to current standards. Council will consider a reduction of the required vehicular parking spaces for new development only if an acceptable parking needs study for the Town Centre 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 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.

#### 4.3.5 Town Centre – Exception One

##### (1) Intent

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

##### (2) Objectives

- (a) To encourage high density residential development on vacant lands located in the downtown core.

- (b) To encourage redevelopment of aging buildings on large lots in the Town Centre.

**(3) Permitted Uses**

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

- All the uses permitted within the Town Centre 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

**(4) Policies**

- (a) 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 as a place to work, shop, recreate and visit;
- (b) The Town Centre – 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;
- (c) All new development and redevelopment within this designation shall be subject to Site Plan Control;
- (d) Compatibility between adjacent uses within the designation and abutting designations shall be considered in the design of any new uses;
- (e) Maintaining and improving pedestrian, wheelchair and bicycle linkages between this designation and the Town Centre shall be an important consideration in the approval of projects;
- (f) Projects which generate large truck traffic, heavy traffic volumes, emit noise, dust and/or odour shall not be permitted.

#### 4.3.6 Town Centre - Exception Two

##### (1) Policies

For the lands designated Town Centre – Exception Two on **Schedule “A”, Land Use Plan**, in addition to the permitted uses listed under **Section 4.3.3**, dwelling units shall be permitted on the first floor.

#### 4.4 HIGHWAY COMMERCIAL

##### 4.4.1 Intent

The lands designated “Highway Commercial” on **Schedule “A”, Land Use Plan** are located along 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 highway corridor is an area for significant commercial and industrial expansion that complements the Town Centre. Efforts will be made to connect these areas through suitable walking areas for pedestrians. The Town of Deep River will encourage developers to contact the Ministry of Transportation (MTO) regional offices with respect to providing suitable walking areas for new developments within the MTO corridor.

Highway 17 is under the Jurisdiction of the Ministry of Transportation (MTO) under the Public Transportation and Highway Improvement Act (PTHIA) and will also be subject to MTO approval and design standards.

##### 4.4.2 Objectives

- (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 promote land uses that rely on convenient access and exposure to Highway 17.
- (3) To collaborate with private property owners and the Ministry of Transportation for the creation of a service road on the southern side of the Highway 17
- (4) To provide a broader range of development opportunities by designating additional lands for commercial and industrial purposes and further diversify the economic base.

- (5) To promote an attractive appearance along the highway corridor.

#### 4.4.3 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;
- Large format retail uses, conditional upon a favourable retail market demand study as set out in the policies of **Subsection 4.10.4(1)**;
- 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;
- An innovation centre

#### 4.4.4 Policies

- (1) Uses in the Highway Commercial 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)**:
- (a) new development should improve and harmonize streetscape appearance with neighbouring uses;
  - (b) new development shall be supported by plans showing sufficient parking and safe maneuvering for vehicular traffic;
  - (c) individual entrances (based on MTO criteria and approvals) 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;
  - (d) landscaping should be provided between the traveled portion of Highway 17 and any adjacent service road, parking lot commercial use or industrial use;

- (e) outside storage shall be well removed and/or screened from Highway 17;
  - (f) 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. The cost of this work shall be incurred by the developers;
  - (g) sites located adjacent to collector roads shall provide sidewalks parallel to the street, to safely separate pedestrian and vehicular traffic.
- (2) The full depth of the lands designated Highway Commercial 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.
- (6) The creation of a service road on the South side of Highway 17 as shown on **Schedule "C"** to this Plan is conceptual only. The exact location of any new roads

or signalized intersections are subject to final approval by the Ministry of Transportation (MTO).

- (7) The Town of Deep River will encourage developers to contact the Ministry of Transportation (MTO) regional offices with respect to providing suitable walking areas for new developments within the MTO corridor;
- (8) The Ministry of Transportation's (MTO) permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will also be subject to MTO approval.

#### **4.5 WATERFRONT**

##### **4.5.1 Intent**

The intent of the waterfront designation is to delineate one area from the entire shoreline of the Ottawa River within the Town, where a range of commercial, recreational and residential development will be welcome. The remainder of the waterfront is intended to receive minimal alterations and to remain an important community feature.

The marina area of the Town of Deep River is the desired focal point for more intensive use of the waterfront. To facilitate economic growth in this area and to recognize the potential for enhancing recreational amenities and economic opportunities, this area is designated Waterfront – Yacht and Tennis Club and Waterfront – Keys Centre Property). The remaining waterfront will be an overlay designation where the underlying designations shall apply, subject to the policies of the Waterfront Designation.

##### **4.5.2 Objectives**

- (1) To define the marina area as a focal point of commercial, recreational and multi-unit residential development along the shoreline of the Ottawa River.
- (2) To maintain public access along the Ottawa River Waterfront;
- (3) 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;
- (4) To encourage community recreation and tourism at appropriate locations on the waterfront through maintenance and improvements of facilities and natural features;
- (5) To ensure that the Riverbank Park area is preserved as public open space.

### 4.5.3 Overlay Policies

- (1) The Waterfront designation is shown on **Schedule “A”, Land Use Plan**. 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) The shoreline allowance originally established along the Ottawa River shall 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.
- (3) 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 will not close or transfer ownership of any shoreline allowance to private ownership and may consider shoreline acquisition if and when lands become available and budgets allow.
- (4) In proposing the development of lands in the Waterfront designation, the applicant shall be required to provide a planning justification report that demonstrates how the proposal meets the intent and objectives of the Waterfront designation and how it is consistent with the goals and policies of this Plan and with good planning. 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.
- (5) All development, with the exception of single detached dwellings, in the Waterfront overlay designation shall be subject to site plan control. 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.
- (6) The policies for Water Setback and Protection of Shoreline Integrity (**Section 3.12**) and the policies for Environmental Protection areas with respect to works on shorelands (**Section 4.8**) shall apply for the Ottawa River.
- (7) Public access to the shoreline shall not be denied on public lands adjacent to the Ottawa River. Development shall be designed to promote the use of access trails along the shoreline. The waterfront shall be retained in municipal or public ownership.

#### 4.5.4 Marina Policies

- (1) The lands known as the marina and the associated lands consisting of the Keys Centre Property and the Deep River Yacht and Tennis Club shall form the focus for waterfront activities within the Town of Deep River. In this regard, these lands may be used for a range of commercial, recreational and multi-unit residential purposes in accordance with special waterfront policy exception designations. This 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, landscaping, signage and structural placement and design. Adjacent residential uses shall be buffered through the placement of buildings and the use of landscaping and design.

#### 4.5.5 Waterfront – Yacht and Tennis Club

##### (1) Intent

The intent of the Waterfront – Yacht and Tennis Club designation on **Schedule “A”, Land Use Plan** is to be a focal point for intensive recreational activities and facilities and for commercial development activities associated with the waterfront.

##### (2) Permitted Uses

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

- Conference centres
- Innovation centre
- Recreation facilities
- Commercial accommodations
- Parks and open space
- Commercial uses, including retail stores, businesses 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.
- 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.

##### (3) Policies

- (a) Development shall take place in such a way as to integrate with the adjacent institutional uses and the Town Centre through vehicular and pedestrian access and landscaping and design. Adjacent residential uses shall be buffered through the placement of buildings and the use of landscaping.

