

# TOWN OF PERTH OFFICIAL PLAN

Consolidated with Modifications

Consolidated Official Plan, December 11, 2025  
including OPA #19 (OP Update)  
as approved by Lanark County December 5, 2025

# Town of Perth Official Plan

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# OFFICIAL PLAN FOR THE TOWN OF PERTH

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## **1.0 INTRODUCTION**

Perth is a multi-faceted community with a healthy industrial and commercial base, a broad range of public service, leisure and cultural facilities, mature residential neighbourhoods and a rich heritage.

The Town of Perth recognizes that the Anishinaabe peoples were the first to inhabit the lands in and around Perth. For thousands of years, they lived on this land. It is the intent of the Town of Perth to recognize First Nations as senior governments with rights and constitutional standing and to establish and maintain a mutually respectful relationship with all First Nation communities. The following is a brief summary of the pre-colonial history of the Perth Area.

### **1.1 Indigenous History and Relationship to the Land**

#### **1.1.1 Duty to Consult**

The Town of Perth recognizes the importance of consulting with Indigenous communities on planning matters that may affect their Section 35 Aboriginal or treaty rights. As noted by the Association of Ontario Municipalities (AMO), strengthening relations with Indigenous people is important to Ontario's municipal governments. Municipal government leaders and staff can support Indigenous communities and be part of the healing, learning, and restoration needed to support reconciliation with our Indigenous friends, neighbours, and communities. To this end, the Town will work to build constructive, cooperative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and inform decision-making.

The 1993 Sewell Commission determined that the Indigenous communities should be treated by municipal governments as governments in their own right, and not treated as "special interest groups" or "third party stakeholders". The 2015 Truth and Reconciliation Commission of Canada noted that reconciliation is about establishing and maintaining a mutually respectful relationship between Indigenous and non-Indigenous peoples. In order for this to happen, there must be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behaviour. As a creature of the Province, the Town of Perth embraces the duty to consult Indigenous communities.

#### **1.1.2 Indigenous Relationship with the Land**

Indigenous communities have a special relationship with the land and its resources. This Plan recognizes the role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions.

The special Indigenous relationship with the land must be understood. The “creator” provided “Turtle Island” (North America) to the Indigenous peoples and asked that they look after the earth and all its elements to ensure it remains whole and sustainable for seven generations to come. The sacred teachings identify the Indigenous people, and the land connected together as one. Their relationship with the land is sacred and all living animals and inanimate things are true spirits to be respected.

This is a different perspective than that held by many non-indigenous peoples, where land is an asset to be purchased and developed for monetary gain. Land as a commodity to be used through economic principles is distinctly different than the indigenous relationship with the land.

### **1.1.3 Indigenous History in Lanark County and Area**

The story of the Indigenous cultures begins thousands of years ago. The Anishinaabe peoples, originally from the Gaspé Region, migrated westward up the St. Lawrence River, to the Great Lakes region and the Kiji Sibi - the Ottawa River area. The Omàmiwinini families, also known as the Algonquin Anishinaabe Nation, settled in the Ottawa River area, including its tributaries the Tay, Fall, Mississippi, and Rideau Rivers – their highways.

To the Anishinaabe people, their Tay River Watershed traditional territory would most often relate to their winter homeland. The waterways were their main source of transportation, and their home territories related to specific watersheds. In summer months they would gather with other tribes along the shores of the Ottawa River (Kiji Sibi) in order to socialize, meet with family and friends, trade goods, hold Pow Wows, attend council meetings, receive medical help, get a spouse, honor the ancestors and live in a normal community setting.

When winter was about to arrive, the extended family followed their Tribal Chief and packed up and canoed back upriver to their winter homeland in the Tay River Watershed, allowing them close access to many surrounding lakes and rivers systems to hunt, gather and socialize with other local Algonquian tribes on the nearby Mississippi and Rideau Watersheds.

And so, things remained unchanged for thousands of years until May 13, 1611, when Samuel de Champlain met with his allies the Anishinaabe along the St. Lawrence River at Tadoussac. Champlain continued his travels and met various Algonquin tribes as he ventured up the Ottawa River. Throughout the spring and early summer of 1613, Champlain met, befriended, and made allies with several Algonquin tribes along the shores of the Ottawa River, including the Omàmiwinini ancestors who summered at the mouth of the Rideau River in Ottawa.

The Iroquois Wars and European diseases had devastating effects on the Algonquin nation, including those who lived along the Tay River. In 1650 the Mohawk and Seneca joined forces with other Iroquois Nations and attacked numerous Algonquin tribes. Many of the Algonquins, including the Omàmiwinini migrated to safer areas around Oka, and Trois- Rivières. Following the conclusion of the Iroquois Wars, the remaining Algonquins who survived the wars and diseases represented only about 20% of their pre-contact population and were slow to return to their traditional territories of the Ottawa River Tributaries.

Modern Algonquin occupation of the lands within the Tay River Watershed can be traced back to Chief Pierre Shawinipinessi who petitioned the government to allow him some of their traditional land within the Tay River Watershed so that his people could develop a place to live, farm, hunt and establish a proper Indigenous independent community. In March 1844 Chief Shawinipinessi was legally granted a 2,000-acre parcel of land on Bobs Lake in Bedford Township (now South Frontenac) and moved his group of some 100 members to their new land.

Shortly after Chief Shawinipinessi and his people moved to Bobs Lake, they encountered serious conflicts from the logging barons who began harvesting the trees and making potash on their land grant and trespassing and occupying the land. By 1850 the forest had been cut down and the Chief's numerous attempts at making petitions and obtaining court orders to stop these actions had failed, causing many of the tribe to move away, some back to their traditional lands near Lac Des Deux Montagne, some back to the Ottawa River Allumette Island and others to North Bay/Mattawa area. Others moved to Ardock, Sharbot Lake, Silver Lake and scattered backwoods areas. Chief Shawinipinessi moved to the Golden Lake area.

## **1.2 Town of Perth**

Perth is a community with a small town atmosphere. People like it for its size, friendliness, quietness, safety, beauty, proximity to nature and its community spirit. It has a strong sense of community and consequently, residents are acutely sensitive to the impacts that change brings to the community particularly through new development.

Perth influences and is influenced by its role in a regional context. It is a popular tourism and recreational destination for visitors from elsewhere in eastern Ontario, the nation's capital and indeed the province. By virtue of its location and the trade area served by the services and amenities it provides, Perth is a 'Central Place'. Many residents from smaller urban centers and the surrounding rural area depend on Perth as the central place for employment, shopping, recreation, health, social, cultural and recreational services.