- (b) Buildings and facilities on land shall be designed to harmonize with the waterfront 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.
- (c) Council shall ensure that appropriate public facilities, such as washrooms and change rooms are available for visitors to the beach and marina.
- (d) All new development and redevelopment within this designation shall be subject to Site Plan Control and be architecturally compatible with the Town Hall;

#### 4.5.6 Waterfront – Keys Centre Property

##### (1) Intent

The Waterfront – Keys Centre Property on **Schedule “A”, Land Use Plan** 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

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

- Conference centres
- Innovation centre
- Recreation facilities
- Commercial accommodations
- Parks and open space
- Medium and high density residential uses
- Institutional uses

##### (3) Policies

- (a) Development shall support and reinforce the function of the Town Centre as a place to work, shop, recreate and visit.
- (b) New medium or high density residential uses shall comply with the policies of the Residential designation in this Plan.
- (c) All new development shall meet the Design Criteria of **Section 3.1** and be architecturally compatible with the Town Hall.

- (d) Compatibility between adjacent land uses within abutting designations shall be considered in the design of new uses.
- (e) New development will be designed to address how pedestrian, accessibility and bicycle linkages will access the Town Centre.
- (f) Projects which generate large truck traffic, heavy traffic volumes, emit noise, dust and/or odour shall not be permitted.
- (g) Proposals for medium or high density residential or commercial development shall include a second entrance to the site that is located away from the existing adjacent low density residential uses on River Road.
- (h) All new development within this designation shall be subject to Site Plan Control.

#### 4.6 INSTITUTIONAL

##### 4.6.1 Intent

The areas designated "Institutional" on **Schedule "A", Land Use Plan** 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.

##### 4.6.2 Objectives

- (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.
- (3) To encourage partnerships between the Town and CNL in planning for and investing in community facilities.
- (4) To promote the development of a new community centre that will provide a range of community recreation facilities for residents, service clubs and community organizations.

### 4.6.3 Permitted Uses

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

- arenas;
- assembly halls;
- community centres;
- an innovation centre;
- 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.

### 4.6.4 Policies

#### (1) General

- (a) 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.
- (b) Adequate off-street parking shall be provided.
- (c) Council encourages the use and development of institutional buildings for multiple purposes.
- (d) 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.

#### (2) New Community Centre Facility

Council will work in partnership with interested community groups and organizations toward the development of a new community centre facility. The community centre facility would be located on Town-owned lands in the vicinity of the exiting arena.

The community centre would serve as a community hub that would include a range of new and updated recreational, business and community service activities. Potential uses in the community centre may include:

- (a) Updated recreation facilities including a new arena, curling club and/or golf clubhouse and community hall facilities.
- (b) New recreation facilities such as an indoor swimming pool, exercise facilities, squash/racket club facilities.
- (c) New facilities for service clubs and other interested community groups and organizations with a focus on facilities and services for all ages.

Council will undertake a cultural and recreational feasibility study prior to proceeding with plans for the construction of a new community centre facility.

## 4.7 OPEN SPACE

### 4.7.1 Intent

The areas designated "Open Space" on **Schedule "A", Land Use Plan** 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.

### 4.7.2 Objectives

- (1) To designate the major parks and open space areas that should not be subject to any future change in use.
- (2) To prioritize pedestrian connections in parkland dedication for new subdivision development.
- (3) To enable the Town to enhance its open space system.

### 4.7.3 Permitted Uses

The following uses may be permitted on land designated Open Space on **Schedule "A", Land Use Plan**, 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.

#### 4.7.4 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 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 Town site, 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 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" as shown on **Schedule "A"** shall remain as a common park and playing field.
- (8)
  - (a) The property which the Community Centre occupies on the Campus was transferred from AECL to Deep River under a restriction in effect until 2032 that stipulates 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) Prior to the expiry of the restrictive covenant described in paragraph (a) above, Council may invite the tenants of the Community Centre to participate in a new multi-purpose community centre facility to be located on Town-owned lands in accordance with **Section 4.6.4 (2)** of the Institutional policies of this Plan.
  - (c) Council may consider alternative uses for the Community Centre building on the Campus property following the removal of legal restrictions in 2032 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.

#### 4.7.5 Exceptions

##### (1) Open Space and Recreation – Exception One

The Four Seasons Conservancy is a non-profit, registered charity whose goal is to secure permanent conservation status for lands owned by the Four Seasons Conservancy (known as the Four Seasons Forest Sanctuary) and by the Town of Deep River (known as the Deep River Community Woods) and to secure access to and promote conservation of other privately-owned undeveloped land nearby. The Four Seasons Conservancy have constructed a series of trails on these lands for non-motorized public recreation purposes.

Notwithstanding any policies of this Plan to the contrary, the lands designated “Open Space & Recreation - Exception One” on **Schedule “A”, Land Use Plan** which comprise of lands known as the “Four Seasons Forest Sanctuary” and the “Deep River Community Woods”, located to the southeast of the Town of Deep River, the following provisions shall apply:

##### (a) Permitted Uses

- natural parks and open space areas;
- trails for walking, running, cycling, skiing, and snowshoeing;
- snowmobiling on designated trails;
- other similar uses associated with passive recreation, or with outdoor cultural activities;
- buildings and structures which are accessory to the permitted uses.

##### (b) Special Policies

The following policies shall apply:

- (i) The recreation trail systems within the Open Space & Recreation - Exception One designation should be for the benefit and use of all members of the general public, who abide by the rules of usage set by the landowners
- (ii) Natural resources and the environment in the Open Space &

Recreation – Exception One area should be preserved and protected in order to encourage and foster an understanding and awareness of this natural area of the Upper Ottawa Valley and its value in enhancing our quality of life..

## 4.8 ENVIRONMENTAL PROTECTION

### 4.8.1 Intent

Certain areas within the Town of Deep River have been designated "Environmental Protection" on **Schedule "A", Land Use Plan** because they are natural hazards that constitute potential threats to life and property; and/or because they are natural heritage features.

Natural heritage features consist of woodlands, fish habitat, wildlife habitat, threatened and endangered species and their habitat, and Areas of Natural and Scientific Interest. Details regarding natural heritage features are found under **Section 3.11** of this Plan.

Hazard lands refer to lands having physical characteristics such as poor drainage, flood and erosion susceptibility, steep slopes, instability or any other physical condition which would cause property damage, loss of life or damage to the environment. Details regarding hazards are found under **Section 3.13** of this Plan.

The Environmental Protection designation is intended to direct development away from natural heritage features and hazards which are unsuitable for development.

### 4.8.2 Objectives

- (1) To control development in locations where there is a potential threat to life, property damage or damage to the environment or natural systems if developed upon.
- (2) To direct development to locations that do not have any serious constraints due to steep slope hazards or other physical limitations.
- (3) To preserve wetlands and other significant natural areas.

### 4.8.3 Permitted Uses

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;

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.

#### 4.8.4 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) 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) 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. An applicant will be required to provide any information that the approval authority considers necessary to determine that a physical hazard does not exist or will not have an impact on the proposed development (i.e. engineering study, environmental impact study, geo-technical study or site evaluation plan by an Ontario Land Surveyor);
  - (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 impact on natural heritage features in accordance with **Section 3.11** of this Plan;
  - (e) The impact on hazard land features in accordance with **Section 3.13** of this Plan;
  - (f) The proposed methods by which the above impacts may be overcome in a

manner consistent with accepted engineering techniques and resource management practices.

- (4) The expansion of a legal non-conforming use may be permitted only in accordance with the criteria contained in the preceding paragraph (3).
- (5) 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.
- (6) 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.
- (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) 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.

## 4.9 RURAL

### 4.9.1 Intent

The designation "Rural" on **Schedule "A", Land Use Plan** applies to several areas of the Town that have developed without full municipal services. The intent of the designation is to provide an option for types and scales of development that are appropriate for individual onsite (private) services as well as infilling and minor rounding out of single service (water only) development along Highway 17. The designation will also provide rural-type housing options to residents as an alternative to housing located in the urban area of the Town.

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 full municipal sanitary sewer and water services.

Council will support development that requires the extension of full services if it is in conjunction with an amendment to this Plan.