Perth also has a well-established image across Canada, an image that has been embellished by hosting a variety of events such as national sports tournaments, television productions, an annual music festival and agricultural fair and is the destination for the Tay Canal which connects the community to, and is part of, the Rideau Canal National Historic Site and UNESCO World Heritage Site. Its image has evolved from its history and its architectural heritage. It "has carved a niche for itself as one of the most distinctive towns in Canada" (*Perth, Tradition & Style in Eastern Ontario*, Larry Turner, 1992). This 'niche' is the raison d'être for the array of Canadian Heritage Trades and Technology courses at the Perth Campus of Algonquin College. Perth also acts as a service center for cottagers and permanent residents on lakes within the Rideau Lakes and Mississippi River watersheds and as a center for leisure and cultural services. For example, the Conlon Farm Recreational Complex, indoor swimming pool, library, community centre and curling rink are facilities well utilized by residents from surrounding communities. The Perth performing arts community is a cultural anchor that attracts a broad spectrum of clientele. Its many assets as a community have made Perth a retirement destination as well as an alternative setting for businesses and people 'down-pacing' from larger urban areas.



Perth also has an established interest and commitment to environmental stewardship. The basic premise for community sustainability is that environmental health is critical to human beings and to the wide diversity of plant and animal species with which we co-exist. The quality of our communities and standard of living depends on the air we breathe and the water that we drink, as well as the quality of the soil in the backyards where we play and in the fields and gardens from which our food is produced. In the coming years, human prosperity will depend on the health of the natural environment and the quality of human managed spaces.

The Council and the citizens of the Town of Perth recognize that protecting and nurturing a healthy environment is a community imperative for the benefit of current citizens, as a legacy to future generations, and responding to the impacts of climate change. Accordingly, land use decisions should strive to find ways and means to improve or enhance the quality and vitality of both the human dominated and natural environment and should not simply maintain the status quo.

Perth is a community of opportunities and challenges. Its heritage, its services and facilities, its small-town atmosphere, its national image, its proximity to major centers and conversely to cottage country are opportunities to attract development and sustain a healthy economic base. Servicing constraints, transportation conflicts, polarization of commercial development interests and reconciling its heritage image with its future are challenges Perth faces as it enters the new millennium.

This Official Plan is intended to build on the opportunities and provide the policy framework for addressing the challenges and to guide land use decisions made by Council, the community, Lanark County and provincial Ministries and Agencies over the next 20-year period. The Plan builds upon the many attributes and amenities the community has to offer. These include a diverse and well-maintained housing stock, modern health facilities, secondary and post-secondary educational services, a mature commercial and industrial base, a range of public service, recreation, leisure and cultural facilities, to name a few.

The Town of Perth is a vibrant small town of 6,470 (2021) functioning as an urban service centre for a large rural area. Consequently, future development will be distributed across several municipalities and housing demand will be met through a variety of residential living environments in both urban and rural settings. Perth's role will be to provide for community development that serves those with a preference for an urban environment.

The Official Plan endeavors to balance the aspirations of Perth within the broader context of provincial interests as espoused in the Provincial Policy Statement. Within a changing land use planning environment in Ontario, Perth will become increasingly responsible for the review, processing, approval and implementation of planning decisions. The Official Plan sets out the context for these evolving responsibilities.

### **1.3 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 8 -

Community Development. Schedule 'B', the Transportation and Corridors Plan indicates the classification of the Town's Roads.

Other important sections of the Plan include Section 4 which sets out the community's strategy for economic development and Sections 1 through 3 which outline the authority and basis for the Plan. It is also important to consider other policies including:

Section 5 - Functional Support Policies sets out how land should be serviced (water, sanitary and storm sewer, waste disposal, roads) and sets out policies relevant to Schedule 'B'.

Section 6 - Heritage contains the policies and principles for managing cultural heritage and archeological resources.

Section 7 - addresses matters of public health and safety such as development on or near flood plains and contaminated sites.

Section 9 - The Tools of implementation sets out the policies for implementing the Plan (e.g. zoning, subdivision and site plan control, property standards, community improvement etc.).

Section 10 is intended to help the reader on how to interpret the Plan.

The Appendices provide descriptive information and outline community characteristics and preferred/intended design objectives as follows:

Appendix 1 - is an inventory of recognized Heritage Sites.

Appendix 2 - provides information on procedures and other Statutes that may apply to the approvals process.

Appendices 3 and 4 - provide descriptions of the road network.

Appendix 5 - sets out general design guidelines for commercial development.

Appendix 6 - outlines universal design principles.

Appendix 7 - describes the servicing allocation protocol.

Appendix 8 - describes potential heritage character Areas.

Appendix 9 - describes heritage attributes

Appendix 10 - lists locally found threatened and endangered species

Appendix 11 - indicates the location of potentially significant woodlands

*Schedules form part of this Plan while Appendices are provided for information purposes and do not form part of the Plan. Appendices may include practices and procedures that are intended to be updated/ revised by Council from time to time or provide information that may change due to decisions by other levels of government or through decisions of Council under the authority of provincial statutes other than the Planning Act.*

## **1.4 A Development Strategy For Perth**

The goal of the Official Plan is to provide an appropriate decision-making framework for land use development within the Town over the next 15 - 20 years.

As an Official Plan for a mature community, the Development Strategy for Perth contains the following components:

1. 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) and which utilizes densities and development standards which are cost effective;
2. To manage growth while at the same time maintaining a healthy and livable urban environment. Residential neighbourhoods will be conserved or developed keeping in mind a sense of human scale, character, safe streets and public spaces, and the provision of equitable access to amenities. Access to public buildings and facilities shall be designed or upgraded to accommodate the needs of persons with disabilities or special needs;
3. To sustain a healthy economy by providing opportunities for economic development e.g. commercial development in the Downtown and on the Highway 7 corridor which complements each other, by providing a frame work for Home Based Businesses and by sustaining the industrial base and green business initiatives.
4. To achieve an appropriate supply of housing, the Town's housing strategy is to provide an adequate and continuous inventory of serviced land for the development of a full range of housing types and densities; to set out specific targets for affordable housing; and to use a portfolio of planning tools to facilitate residential development and advance universal accessibility (e.g. community improvement alternate development standards, zoning, intensification).
5. To sustain lifestyles and activities commensurate with a 'small town atmosphere' while providing opportunities for community development and fostering social connectedness.
6. To conserve the rich cultural heritage and archaeological resources of the community as a sustaining element of the economic base and as an integral component to the theme of community development;
7. To conserve the attributes of the natural physical environment such as wetlands, wildlife communities, trees and vegetation, to conserve the water quality of surface and groundwater systems, to maintain river corridors in their natural state wherever possible, and mitigate the impacts of climate change and advance an ecosystem approach to the natural environment.
8. To maintain the well-being of the "main streets of the central area and the highway commercial corridor". Land use decisions will be cognizant of the need to create or preserve 'people places' and advance accessible design standards to reduce the need and impact of the automobile and increase the opportunities for active transportation and pedestrian travel within and through the community;
9. To protect sensitive land uses (dwellings, senior residence, day care facilities, schools, health care facilities) from incompatible land uses;
10. To generally divert development away from lands considered to have natural or human-made hazards e.g. flood plains, and contaminated sites unless it can be clearly

demonstrated that the constraint can be safely overcome so as to not endanger property or the health or safety of occupants nor have an adverse environmental impact;

11. To keep the public informed and involved in making land use decisions that affect their lives and the quality of the urban environment through active public engagement.
12. To have regard for the community's Vision Statement in land use decision making. The Mission Statement from the Town's Strategic Plan reads:

"To be a sustainable Community that respects both its  
Heritage and Natural Environment while enabling a  
balanced lifestyle by means of a vibrant economy."

13. To designate land for the development of new residential neighbourhoods north of the Dufferin Street commercial corridor while providing opportunities for commercial development within the corridor which is generally compatible with the existing development pattern but will reflect the Town's intent that this major east-west traffic corridor evolve from its present, essentially rural, design standard into a small urban arterial streetscape.
14. To enhance the potential for employment uses by providing for the development of a business park along County Road 511 (CR 511) and development in depth adjacent to County Road 511. Efforts will be made to identify and promote strategic sites for new commercial and industrial development and ensuring the sites are "investment ready" (i.e. appropriately zoned, serviced and marketed).
15. To plan and implement the maintenance and needed improvements to municipal infrastructure, plan for the impacts of climate change, and to carefully monitor the capacity of municipal sewage services and municipal water services to service new development and redevelopment.
16. To introduce a comprehensive set of Urban Design Guidelines.
17. The Town's vision embraces the concept of sustainable development and planning for the impacts of climate change through land use and infrastructure development decisions and operational practices that integrate human needs with the natural and built environment. Land use approvals and infrastructure redevelopment decisions will include sustainable design measures for transportation, infrastructure, waste management, energy systems and will strive for the efficient use of natural resources and preservation of historic, cultural and natural heritage features. The vision intends to be adaptive to innovative design and human activities that support sustainability.
18. To meet the transportation needs of residents while reducing dependence on cars and promoting active transportation systems and encouraging means of travel such as cycling, walking, carpooling, car sharing and taxi services.
19. To create a universally accessible, caring and inclusive community that accommodates all citizens, including those with disabilities.

## **1.5 Future Directions**

An Official Plan should be considered as a dynamic document that both directs the future growth and development of a community and also changes with the times. Over the next 20 years the physical, social and environmental circumstances of Perth will change. Council acknowledges that this will lead to a review of the Plan to ensure it is pro-active rather than reactive.

While it is not easy to project what components of the Plan will change, one issue identified in the preparation of this Plan which will warrant future consideration is the Wilson Street corridor. As a gateway to the downtown from the highway commercial district, the role and land uses of this area may change. This will necessitate a careful review of the land use policies in this Plan in order to guide and manage change in a comprehensive way while conserving the character and the built form of this area.

## 2.0 THE PLANNING ENVIRONMENT

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### 2.1 Authority For An Official Plan

The *Planning Act*, *Section 17* provides the enabling authority for the preparation of an Official Plan and *Section 26* provides for the review and revision of the Plan not less frequently than every five years. Section 16 of the *Act* sets out the 'contents of an Official Plan:

"(1)... shall contain,

- (a) 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...

(2) ...may contain,

- (a) a description of the measures and procedures proposed to attain the objectives of the Plan;
- (b) 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."

### 2.2 History Of Land Use Planning In Perth

The first Official Plan for Perth was approved on December 31, 1973, and subsequently replaced by the current Official Plan, approved on December 17, 1982. There were twenty-four amendments to the 1982 Plan, many of which were site specific re-designations of land. Major policy amendments included:

- 1) OPA 7 - Community Improvement Policies
- 2) OPA 9 - Site Plan Control

This Official Plan was approved in May 2000 and there have been 11 amendments to the Plan approved since that time. OPA # 10 implementing the Secondary Plan for the north end of the Town was a significant amendment during this time (see OPA table).

The Official Plan is implemented by, amongst other methods, a Zoning By-Law.

In 2016, OPA#14 was approved which represented a comprehensive update to the Official Plan, bringing it into conformity with the Lanark County Sustainable Communities Official Plan and the 2014 Provincial Policy Statement.

OPA#15 was approved in 2017 to establish Source Water Protection policies and to bring the Official Plan into compliance with the Mississippi-Rideau Source Water Protection Plan.

In 2018, the Town initiated OPA#16 which incorporated the 2009 annexed lands into the Town of Perth Urban Settlement Boundary, providing the community with sufficient lands to accommodate the 2038 planned population of 8,085.

In 2024, the Town initiated an Official Plan Review and Update which resulted in OPA #18.

The update included changes and modification to policies throughout the Official Plan and placed all developable lands within the boundary of the Town of Perth into development designations, ready for development. The Residential Lands Needs Assessment prepared for the 2024 OP Update, recommended that “the Town consider designating all the remaining vacant greenfield lands within the “Future Development” designation as “Residential” through the Official Plan Update.” This Update was intended to take Perth’s population to 10,500 persons by the year 2054, a 30-year planning horizon. The Update was also intended to bring the Perth Official Plan into compliance with the 2024 Provincial Policy Statement.

## **2.3 Provincial Policy Statement**

The *Planning Act* has been substantially amended since 1982, most notably with respect to the introduction of a Provincial Policy Statement (PPS) under Section 3. In the preparation or review of an Official Plan, municipalities and Planning Authorities must "be consistent with" the Provincial Policy Statement, a document which provides policy direction on matters of provincial interest related to land use planning and development.

Together with a municipal official plan, the PPS (2024) "provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system." (Provincial Policy Statement-2024)

The Plan has been reviewed and revised to be consistent with provincial interests set out in the 2024 Provincial Policy Statement such as: promoting efficient, compact and cost- effective development patterns; accommodating a range and mix of residential, employment, recreational and open space uses to meet projected needs for a time horizon of 30 years; providing opportunities for intensification and redevelopment including brownfields; providing for a full-range and mix of housing types and densities required to meet projected requirements; maintaining the well-being of the downtown; promoting a healthy active community particularly through active transportation and community connectivity; ensuring land use compatibility; ensuring the efficient use of planned infrastructure coordinated and integrated with land use planning and the protection of infrastructure corridors; supporting energy efficiency and improved air and water quality; providing an adequate supply of affordable housing; planning for the impacts of climate change, and providing for the wise use and protection of a variety of resources such as natural heritage and cultural heritage, which also affect the long-term health, prosperity and sustainability of the Town.