#### 4.9.2 Objectives

- (1) To permit a range of rural residential, commercial and institutional uses provided the rural character, topography and landscape of the Rural area is preserved.
- (2) To promote rural living in a manner that is sensitive to the ecological balance and the protection of groundwater and surface water quality and quantity.
- (3) To maintain the economic and social stability of the Town by ensuring that factors such as municipal servicing limitations, environmental factors, land use compatibility and land capability are considered when reviewing development proposals.

#### 4.9.3 Permitted Uses

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

- limited residential/estate residential development;
- resource-based recreational uses (including recreational 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” (**Section 4.6.3**)
- secondary dwelling units as ancillary buildings (separate from principal building)

#### 4.9.4 Policies

##### (1) General

All development must be of a scale, type and form that enable it to obtain regulatory approvals for individual on-site sewage services and individual on-site water services (where applicable). 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.

MTO has jurisdiction under the Public Transportation and Highway Improvement Act (PTHIA). For developments that require services within the Ministries control area, permits will be required in the influence area along Highway 17 and consultation with the MTO is encouraged.

**(2) Limited Residential Development**

Limited residential development shall be permitted in the Rural designation in accordance with the following policies:

- (a) Where a plan of subdivision is not considered appropriate for proper and orderly development, a consent for a new lot(s) maybe considered which satisfies the Consent policies of this Plan.
- (b) Lots should not be located on lands which would involve major public expense in opening up and/or maintaining access routes, providing drainage or providing other public services and facilities, unless such major public services, access, or facilities are provided at the developer's expense.
- (c) Lots should be relatively large, being not less than 4000 square metres (approximately 1.0 acre) and adequate for the installation of private services.
- (d) The Servicing policies of **Section 5.2.1** shall be considered with regard to the applicability of individual on-site water and sewage services.

**(3) Estate Residential Development**

Limited residential development in the form of estate residential subdivisions or vacant lot plans of condominium shall be permitted in the Rural designation in accordance with the following policies:

- (a) The design of the subdivision should provide for a range of lot sizes directly related to the site's topography, vegetation, soil and drainage characteristics;
- (b) The maximum average density of lot sizes should be determined by a hydrogeological and terrain analysis study provided the overall minimum gross density of development does not exceed one (1) lot per 0.6 hectares, with a minimum lot frontage of 45 metres per lot;
- (c) The development must have direct access to a public road that is maintained year-round and is improved to an acceptable municipal standard. Lots created by means of a vacant lot plan of condominium may be accessed by a common elements private road;
- (d) The retention of mature tree cover will be required, where possible;
- (e) The Servicing policies of **Section 5.2.1** shall be considered with regard to the applicability of individual on-site water and sewage services;
- (f) Estate residential subdivisions shall comply with the Subdivision policies of

this Plan.

- (g) Where a draft plan of subdivision is proposed adjacent to Highway 17, the layout should be designed such that lots back onto the provincial highway and front onto a local internal street.

**(4) Private Roads**

Notwithstanding any 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 with water frontage abutting a private right-of-way by any such consent.
- (b) No previous consents have been granted creating lots abutting the same private right-of-way.
- (c) The policies in this Plan with respect to Consents are complied with.
- (d) The proposed lots are zoned in the implementing zoning by-law to a category which identifies the limited service nature of the development.
- (e) The private road is constructed to a standard which is acceptable for emergency service vehicles.
- (f) 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.

**(5) Rural Commercial**

Commercial development shall be permitted in the Rural designation in accordance with the following policies:

- (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.
- (e) The Servicing policies of **Section 5.2.1** shall be considered with regard to the applicability of individual on-site water and sewage services.

**(6) Highway 17 Access**

- (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 Town of Deep River will pre-consult with the Ministry of Transportation (MTO) before any new proposed service roads which access onto Highway 17. The MTO regulates access to provincial highways under the authority of the Public Transportation Highway Improvement Act. Any proposed access connections shown on the map Schedules to this Plan are conceptual only and exact locations of access connections are subject to final approval by MTO.

**(7) Institutional Uses**

Institutional uses shall be permitted in the Rural designation in accordance with the following policies:

- (a) The proposed use is compatible with surrounding 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.
- (d) The development will adhere to the policies of **Section 5 - Infrastructure and Public Services**, of this Plan.
- (e) The Servicing policies of **Section 5.2.1** shall be considered with regard to the applicability of individual on-site water and sewage services.

**(8) Second Units**

- (a) Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages).
- (b) A second unit shall be permitted in a single-detached, semi-detached and row house dwellings as well as in ancillary buildings subject to the following:
  - (i) A building permit is issued for the second unit;
  - (ii) A municipal inspection is completed to determine compliance with the Building Code/Fire Code;
  - (iii) Adequate water supply and sewage disposal facilities are available;
  - (iv) The size of the second unit may be no more than 40% of the total GFA of the principal dwelling;
  - (v) The second dwelling must maintain the external appearance of the principal dwelling;
- (c) Compliance with the Zoning By-law; and
- (d) No more than one secondary unit will be permitted per principal dwelling.
- (e) No more than one parking space will be required per secondary dwelling unit

**4.9.5 Exceptions****(1) Rural-Exception One (McAnulty Road)**

Notwithstanding any policies of this Plan to the contrary, for those lands designated Rural-Exception One on the **Land Use Schedule** and located in Part of Lot 11, Range B, geographic Township of Rolph, now in the Town of Deep River, the following applies:

- (a) A total of five (5) estate residential lots may be granted through the consent process.
- (b) The location of the crest of the slope on the proposed lots must be verified by a geotechnical engineer and surveyed by an Ontario Land Surveyor and provisions shall be included in the implementing Zoning By-law and consent application to restrict any building or structure from locating within 20 metres

of the crest of slopes on the proposed lots, or 20 metres from the rear lot line, whichever distance is greater.

#### 4.10 DEVELOPMENT

##### 4.10.1 Intent

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

##### 4.10.2 Objectives

- (1) To preserve land for future development purposes.
- (2) To require a comprehensive assessment of lands designated "Development" prior to considering development applications.
- (3) To ensure efficient development and land use patterns which sustain the financial well-being of the Town over the long term.

##### 4.10.3 Permitted Uses

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

- single detached dwellings in limited situations as outlined in **Subsection 4.10.4**;
- 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.

##### 4.10.4 Policies

- (1) Should a major development proposal be considered, a Secondary Plan will be required in accordance with the policies of **Section 6.1** of this Plan. 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.

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 Development 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.

#### 4.11 WASTE DISPOSAL

##### 4.11.1 Intent

The area designated "Waste Disposal" encompasses the Baggs Road Waste Disposal Site. The Baggs Road Site is operated by the North Renfrew Waste Management Board. The attenuation zone for the Baggs Road Site remains under the ownership of Atomic Energy of Canada Limited (AECL), a federal Crown corporation, and is therefore not affected by the policies of this Plan. The Miller's Road Waste Disposal Site is also located on lands owned by AECL. The Miller's Road Waste Disposal Site services the Town of Deep River and the Town of Laurentian Hills as a waste disposal facility for construction and demolition waste only. The Baggs Road and the Miller's Road Site are operated in accordance with

Environmental Compliance Approvals from the Ministry of the Environment and Climate Change.

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 Objectives**

- (1) 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.
- (2) To establish criteria for the location of new waste disposal sites.
- (3) To ensure that appropriate regulations are adopted to prevent serious adverse impacts from the establishment or operation of waste disposal sites.

#### **4.11.3 Permitted Uses**

The following 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.

#### **4.11.4 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 and Climate Change 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 Climate Change. 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. The Miller's Road Site and the attenuation zone for the Baggs Road 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 and Climate Change.