The official plan will be implemented in a manner that is also consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*, *municipal responsibilities for Truth and Reconciliation, the Duty to Consult*, and will also be implemented in a manner that is consistent with the *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

## **2.4 Official Plan Review Process**

The preparation of the Official Plan followed a review process comprising pre-consultation with provincial Ministries and agencies, the preparation of a Community Profile (final version - November 19, 1998), community and business surveys, the convening of Community Workshops consolidation of relevant amendments and adoption of the Plan. The purpose of the Community Profile was to provide background information and analysis as a basis for the policies in the Official Plan.

The review process preceding this update to the Official Plan commenced in 2005. The public and business communities were initially consulted through public workshops at that time. The review process was addressed in part through the adoption of Official Plan Amendment No 10 in May of 2008, but the balance of the update was deferred pending the completion of several annexation requests which were completed in December of 2009.

In the intervening period a variety of issues in need of policy review were identified through: work with the Official Plan; interests expressed by the public and citizens; changes to the Provincial Policy Statement in 2005 and 2014; and proposals from the development community. Accordingly, the Town commissioned the production of 16 issue papers. A growth management report was commissioned for the annexation process and updated in conjunction with preparation of the issue papers. The Town held issue paper review workshops and requested community comments in the fall of 2010 and pre-consulted with provincial ministries and local agencies in May of 2011.

Detailed Committee review and revision of the draft policies was undertaken throughout 2011 and 2012. The discussion paper and policies for the annexed areas were drafted in 2012. This Official Plan is the culmination of that preceding work and the public workshops and formal consultations undertaken prior to its adoption.

In 2014 the Town initiated a mandatory Five (5) Year Review. OPA #14 was subsequently approved in 2016, bringing the Town of Perth Official Plan into conformity with the Lanark County Sustainable Communities Official Plan and the 2014 Provincial Policy Statement.

In 2017 the County of Lanark undertook a Comprehensive Review resulting in a revised population projection for the County and related growth allocations to the member municipalities for the twenty (20) year horizon ending in 2038. The growth allocation to the Town of Perth to the year 2038 is 8,085 persons.

The County's growth allocation to the Town of Perth to the year 2038, resulted in OPA#16, which placed the annexed lands "Residential" and "Future Development". The additional "Residential" lands will ensure that the Town has sufficient lands available to accommodate the twenty (20) year planned growth.

In 2024, the Town initiated a Five Year Official Plan Review and Update which resulted in OPA #18 and intended to have the Plan consistent with the 2024 PPS. The update included changes and modification to policies throughout the Official Plan and placed all developable lands within the boundary of the Town of Perth into development designations, sufficient lands with planned infrastructure to take Perth's population to 10,500 persons by the year 2054, a 30 year planning horizon.

This Official Plan is the culmination of that proceeding work and the public workshops and formal consultation undertaken prior to its adoption.



## **2.5 Planning Administration**

- A) A committee of Council administers the Official Plan and Planning Act applications while a Committee of Adjustment administers applications for minor variances and permissions for non-conforming uses. The Director of Planning has been delegated limited site plan approval authority.
- B) The County of Lanark has the approval authority for Official Plans, amendments, subdivisions and condominiums. Any of these responsibilities may be delegated. Subdivision and condominium approval is the responsibility of the County of Lanark. The Lanark County Land Division Committee administers the consent granting function. The County of Lanark has recently established its Sustainable Communities Official Plan and has approval authority for local Official Plan amendments including amendments to this Plan. The Town's Official Plan has been prepared to comply with the County Official Plan.
- C) The Town will exercise its authority under the *Planning Act* to utilize various Planning tools such as site plan control; holding, temporary use, interim control and zoning by-laws. Subdivision control; community improvement plans, property standards, cash-in-lieu of parkland, parking standards and demolition control, etc. will also be used where appropriate;
- D) Other legislation will also be used where it is complementary to the implementation of land use planning decisions. For example, the authority for Development Permits (*Section 70.2, Planning Act*) could be used by Perth to accomplish certain objectives with respect to heritage conservation subject to an amendment to this Plan.
- E) Where Zoning By-Laws are enacted by Council, such By-Laws will be in conformity with the policies of the Official Plan as will public works carried out by the Town.
- F) The Town will levy fees under the *Planning Act* to recover the costs associated with the processing of Planning Applications.
- G) A coordinated and integrated approach will be used in dealing with planning matters where the County of Lanark and other levels of government, agencies and boards and Aboriginal communities are affected.
- H) Land use approvals under the *Planning Act* may be integrated with approvals under other legislation, for example, integrating the planning processes and approvals under the *Municipal Act, Environmental Assessment Act* and the *Planning Act*, as well as others provided the intent and requirements of the Acts are met.
- I) Prior to accepting an application under the *Planning Act*, the Town will determine whether the application is complete and will generally require the proponent to pre-consult with the Town on studies or other information that is required to support an application.
- J) The review of planning applications will have regard to the applicable policies, guidelines, initiatives, measures, and regulations set out in such documents as the Strategic Plan (2022), 2010 Accessibility Plan, the Downtown Perth Heritage Conservation District Plan, the Downtown Perth Community Improvement Plan, Municipal Cultural Plan, Asset

Management Plan, master plans for servicing, transportation, and recreation, and the Development Charges by-law.

## **2.6 Planning Period**

The Planning Period for this revised Official Plan is 2024 to 2054. However, the Town will undertake public consultation and Council will determine the need to revise the Plan every five years as per the requirements of *Section 26* of the *Act*. Any revisions of the Plan necessary to remain consistent with the Planning Act and/or the Provincial Policy Statement shall be undertaken at the time of a five-year review.

Notwithstanding the above paragraph, the design population of 10,500 and the designated vacant residential land base and residential infill opportunities are based on the County's growth allocation to the Town of Perth to the year 2054.

## 3.0 BASIS OF THE PLAN

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### 3.1 Population & Boundaries

The Target population of 10,500 persons by the year 2054 was derived from the 2024 Residential Lands Needs Assessment undertaken as part of the 2024 Official Plan Review and Update. This target population builds upon the population analysis undertaken by the Town in 2018 which demonstrated that Perth is very likely to experience a positive rate of growth.

The Town's population is expected to expand because of Perth's proximity to the Ottawa and Kingston markets, representing a potential market from which to attract retirees to anticipate life-style developments. There is also potential to attract people commuting to the Ottawa area due to the quality of life and character that Perth offers. Further diversification of the Town's economic base in the area of business services, tourism, finance, consulting and health care professionals and skilled trades will generate employment growth. The widening of Highway 7 to Carleton Place has reduced commuting time to Ottawa improving the attraction of the Town for both commuters and retirees. Social trends related to increased work from home may also have a positive impact on the growth of Perth.

Several properties were annexed into the Town in 2009 and added into the inventory of residential lands available for future development. An option for improved access to the development in the easterly side of Town with a new arterial road will allow for additional phases of development. In addition, the Town has completed a servicing Master Plan to facilitate development in the northerly portion of the Town and has completed Phase I of the expansion of the lagoon upgrade would establish a design population of 10,500, if needed.

The Town will continue to monitor the rate of growth to ensure that the designated land supply and infrastructure capacity is appropriate for, and continues to support development demand and projected growth. This Plan acknowledges that the vast majority of the developable lands within the Town of Perth are now designated for development and that there are limited opportunities for future urban settlement boundary expansion beyond the current boundaries of the Town of Perth. This is due to significant natural heritage features (wetlands) to the north, east or west of the current Town limits. Future expansion to the south is also constrained by the existing sewage lagoon, landfill site, and business park.

#### 3.1.1 **Perth Settlement Area Expansion**

This Plan acknowledges that future expansion of the Town of Perth settlement boundary may only happen when it has been demonstrated that:

- i. Sufficient opportunities to accommodate growth are not available through intensification, redevelopment and designated growth areas to accommodate projected needs over the planning horizon.
- ii. That the infrastructure and public service facilities are planned or available and are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment.

- iii. Prime agricultural lands are protected, and minimum distance separations are satisfied.

### **3.1.2 Cross Boundary Coordination**

The Town of Perth shall establish a coordinated, integrated and comprehensive approach to be used when dealing with planning matters with neighbouring municipalities, other orders of government, agencies and boards. This will include matters related to infrastructure planning, economic development, management of natural heritage and cultural heritage resources, transportation, watershed management, natural and man-made hazards, emergency management and growth-related demands associated with population and housing. As noted elsewhere in the Plan, the Town shall engage with Indigenous communities and coordinate on land use planning matters.

## **3.2 Housing**

- A) The land supply for housing will be met through a combination of intensification, redevelopment and green-field development. The land supply designed "Residential" within the Town has potential for 2,425 lots/units.

The available supply of designated land is anticipated to be sufficient for the projected housing demand that corresponds with the population target of 10,500.

The land available for housing supply has the flexibility to provide substantial variety in the mix and density of housing types (i.e. Singles, two-unit dwellings, town houses, apartments). Intensification and redevelopment will be focused on the downtown (i.e. Upper storeys of the Central Area District), converted institutional buildings, second units in dwellings and large lots in established residential neighborhoods. Green-field housing will be directed to the future extension of Perthmore Glen in the east; to the secondary plan area north of Highway #7; and to the areas annexed in 2009 to the west, including the Golf Course lands.

- B) Monitoring the demand-supply ratio will be undertaken as part of the regular five year review of this plan to ensure that there is a sufficient supply of land and lots available for the full range of residential development needs at all times, and to ensure that the phasing and development of residential areas is coordinated and integrated with planning for infrastructure and public service facilities. This is essential, since the current land supply may be insufficient if the high estimate proves to be conservative later in the planning period.
- C) The proposed supply is intended to accommodate residential growth for a minimum of 15 years through residential intensification, redevelopment and greenfield lands designated and available for residential development. The Town also intends to maintain land with servicing capacity sufficient to provide at least three-year supply of residential units available through lands suitably zoned to facilitate residential intensification, redevelopment, and lands in draft approved and registered plans.
- D) The Plan provides a strategy for Council to increase the supply of affordable housing and housing which meets particular needs e.g. garden suites, group homes, student housing.
- E) The housing mix targets desirable for the Town of Perth are intended, over time, to reduce the percentage of low-density residential development (i.e. singles, semi and duplexes) and

increase the supply of medium density residential development (i.e. tri-plexes, quads, townhouses and small apartments). The percentage of future development that is high density (large apartments of 4-6 storeys) is intended to increase slightly but generally match historic trends. The density targets for the Town of Perth are:

Low Density = 50 to 55% of future residential development

Medium Density = 30 to 35% of future residential development

High Density = 10 to 15% of future residential development

Housing mix targets are not meant to apply to individual phases of a new multi-phase neighbourhood development, but rather they are to apply to the entire neighbourhood development concept.

- F) Residential, sustainable and universal accessible design standards and principles will be utilized to ensure energy conservation, land use compatibility, consistency with the Town's objectives for heritage conservation and ensuring contiguous and compact development.

### **3.3 Economic Base**

Employment is projected to grow by some 1,400 jobs over the planning period (2014- 2034) in a community where the number of jobs (6,200 - 2011) in Perth currently exceeds both the number of residents and the number of resident job holders in the Town. This employment growth will reflect increased opportunities in service commercial, finance, trade, utilities, construction, public administration and manufacturing sectors of the economy. These jobs will not all be locally based (in Perth) but will be of benefit to Perth given its central place to the surrounding area.

Perth has a trade area which extends some 60 km west along Highway 7, 10 km to the east, 35 km to the north, and south including Westport and Newboro. Perth acts as a service and employment centre for approximately 26,000 people which swells to 40,000 during the summer months. Of the economic sectors present in Perth, service commercial will be the most pronounced and will reflect an increase in retail and highway oriented commercial development in the downtown and along the Highway 7 corridor. Home based businesses will also contribute to growth of the economic base of the community.

The Plan establishes and protects lands for employment growth through a combination of mixed-use development, commercial and industrial areas. Principles of urban design have been built into the Plan to support active transportation and connectivity between activity areas such as the downtown, public spaces, recreation and parks, residential neighbourhoods and public service facilities. Efforts will be made to ensure 'employment lands' are investment ready and have sufficient reserve infrastructure capacity (sanitary and water services) to support employment growth. Specific attention will be paid to ensuring a robust and modern telecommunication infrastructure to support business development and growth and encourage remote work opportunities. Council will advance green business initiatives, equitable access to public telecommunication services, and promote an inclusive working environment.