- (9) The operation of all waste disposal sites shall comply with the requirements of *the Forest Fire Prevention Act*.
- (10) In reviewing development proposals, Council will ensure that there is sufficient capacity to accommodate the waste needs of the proposed development.

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## SECTION 5 – INFRASTRUCTURE AND PUBLIC SERVICES

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### 5.1 GENERAL POLICIES

It is the intent of this Plan that all future urban development shall be provided with adequate public services. The rate of development (particularly residential) will be controlled by the ability of the Town and other public agencies to meet the costs of systematically extending or providing public services without undue financial hardship. The various public agencies involved intend to make full use of existing facilities and to program extensions in the most economic manner. This may require the extension or construction of services or optimizing the use of existing services. Further, Council will continue to upgrade, improve or replace infrastructure as funds permit.

The transportation facilities for the Town are intended to service the proposed land use pattern and to facilitate the movement of people within and through the Town. The planning and design of the various facilities shall complement the various policies of this Plan regarding the direction of urban growth, as well as the location, type and intensity of land use, and population densities, generally:

- (1) Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.
- (2) Planning for infrastructure, electricity generation facilities and transmission and distribution system, and public service facilities shall be coordinated and integrated with land use planning so that they are:
  - (a) Financially viable over their life cycle, which may be demonstrated through asset management planning; and
  - (b) Available to meet current needs
- (3) The use of existing infrastructure and public service facilities should be optimized, and opportunities for adaptive re-use should be considered wherever feasible, before consideration is given to developing new infrastructure and public service facilities.
- (4) Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services.
- (5) Where feasible, public service facilities should be co-located to promote cost-effectiveness; facilitate service integration and access to active transportation.

## 5.2 WATER SUPPLY AND SEWAGE DISPOSAL

Planning for sewage and water services shall:

- (1) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services;
- (2) ensure that these systems are provided in a manner that:
  - (a) can be sustained by the water resources upon which such services rely;
  - (b) is feasible, financially viable and complies with the regulatory requirements; and
  - (c) protects human health and the natural environment;
- (3) promote water conservation and water use efficiency;
- (4) integrate servicing and land use considerations at all stages of the planning process; and
- (5) allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private individual on-site sewage services.

### 5.2.1 Servicing Hierarchy

The Provincial Policy Statement identifies a servicing hierarchy of which full municipal water and sewage disposal services are the preferred form of servicing for urban areas. With minor exceptions, all of the built-up area within the City is serviced with both municipal water and sewage services; higher priority option.

It is the policy of Council to ensure that development within the built-up areas of the Town will be serviced with municipal sewage services and municipal water services. In the review of planning applications, it is Council's intent to ensure that there is sufficient reserve capacity for future development. Council may allocate uncommitted reserve capacity, where appropriate, as a means to control the location and phasing of development.

In accordance with the Provincial Policy Statement, development should be serviced in consideration with the following preferred hierarchy of services:

- (1) full municipal sewage and water services are the preferred form of servicing in urban areas. In areas serviced by full municipal sewage and water services, development

will be permitted only if sufficient uncommitted reserve capacity will be available to accommodate it;

- (2) communal services are the preferred means of servicing development in areas where full municipal sewage and water services are not or cannot be provided and where site conditions are suitable over the long term with no negative impacts as defined in subsection (3) below:
- (3) development may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term with no negative impacts; and

### 5.2.2 Individual On-Site Water and Sewage Services

For the purposes of this Plan, individual on-site sewage services means sewage systems, as defined in O.Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located. Individual on-site water services means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located. Individual on-site sewage services and individual on-site water services may not serve more than one unit/lot.

- (1) The Town may permit individual on-site sewage services for commercial and industrial uses in the Rural designation in the following circumstances:
  - (a) The development of individual on-site services will not detract from the viability of providing municipal services in conformity with the Town's long term servicing and financing strategies;
  - (b) The proposed use is of a "dry" nature. Dry commercial and industrial uses do not involve significant number of employees, do not need significant amounts of water in their operations, and do not produce significant amounts of effluent;
  - (c) There are no viable options for a connection to a municipal sanitary sewer and municipal services planned for the area will not be available within a reasonable time frame;
  - (d) The proposed individual on-site sewage services can meet all applicable requirements for approval;
  - (e) The proponent agrees to connect the proposed use to the municipal sanitary sewerage system, at no cost to the municipality, at such time as sewers are extended to the area, and to contribute to the cost of the long term servicing.

- (2) The Town may permit development on individual on-site water services and individual on-site sewage services for residential uses in the Rural designation provided that:
  - (a) There are no other viable options for a connection to a municipal sanitary sewer or the municipal water system, and municipal services for the area will not be available within a reasonable time frame;
  - (b) The proposed water system and wastewater treatment system can meet all applicable requirements for approval;
  - (c) The owner agrees to connect to a municipal sanitary sewer and a municipal water system, if available, at no cost to the municipality, when replacement of the system becomes necessary; and
  - (d) Site conditions are suitable for the long-term provision of such services with no negative impacts;

### 5.2.3 Partial Services

Partial services are defined to include areas that are served by municipal sewage services and individual on-site water services; or municipal water services and individual on-site sewerage services.

Partial services shall only be permitted in the following circumstances:

- (1) Where they are necessary to address failed individual on-site sewage and individual on-site water services in existing developments where no other alternatives exist and where site conditions are suitable for the long-term provision of such services, with no negative impacts.
- (2) To allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services, with no negative impacts.

### 5.2.4 Supporting Studies and Approval Requirements

The following policies apply to development proposed on individual on-site water services and individual on-site sewerage services:

- (1) In support of a Planning Act application that would permit development on privately owned and operated individual or communal septic systems and more than 4500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report shall be required to be submitted with the application.

- (2) Ministry of the Environment and Climate Change approval is required for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day.
- (3) A hydrogeological evaluation may be required to be submitted in support of planning applications for development involving individual on-site water services and/or individual on-site sewerage services. The hydrogeological evaluation shall include confirmation of a suitable potable source of water for both quality (in accordance with the Ontario Drinking Water Quality Standards) and quantity and the evaluation will include confirmation that the site is suitable for the installation of a septic system. The evaluation shall include a nitrate impact calculation. The submitted hydrogeological evaluation may be subject to peer review at the discretion of the approval authority and at the cost of the applicant/proponent.

### 5.2.5 Drinking Water Protection Regulation

As a measure of public health and safety, Council's intent is to provide for the ongoing sampling, testing and reporting of drinking water quality in accordance with the *Drinking Water Act*.

### 5.2.6 Separation Distance

As a measure of public health and safety, a minimum separation distance shall be established in the Zoning By-law between development that involves sensitive land uses and any wastewater treatment facility. (*Reference may be made to Guideline D-2, Compatibility Between Sewage Treatment and Sensitive Land Uses, Ministry of the Environment and Climate Change with respect to separation distances.*)

## 5.3 TRANSPORTATION

### 5.3.1 Intent

Municipal roads (County and Town 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, 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.

The transportation policies also include references to planned municipal roads which may include road extensions or improvements to existing roads intended to serve a planned function in the Town's future. These planned municipal roads are indicated on **Schedule "C"** to this plan. Planned municipal roads shown on **Schedule "C"** are conceptual only and

are intended to notify developers and the public of planned expansion to the transportation system. Additional technical studies, engineering design or investigations may be required prior to confirming the ideal road extension and alignment.

### 5.3.2 Objectives

- (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 and County roads in order to maximize the safety and convenience of vehicular traffic between key areas and facilities.
- (3) To promote investment in bicycle infrastructure in new development and on municipal roads and public buildings.
- (4) To promote the safety of pedestrians and encourage the inclusion of sidewalks in development agreements.

### 5.3.3 Policies

#### (1) General

- (a) The road network is shown on **Schedule "C"** as Provincial Highway No. 17, Collector roads and local roads.
- (b) Collector roads shown on **Schedule "C"** 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 "D"** 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 "C"**.

#### (2) Road Access

- (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) Highway 17**

All development adjacent to Highway 17 must satisfy the requirements of the Ministry of Transportation (MTO) and obtain the necessary permits for the location and design of entrances and signs, and for building setbacks and similar matters. Under the authority of the *Public Transportation and Highway Improvement Act, 1990*, the Ministry of Transportation, through the issuance of permits, controls all land use within 45 metres (150 feet) of the Ministry's property limit, 180 metres from the centre point of any intersection and within 395 metres (1,300 feet) of the centre point of any interchange and signs within 400m of the limit of Highway 17. The Ministry of Transportation (MTO) permits are also required for major developments or any other purpose that causes persons to congregate in large numbers within 800m of the limit of the highway.

Early consultation with the the Ministry of Transportation (MTO) is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. The Ministry of Transportation (MTO) will not be responsible for any impact, inclusive of noise and vehicle light impact that Highway 17 may have on adjacent properties. The Ministry of Transportation (MTO) will not construct any works to abate those impacts. It will be the responsibility of the owner/developer of any proposed developments to ensure that noise levels are consistent with provincial objectives, and if necessary, that adequate noise control measures are applied.

A stormwater management plan or report must be reviewed and approved by the Ministry of Transportation (MTO) for those developments located adjacent to or in the vicinity of the highway where drainage would impact the highway downstream.

Where property abuts both a local municipal road and Highway 17, access is to be obtained from the local municipal road.

In addition to all applicable municipal requirements, the Ministry of Transportation (MTO) may require a property owner/developer and/or municipality to undertake a traffic impact study and subsequently the design and construction of warranted highway improvements related to a proposed land use development.

**(4) County Roads**

The County of Renfrew, through the Public Works & Engineering Department, is responsible for County Roads located in the Town. Any development which abuts the County roads must satisfy all requirements of the Public Works and Engineering Department. This includes the location and design of entrances, signs and building setbacks, and similar matters. County Roads should have a minimum right-of way width of 26 metres. Entrance permits are required for all entrances and accesses to the County roads. County policy is to allow only one road access for each lot of

record. Where property abuts both a local municipal road and a County road, access is to be obtained from the local municipal road. Permits are required to be obtained from the County of Renfrew, Public Works & Engineering Department prior to the commencement of any construction work within the County road right-of way.

**(5) Municipal Roads**

Municipal roads should have a minimum right-of-way width of 20 metres. However, a proposal for the development new urbanist 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 municipal utility installations being acceptable to the Town. In principle, Council will support proposals reflective of new urbanism design principles and aesthetics.

**(6) New Roads**

New roads may be accepted into the municipal road system only when designed and constructed to the standard acceptable to Council.

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.

**(7) Private Roads**

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. Limited development may be permitted along existing private roads in accordance with the private road policies of the Rural designation.

**(8) Pedestrian Access**

- (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 and maintained in all developments and redevelopments, at the sole expense of the proponent.

- (d) Pedestrian access along Highway 17 is under the jurisdiction of the Ministry of Transportation (MTO) and will require reviews and approval from the Ministry before the required MTO permits are issued.

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**SECTION 6 - IMPLEMENTATION**

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**6.1 SECONDARY PLANS**

Secondary Plans are land use, urban form, environmental, transportation and infrastructure policy plans for areas of the Town that indicated greater detail than the Official Plan how the objectives, policies and land use designations are to be implemented for a specific area.

**(1) Objective**

To generate and maintain detailed Secondary Plans for development areas within the Town which conform to and implement the purpose, objectives and policies of this Plan.

**(2) Secondary Plan Policies**

- (a) Secondary Plans and amendments to Secondary Plans form part of the Official Plan and will be subject to the same administrative and public involvement procedures as an Official Plan and are to be read in conjunction with all policies of the Official Plan. Secondary Plans shall take the form of an amendment to the Official Plan and may be produced and consolidated as documentation separate from this Plan.
- (b) Secondary Plans shall conform to and be designed to implement the purpose, objectives and land use designations of the Official Plan.
- (c) Where there is a conflict or inconsistency between a provision in this Plan and a provision in a secondary plan, the Official Plan shall prevail.
- (d) Without limiting the generality of this Section, Secondary Plans for predominantly residential areas shall indicate the following:
  - (i) The overall capacity and density of development related to road and service infrastructure opportunities and constraints;
  - (ii) The overall mix of housing including the forms and density of residential dwellings for the Secondary Plan Area;
  - (iii) The location and area of community services based on an adequate assessment of community service levels;
  - (iv) The location and area of open space, trails, recreation facilities, and school sites;

- (v) The location and area of commercial land uses;
  - (vi) The conceptual alignment and right-of-way of the local and collector road network;
  - (vii) Identification of environmental and other constraints to development and the manner in which environmental concerns will be addressed in the development of the secondary area;
  - (viii) Urban design guidelines and architectural control standards reflective of the intended residential character of the secondary plan area.
- (e) Without limiting the generality of this Section, Secondary Plans for commercial, light industrial, high-tech or related uses shall indicate the following:
- (i) The location of various types of commercial, light industrial, high tech or related uses classified by general physical, functional and design characteristics;
  - (ii) The location of Open Space lands;
  - (iii) The location and area of commercial, light industrial, high-tech or related uses;
  - (iv) The alignment and right-of-way of the collector road network, major transportation facilities and public utilities;
  - (v) Identification of environmental and other constraints to development and the manner in which environmental concerns will be addressed in the development of the secondary plan;
  - (vi) Urban design guidelines.
- (f) The Town shall elicit the participation of benefiting landowners, the public and appropriate public or private agencies within the process of formulating a Secondary Plan.
- (g) The Town may require a variety of component studies to set out background information and documentation in support of the preparation of a Secondary Plan.
- (h) Areas of the Town for which Secondary Plans have been prepared or are proposed to be prepared are shown on **Schedule "D"** to this Plan. However, the Town retains the flexibility in appropriate circumstances to prepare and

adopt a Secondary Plan or an associated Official Plan Amendment for a portion of any such area.

- (i) The Town intends to undertake a secondary plan on Town-owned lands located in the West-end Secondary Plan Area. In undertaking this Secondary Plan, the Town shall invite other property owners within the West-end Secondary Plan Area to participate in the development of this Plan.
- (j) Secondary Plan(s) shall be adopted for the applicable five (5) secondary plan areas shown on **Schedule “D”** prior to the approval and/or release of development applications which are determined to be premature or which may prejudice or negatively impact future development within the respective secondary plan areas.

## 6.2 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.

### 6.2.1 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.

### 6.2.2 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 (2.2.3(1));
  - (d) To promote visual and functional improvements to the Town Centre (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.

### 6.2.3 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;

#### 6.2.4 Selected Areas

- (1) Council has determined that the Town Centre, Town Centre Exception areas and the Business Park adjacent to Highway 17 satisfy a number of the Criteria for Community Improvement Project Areas. The "Community Improvement" is shown on **Schedule "D"** to this Plan.

### 6.3 ZONING AND RELATED CONTROLS

#### 6.3.1 Zoning By-law

- (1) Council shall undertake a review of the Comprehensive Zoning By-law within three years following the adoption of this Plan. The review shall ensure that the Zoning By-law conforms with policies of this Plan, and the County of Renfrew Official Plan.
- (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. Proposals to extend, enlarge, or rebuild structures that do not comply with the zoning standards will be reviewed on a site-by-site basis either through an amendment to the zoning by-law or a minor variance application depending on the scale of the non-compliance.

### 6.3.2 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.

### 6.3.3 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 include portable living units for seniors, recurring special events or special construction projects (e.g. Trans Canada Pipeline).