### **3.4 Infrastructure And Public Service Facilities**

- A) The community is well endowed with municipal infrastructure (roads, water, sewer, waste management systems, communications and gas and power utilities) and public service facilities (schools, health care facilities, police and fire protection and cultural services). Many of these facilities service a catchment area larger than the Town. With a changing demographic profile, continued growth, and the impacts of climate change, there will be a need to expand infrastructure and public service facilities and to continue to maintain or rehabilitate existing facilities. All new development will be serviced with municipal sanitary and storm-water facilities, and municipal water. New infrastructure should consider climate-resilient design.
- B) The estimated residual capacity for municipal water is 5,335 persons (2,425 dwelling units at 2.2 persons per household). Modifications and repairs to municipal systems have been recently undertaken to recover, improve and optimize the design capacity for the water supply and sewage collection and treatment. Capital improvements will be required during the life of the Plan to ensure that capacity will be available on a sustainable basis for future development.
- C) Sanitary treatment capacity, essential to growth, was greatly expanded in 2018 with the addition of a "Submerged Active Growth reactor" (SAGR). This addition to the sanitary treatment system increased the treatment capacity of the existing lagoon system to a population equivalent of 8,100. With the addition of a fourth cell to the SAGR, the population equivalent could be increased to 10,500 persons. This capacity is anticipated to be sufficient to accommodate the design population of 10,500 persons. It is necessary for the Town to continue to be vigilant in removing stormwater from the sanitary collection system to ensure the maximum benefit of the sanitary treatment system to support the growth and development of the community.
- D) Storm water management will be an essential component to future development in meeting provincial water quality objectives. Options for sustainable management of storm-water and drainage, resilient to climate change, will be encouraged in new development and recommended for substantive redevelopment projects.
- E) Existing waste disposal facilities have a currently estimated capacity for 3-4 years (to 2014-2015) but the Town is actively investigating options for expansion of its facility, which if successful will ensure local waste management capacity beyond the planning period for this Plan. The Town has undertaken substantive waste diversion through composting and green bin collection efforts. It is anticipated that these efforts will continue and further opportunities for waste diversion will be sought.
- F) The design, development, management, maintenance and replacement of all municipal infrastructure has been incorporated into the Town's Asset Management Plan to ensure that infrastructure is financially viable over the life-cycle.
- G) Improvements to the road network are required to improve traffic flows within and through the community.
- H) Fire services are provided out of an upgraded facility and are maintained to provincial standards.
- I) Development Charges are being levied as a means to help finance required improvements to infrastructure and public service facilities.

- J) Council will support ongoing initiatives to strengthen the presence of Algonquin College either in the form of additional facilities or by accommodating creation of student housing.
- K) The attributes of a healthy community are a focus of the Plan through enhanced policies for urban design, active transportation, provision for trails, public parks and public places, conservation of the natural environment and the development based on compact, efficient and fully serviced land use patterns, while promoting social equity and universal accessibility.
- L) The Town shall strive to ensure the use and operation of infrastructure and community facilities are optimized. The Town shall encourage the co-location of community facilities in community hubs which are accessible to the public. The Town shall promote the adaptive reuse of existing infrastructure and community facilities which are no longer required for their original purpose.

### **3.5 Heritage Conservation**

The image of Perth is invariably linked to its heritage and its history. The Plan not only provides for the conservation of built heritage resources, cultural heritage landscapes and archeological resources in the community but articulates a heritage character statement as the basis for the establishment of Heritage Conservation Districts. This statement underscores the importance of heritage to the economic base, visual aesthetics and landscapes of the community. Heritage is a theme which threads its way throughout the Plan since it is an integral component of community development and redevelopment.

Heritage policies also take into consideration linkages within the region such as the Tay Canal and Corridor which are part of the Rideau Canal National Historic Site and UNESCO World Heritage Site.

### **3.6 Natural Heritage Features**

With the assistance of the Ministry of Natural Resources and Forestry (MNRF) and the Rideau Valley Conservation Authority, natural heritage features have been identified and mapped. The Plan establishes procedures for undertaking an Impact Assessment to evaluate the impacts of proposed development on such features, most notably, the Perth Long Swamp and the Grant's Creek Wetland. Conservation of the natural environment is key to conserving biodiversity, and ensuring connectivity in the natural heritage system within Perth and extending to river and wetland systems outside of the Town's borders.

### **3.7 Community Improvement**

Community improvement is considered vital to the revitalization of the Downtown and industrial

areas of the town. The Plan carries forth the relevant policies of the previous Plan in providing the enabling authority for revitalization of services and the building stock and prioritizing inclusive, sustainable and accessible designs in redevelopment projects. Incorporating sustainability into community enhancements supports environmental goals, strengthens economic resilience, and improves social well-being, making the area more attractive to residents, businesses, and visitors.

### **3.8 Public Health And Safety**

Natural and human made hazards or conditions exist within the community such as flood plains and contaminated sites. The Plan provides policies to ensure safe development from natural and human-made hazards as impacted by climate change. The basis of this Plan strives to plan for a livable community which is capable of sustaining the impacts of climate change. This requires the Town to ensure resiliency and utilization of sustainable building practices and materials. The Town's Climate Change Action Plan will assist staff and Council as they plan for and minimize the impacts of climate change.

### **3.9 Land Designation Schedules**

The policies of the Plan are to be read in conjunction with the Land Use Designation Schedules. Schedule A illustrates the various land use designations and natural heritage features; Schedule B illustrates roads and infrastructure. [note - *Schedule C per OPA# 10 illustrates the road development pattern intended in the Secondary Plan area northwest of the Dufferin Street (Highway 7) corridor and is replaced by the new Schedule 'B' - the Transportation and Corridors Plan*].

### **3.10 Healthy And Sustainable Communities**

Building a strong, healthy and sustainable community is a key objective of the Official Plan and the basis for good land use planning over the long-term. Section 5.9 sets out an extensive menu of policies designed to promote energy conservation, sensitive urban design and the development of a high quality urban environment. Perth has been designed as a live/work/play community and the compact urban character based on a grid pattern facilitates easy movement of people and goods. The urban form lends itself to active transportation with easy access to shopping, employment, educational, social and recreational facilities and activities.

Perth is very much place-based and the intent of the Plan is to build on the healthy, sustainable themes through the gradual and orderly expansion of the existing urban settlement pattern.

Redevelopment will be undertaken with the same objectives to ensure the integration of building form with the current heritage and architectural character of the community.

Consideration will be given to best practices in energy and water conservation, green infrastructure and the conservation of the natural environment in making future land use decisions.

Section 8.7 of this Plan includes policies recommended by the Town's Recreation Master Plan to promote a healthy community.