### 6.3.4 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 3.5**, (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.

#### 6.4 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, tree planting 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.
- (4) 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 6.3.3** 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.

## **6.5 PUBLIC WORKS**

All public works will follow the intent of this Plan.

## **6.6 SUBDIVISION OF LAND**

### **6.6.1 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.

### 6.6.2 Plans of Subdivision

- (1) Council will require that creativity, sensitivity to the natural landscape, compliance with urban design guidelines, as well as tree planting, retention and replacement 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
  - (d) 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.
- (2) A draft plan of subdivision should be designed such that lots back onto the provincial highway and front onto a local internal street.

### 6.6.3 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. Consultation is required with the applicable road authority. This policy does not apply to the creation of one new lot, plus the retained land, abutting a private right-of-way in accordance with **Section 4.9.4 (4) Private Roads** of the Rural policies.

- (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) Generally, a proposal for land division by consent should involve the creation of no more than two lots (plus a retained parcel). 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.

#### 6.6.4 Condominium Act Development

- (1) Further to meeting the Development Priorities and Criteria requirements of **Section 3.1** of this Plan, lands may be developed or redeveloped pursuant to the provisions of the *Condominium Act*, 1998 and implementing Regulations. 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.
- (2) 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.
- (3) 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.

#### 6.7 MAINTENANCE AND OCCUPANCY BY-LAWS

- (1) 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

#### 6.8 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.

## 6.9 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, the Public Transportation Highway Improvement 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*.

## 6.10 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.

### 6.10.1 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.

**6.10.2 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) Parking Plan

- (o) Planning Rationale Report
  - (p) Servicing Study
  - (q) Stormwater Management Plan
  - (r) Traffic Impact Study
  - (s) Tree Preservation Plan/Study
  - (t) Urban Design Study
  - (u) 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.

### 6.10.3 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.

## 6.11 PUBLIC CONSULTATION

Applications for Plans of Subdivision, Consents, Minor Variances, Zoning By-law

Amendments, and Official Plan Amendments will follow the public consultation processes for giving notice and holding meetings in accordance with the requirements of the Planning Act and associated regulations.

Alternatives to public consultation, beyond the minimum requirements of the Planning Act, may be considered for major and/or controversial planning applications where deemed appropriate by Council. A developer may be requested to prepare a “Public Consultation Strategy” as part of a complete application. The strategy should outline a specific process for notifying and engaging the public regarding the specific application.

#### **6.12 BUILT FORM**

Development proposals within a community should encourage a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

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## SECTION 7 - INTERPRETATION

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### 7.1 LAND USE BOUNDARIES AND ROADS

It is intended that the boundaries of the land use categories shown on **Schedule "A"**, Land Use Plan be considered as approximate. They are absolute only where bounded by arterial or collector roads, railways, rivers or streams, or other similar geographical barriers. It is also intended that the location of roads as indicated on **Schedule "C"** be considered as approximate and not absolute. Therefore, amendments to this Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads, provided the general intent of the Plan is preserved. Such minor deviations will not be reflected on **Schedules "A" – "D"**, to this Plan.

In land use areas that are presently undeveloped, the boundaries of land use designations that are not clearly defined by roads, topographic or other fixed features may be adjusted to accommodate subdivision designs or planning applications so long as the general intent of the Plan is maintained.

In undeveloped areas, school sites, parks and local commercial areas may be incorporated into subdivision design features in the manner most suitable to the physical features or limitations of the area provided the general intent of the Plan is maintained.

### 7.2 LAND AREAS, POPULATION ESTIMATES

In the Plan, figures, quantities, densities and distances are not intended to be exact or rigid. It is intended that reasonable latitude will be available to Council in the interpretation and applications of these numbers and policies when actually establishing or approving the size, exact location or proposed development where deemed by Council to be necessary for the desirable development of the Municipality provided that the general intent of the Plan is maintained.

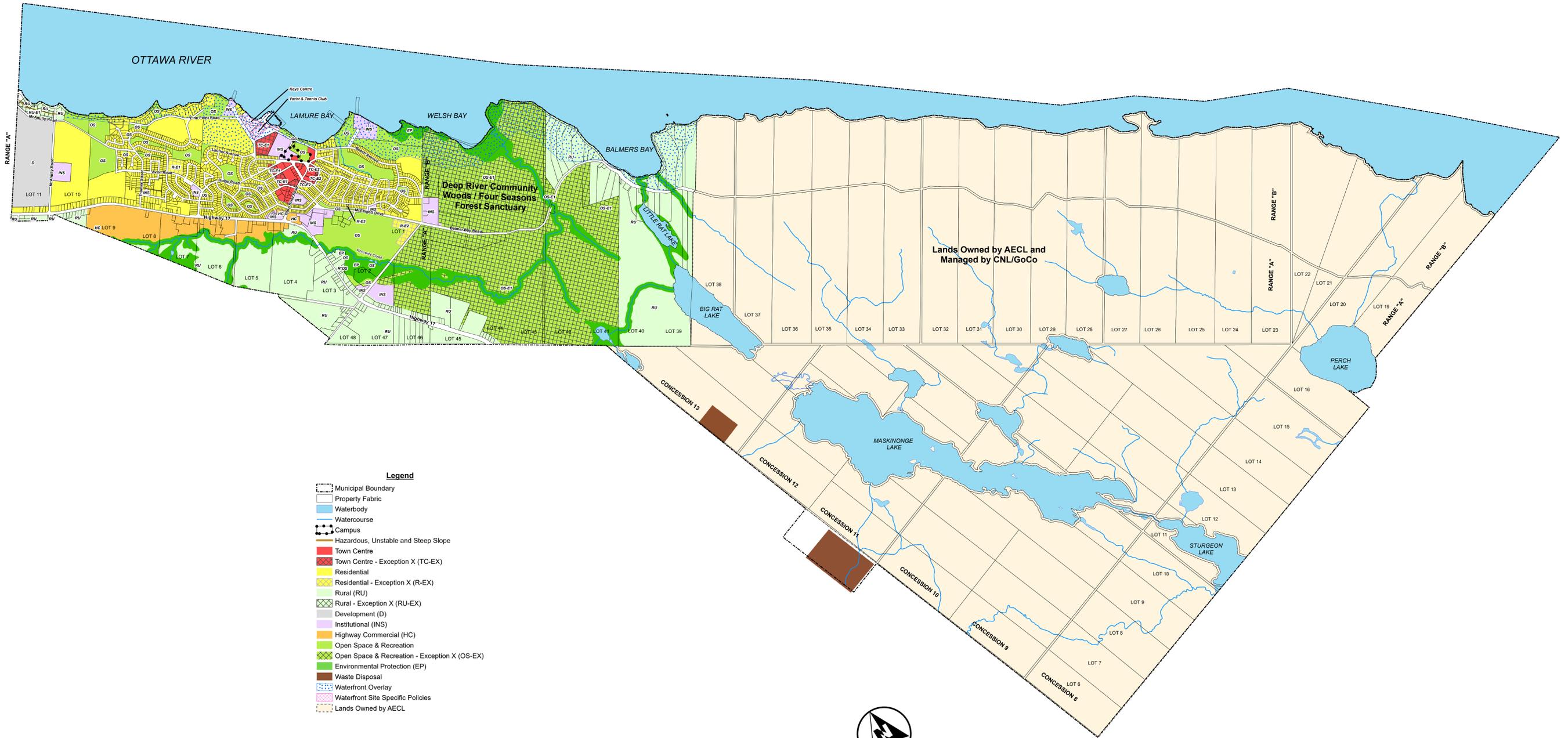
### 7.3 AMENDMENTS TO THE OFFICIAL PLAN

- (1) Office consolidations of this Plan and amendments thereto shall not require an amendment in order to be adopted by Council.
- (2) The Plan shall be read with such changes of gender and grammar as the context may require.
- (3) 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.
- (4) (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.