During the life of this Plan, it is anticipated that the Town of Perth, potentially in collaboration with neighbouring municipalities, will plan for the construction of a new multi-use recreation facility to serve the needs of the residents of Perth and the surrounding region.



The Town has established a Parkland Cash-in-Lieu By-law to guide the future acquisition of new parkland. The By-law outlines circumstances where conveyance of parkland is not acceptable and where cash-in-lieu of parkland will be considered.

## 4.0 ECONOMIC DEVELOPMENT

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### 4.1 General

The location of Perth as a central place for employment, shopping, institutional services and recreation underlies the relatively healthy economic base the community has enjoyed since its inception. The economic base has and will continue to change. Growth in the commercial service sector, trades, construction, manufacturing, finance and utilities may be expected while public administration employment is projected to decline (Community Profile).

As with other communities, Perth must position itself in the marketplace to sustain its economic health and the quality of life the community enjoys. The role of the Official Plan is to set a positive context for economic development through such measures as ensuring adequate public services and infrastructure, providing and protecting a sufficient land supply for all land use types, by clearly articulating the requirements and procedures for processing planning applications and by reinforcing the community values that contribute to Perth's image as a safe and secure community and one in which business development is welcome.

This Plan sets forth an economic development strategy to complement and reinforce the policies of this Plan for community development.

### 4.2 Mission Statement

The mission statement is intended to underscore the strategy for economic development. This statement of Council is:

*"To advance local economic development and tourism through activities and actions which will help retain existing enterprise, organizations and services as well as encourage economic growth."*

### 4.3 Beliefs

Council subscribes to a number of beliefs which are integral to the formulation of an economic strategy, namely:

- that the local economy can be enhanced through strategic planning;
- maintaining a community development office will improve the profile of Perth and area as a desirable place to do business;
- establishing employment lands as "investment ready" assists new growth and development;
- marketing and promotion is critical;
- partnering with other organizations and communities can increase the opportunities for economic development, and

- training is important to job retention.

#### **4.4 Strategy For Economic Development**

**A) Council's strategy for economic development includes the following components:**

1. To strengthen Perth and area's economic development profile, particularly through implementation of the Perth Strategic Plan 2022.
2. To promote business retention and growth.
3. To advance diverse, sustainable and inclusive economic growth.
4. To develop and implement a tourism strategy and to cooperate with other levels of government and other agencies to promote Perth as a tourism destination.
5. To establish Community Improvement Plans to support downtown revitalization, heritage restoration and improvement of under developed areas within the Town.
6. To partner with other organizations to ensure the development and availability of a skilled and educated workforce.
7. To work with the telecommunications industry to establish robust, modern telecommunications services and support network applications development, and
8. To enhance the appeal of Perth and area as a desirable place to live.

**B) The intent of this Plan is to support this strategy through actions by Council which will:**

1. Expedite approvals for development which conform to the policies of this Plan.
2. Ensure that there is an adequate supply of available serviced land for all forms and types of land use.
3. Sustain the level of public services and infrastructure required to support growth and development.
4. Ensure the maintenance of the building stock and the heritage resources and values which contribute to the community's image.
5. Establish employment lands as being investment ready. Ensure the conservation and/or enhancement of the environmental attributes and natural heritage features of the community.

#### **4.5 Strategic Initiatives**

The intent of this Plan is not to list the many strategic initiatives of Council and the community that will implement the economic development strategy as these may become dated. Rather, the intent of the Plan is to provide a supportive policy framework for these and other initiatives to come and to facilitate their implementation.

The Plan also recognizes that the private sector and other public institutions (example: Algonquin College) will propose developments which will also strengthen or diversify the economic base of Perth. Council's intent is to work co-operatively with other sectors of the economy to facilitate economic development.

#### **4.6 Implementation**

The implementation of the strategy lies in the concerted and co-operative efforts of the public and private sectors. A number of the components of the strategy are dependent of the actions of the private sector and are apart from the land use policies of this Plan. Council and departments of the municipality will facilitate the implementation of the strategy through their daily responsibilities, establishing a positive climate to encourage new investment and growth. Council will play a key role in the review and approval of planning applications that implement the policies of this Plan. This review will have regard to the elements of the strategy. Council will also play a more holistic role in coordinating the efforts of the public and private sectors through specific decisions and through its interaction with other agencies. Council's intent is to pursue a pro-active stance on community development in embellishing the opportunity for implementing components of the strategy.

Council's intent is to also keep the community informed of the implementation of the strategy through a policy of disclosure.

## **5.0 FUNCTIONAL SUPPORT POLICIES**

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### **5.1 Statement Of Intent**

It is Council's intent to ensure that in the making of planning decisions, that infrastructure is adequate and has the capacity to support existing and new development. 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 Mississippi-Rideau Source Protection Region is coordinating technical studies with regard to Source Water Protection on behalf of the Town of Perth. The Town of Perth is included within the Mississippi-Rideau Source Protection Plan (SPP) as it applies to the Intake Protection Zone for the Town's Water Treatment plant where it draws water directly from the Tay River and for lands that are identified as Highly Vulnerable Aquifers or Significant Groundwater Recharge Areas. The Town will work with the Source Protection Authority to ensure that new development will not affect the Town's water supply in accordance with the policies below.

### **5.2 Sewage And Water**

- A) Council, shall require all new development or redevelopment within the Town of Perth to be serviced by municipal water and sewer services (water supply and distribution and sanitary sewage collection and treatment) and that sufficient water and sewage plant reserve capacity is available to accommodate the new development or redevelopment and will not create environmental or surcharging problems elsewhere in the system. Calculations of the uncommitted reserve capacity of water and sewer systems will be required where necessary to determine the capability of services to support new development.
- B) The timeline for improvements to sanitary sewage and water systems is dependent on development. The Town has initiated a comprehensive program for improvements and upgrading of municipal water services and municipal sanitary sewage services. This has included conducting a sanitary sewer collection system analysis; conducting Environmental Assessments for the Cockburn sewage pumping station and the Tay River siphons; initiating improved data collection and flow analysis and continuing a sewer separation program. This work has been undertaken in tandem with a Ministry of the Environment Conservation and Parks (MECP) review of the capacity of the receiving stream (Tay River).
- C) The sanitary treatment lagoon system has been improved with the introduction of three (3) Submerged Active Growth Rectors (SAGR system) which is intended to have a service population of 8,085 and a planned capacity of 10,500 with the construction of the fourth cell of SAGR infrastructure.
- D) While the water supply is adequate for an additional 2,425 housing units or a residential/non-residential equivalency, programs for water conservation are being initiated to decrease water consumption and potentially avoid or delay the expansion of

the Town's water treatment facilities. Improvements to the water supply system for enhanced fire protection and efficiencies will be undertaken as part of ongoing infrastructure improvements.