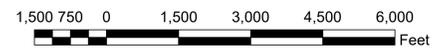
# Town of Deep River Official Plan Schedule "A" - Land Use Plan



- Legend**
- Municipal Boundary
  - Property Fabric
  - Waterbody
  - Watercourse
  - Campus
  - Hazardous, Unstable and Steep Slope
  - Town Centre
  - Town Centre - Exception X (TC-EX)
  - Residential
  - Residential - Exception X (R-EX)
  - Rural (RU)
  - Rural - Exception X (RU-EX)
  - Development (D)
  - Institutional (INS)
  - Highway Commercial (HC)
  - Open Space & Recreation
  - Open Space & Recreation - Exception X (OS-EX)
  - Environmental Protection (EP)
  - Waste Disposal
  - Waterfront Overlay
  - Waterfront Site Specific Policies
  - Lands Owned by AECL

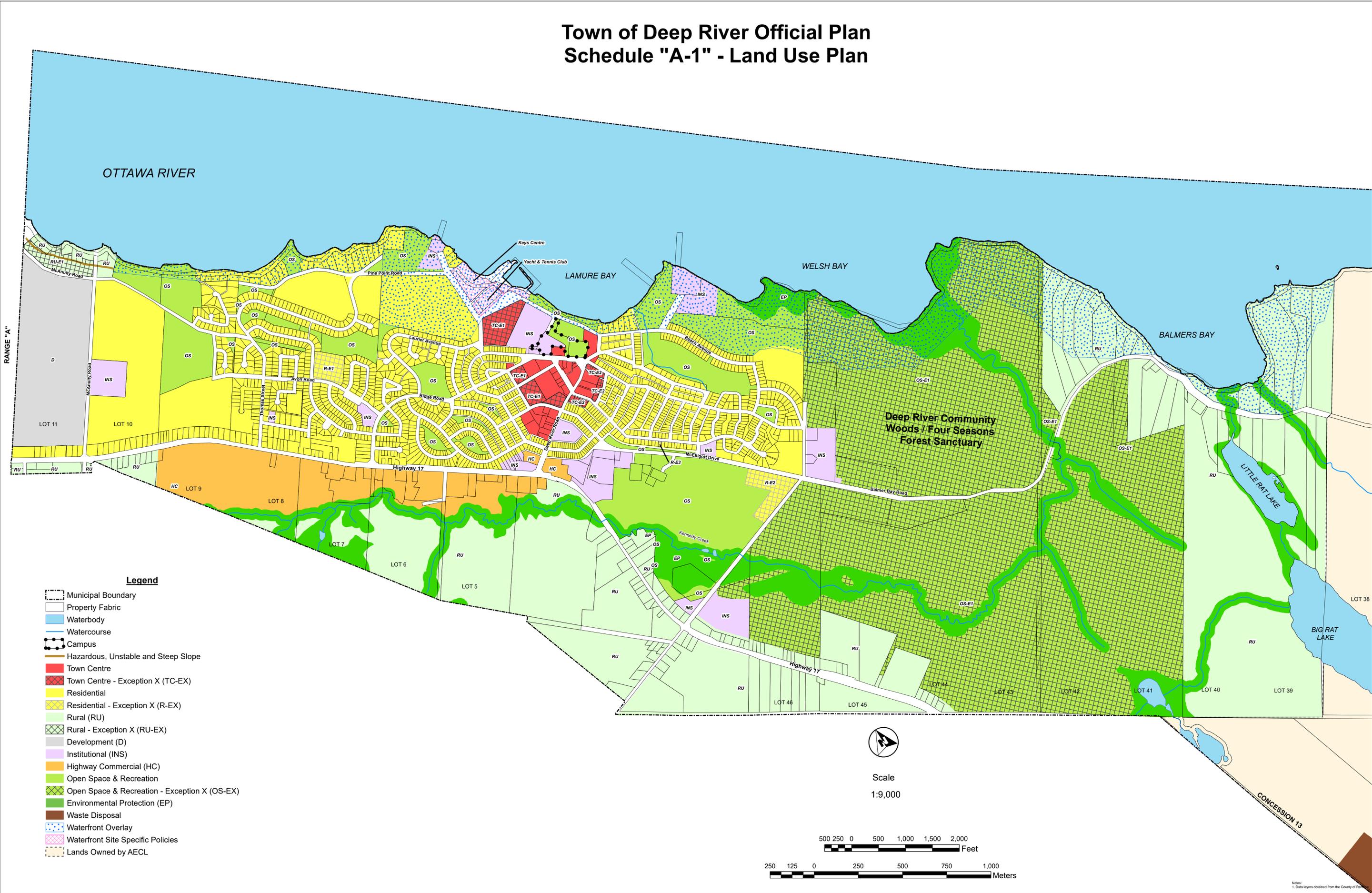


Scale  
1:15,000



Notes:  
1. Data layers obtained from the County of Renfrew  
2. Detailed Map of Town included as Schedule A-1

# Town of Deep River Official Plan Schedule "A-1" - Land Use Plan

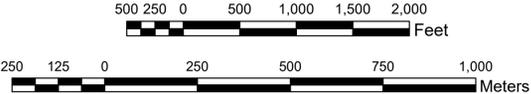


**Legend**

- Municipal Boundary
- Property Fabric
- Waterbody
- Watercourse
- Campus
- Hazardous, Unstable and Steep Slope
- Town Centre
- Town Centre - Exception X (TC-EX)
- Residential
- Residential - Exception X (R-EX)
- Rural (RU)
- Rural - Exception X (RU-EX)
- Development (D)
- Institutional (INS)
- Highway Commercial (HC)
- Open Space & Recreation
- Open Space & Recreation - Exception X (OS-EX)
- Environmental Protection (EP)
- Waste Disposal
- Waterfront Overlay
- Waterfront Site Specific Policies
- Lands Owned by AECL

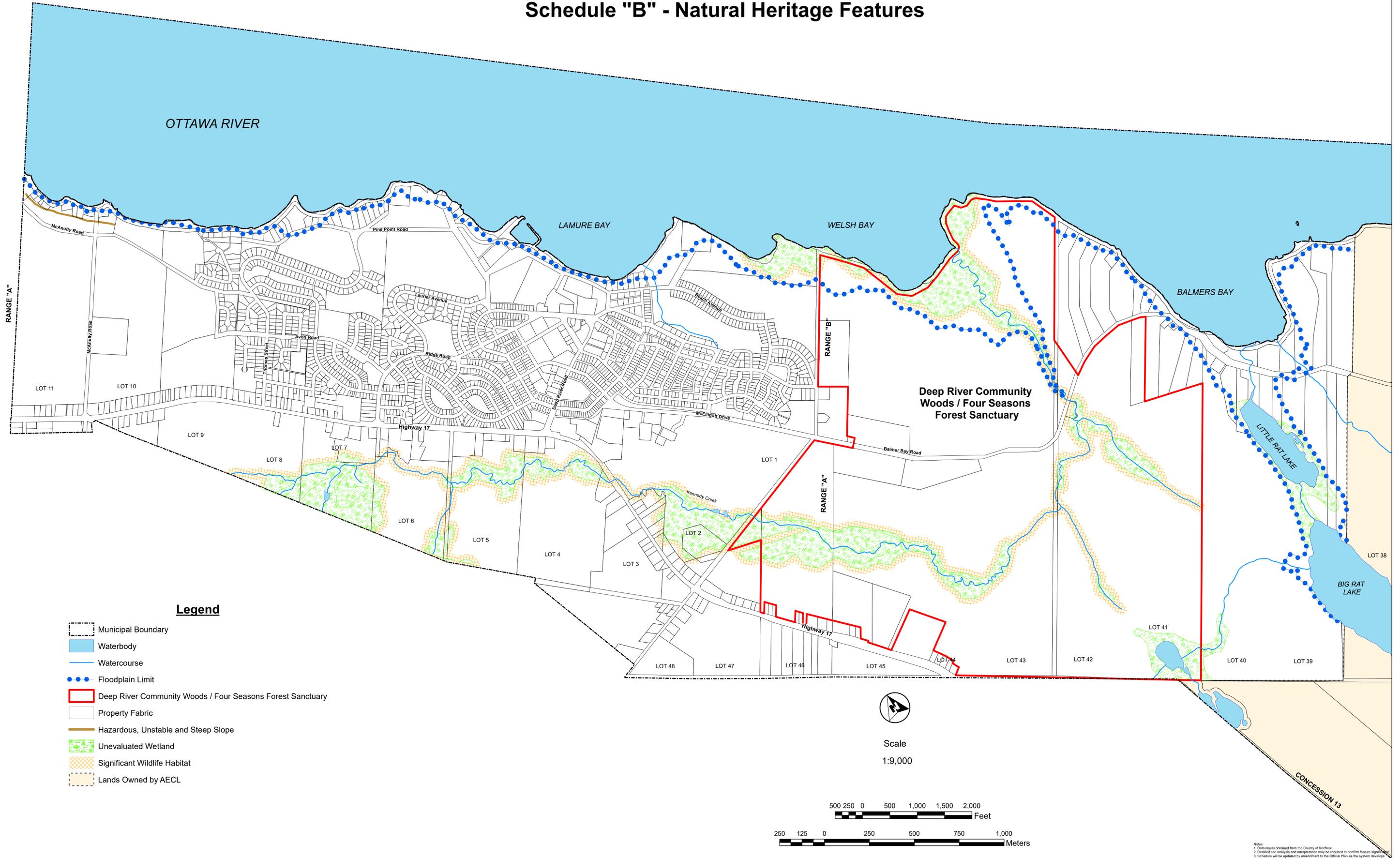


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Notes:  
1. Data layers obtained from the County of York

# Town of Deep River Official Plan Schedule "B" - Natural Heritage Features

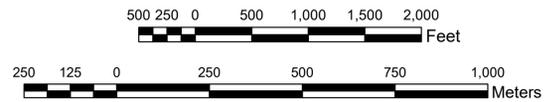


### Legend

- Municipal Boundary
- Waterbody
- Watercourse
- Floodplain Limit
- Deep River Community Woods / Four Seasons Forest Sanctuary
- Property Fabric
- Hazardous, Unstable and Steep Slope
- Unevaluated Wetland
- Significant Wildlife Habitat
- Lands Owned by AECL



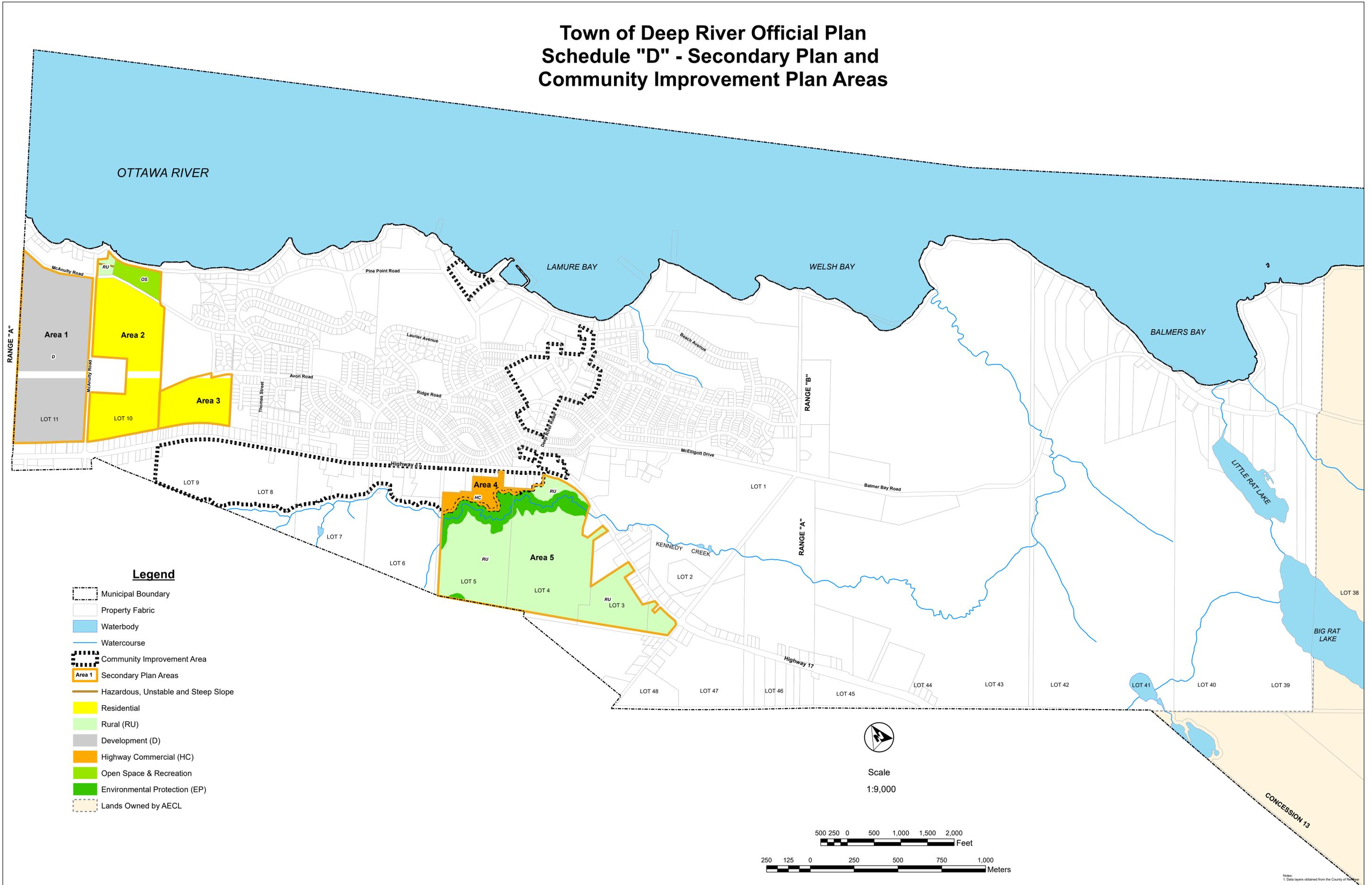
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Notes:  
1. Data layers obtained from the County of Renfrew  
2. Detailed site analysis and interpretation may be required to confirm feature significance  
3. Schedule will be updated by amendment to the Official Plan as the system develops



# Town of Deep River Official Plan Schedule "D" - Secondary Plan and Community Improvement Plan Areas

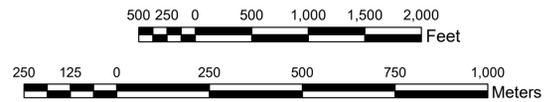


## Legend

- Municipal Boundary
- Property Fabric
- Waterbody
- Watercourse
- Community Improvement Area
- Secondary Plan Areas
- Hazardous, Unstable and Steep Slope
- Residential
- Rural (RU)
- Development (D)
- Highway Commercial (HC)
- Open Space & Recreation
- Environmental Protection (EP)
- Lands Owned by AECL



Scale  
1:9,000



Notes:  
1. Data layers obtained from the County of Renfrew