- E) The Town is actively engaged in a program for the recovery of sanitary sewage treatment capacity. Through current initiatives to improve in-ground infrastructure, reduce water consumption and correct older combined sewers, some recovery of treatment capacity will be achieved. However, the allocation of sewage capacity for growth will continue to require careful management and the release of capacity for new development must occur in a prudent and sustainable manner. To assist with demand management, a holding provision may be applied to the zoning of certain development lands throughout the Town.
- F) Perth's primary sewage treatment facility is located outside of the Town's boundaries. When reviewing development proposals in proximity to its municipal sewage treatment facilities and stabilization ponds, the Town will promote separation distances and/or other control measures for sensitive land uses consistent with MOE guidelines and implemented by the approval agency. Separation distances are outlined in the MOE Guideline D-2; Compatibility between Sewage Treatment and Sensitive Land Use and are based on the design capacity of the sewage treatment facility, the type of wastewater stabilization pond and the characteristics of the wastewater.

### **5.2.1 Reserve Servicing Capacity Allocation, Service Extensions**

Proposals to locate new development beyond the extent of existing commercial development between Dufferin Street and the northerly limit of the Town and/or that require the removal of a holding provision from the zoning By-law or the allocation of additional sanitary servicing capacity will only be approved if they are consistent with the development pattern and servicing recommendations of the Secondary Plan Study, the Servicing Master Plan (2012) and Schedule 'B' hereto; or when the following matters are addressed:

1. It is demonstrated to the satisfaction of Council that such approvals will not compromise the ability of the Town to ensure a comprehensive, rational and functional road network that aligns with, and is consistent in form with, the road pattern in the balance of the Town and which ensures a road linking County Road 511 to Wilson Street and Drummond Street.
2. Municipal water and sewer servicing extension and development in the green-field areas of the Town to the northwest of Highway 7 will proceed in accordance with the recommendations of the Infrastructure Master Plan for the Area North of Highway 7 adopted by Council in 2012. Variations or alternative designs will only be considered where the applicant demonstrates to Council's satisfaction that the alternative proposed is more cost effective; more fiscally sustainable in the long term; and the environmental impact would be equal to or less than the design recommended in the Master Plan Study.
3. It is demonstrated to the satisfaction of Council that proposed development will not compromise the potential for a new residential neighbourhood that will integrate with the balance of the town, developed in a manner consistent with the housing policies of the Official Plan. The assessment shall include consideration of the need for a

future public high school site and other community facilities.

4. No subdivision development will be draft approved in the area northerly of Dufferin Street until it is determined if any corrections or improvements are required to the downstream sanitary collection system to accommodate the development and if improvements are necessary, how they will be accomplished; and
5. In areas of existing commercial development along the Dufferin Street corridor, the Town may permit redevelopment, infilling or intensification through the re-allocation of existing sanitary treatment capacity or the assignment of reserve sanitary treatment capacity subject to Council being satisfied that such capacity allotment will not compromise the Town's ability to allocate services for a 15 year supply of residential development potential.

B) Council may consider development in the New Residential Area designation (Sect. 8.1.4) prior to the development of existing residential areas of the Town when the proponent submits a comprehensive plan and supporting studies that address the following land use matters:

1. The availability of sufficient reserve treatment capacity for municipal water and sanitary sewage services required to meet the projected requirements of the proposed development, in addition to any preceding servicing allocation and in compliance with Section 8.1.4;
2. The design of an infrastructure plan that will provide for the cost-effective and efficient integration/extension of roads, municipal water and sewage services and utilities to existing infrastructure services;
3. Integration of storm-water management facilities and drainage and grade controls;
4. Providing for a range and density of housing types to meet projected housing requirements of future residents;
5. The availability of sufficient existing capacity for public service facilities needed to service new development or provision for the planned expansion of such facilities to meet future growth (i.e. schools, fire and police services, parks, playgrounds and recreation services, social services, and health services);
6. Conservation of natural heritage features and areas and/or measures to mitigate the impact of development on these features;
7. Conservation of any cultural heritage and/or archaeological resources;
8. Compliance with applicable Conservation Authority regulations and provincial requirements with respect to avoidance of flooding hazards; and avoidance of other natural hazards consistent with the Provincial Policy Statement.
9. Avoiding human made hazardous sites or a remediation plan that is appropriate for the proposed use;
10. Consistency with the Town's Urban Design Principles and provisions for sustainable development.

C) Council may consider extension of piped water supply and sanitary sewage services in a

non-contiguous manner where the proponent addresses the following:

1. Submission of a comprehensive plan and supporting documentation that demonstrate the project will ultimately result in a rational, compact development pattern for the area including an infrastructure plan that will provide for the cost-effective and efficient integration/extension of roads, municipal water and sewage services and utilities to existing infrastructure services;
  2. The service extensions will occur in conjunction with the creation of a new access road(s) into a green-field development site where extension of the existing road network is not feasible or is not desirable in terms of impacts on existing roads.
  3. There are physical or natural heritage barriers that prevent contiguous extension of servicing or render such extension environmentally or fiscally inappropriate.
  4. The extension is relatively modest in length and it will facilitate the delivery of services to a substantive development site that would not develop in the absence of the proposed extension.
  5. The proponent is fully financing the servicing extension and is willing to complete a front-end agreement with respect to the allocation of residual servicing capacity.
- D) An objective of the Town with respect to the allocation of water supply and sanitary sewage treatment capacity is to distribute residual treatment capacity in an equitable manner to the various green-field development areas within the Town. Council also wishes to avoid the allocation of capacity in a manner that effectively limits or directs development potential exclusively to any one area of the Town for an extended period. Residual capacity will, therefore, generally be allocated in accordance with the protocol set out in Appendix 7 of the Plan (Appendix 7 is provided for information purposes only and does not form part of the Plan and may be revised by Council from time to time without amendment to the plan).
- E) In considering the above issues the Municipality will work with and consult the Ministry of the Environment Conservation and Parks to ensure that infrastructure is planned to adequately service development in a sustainable manner without compromising the environment.

### **5.3 Storm-Water Management And Drainage**

- A) It is Council's policy that storm-water management shall be required for all urban development as a preventative approach (rather than relying solely on end-of-pipe quality control) to protecting water resources (quality and quantity).
- B) It is the intent of Council to participate in the ongoing development and updating of a watershed management plan (Tay River Watershed Plan) as a means to identify the characteristics of water resources and to develop water quality goals and targets as the basis for the long term comprehensive management of these resources. It is recognized that this will impact on current storm water management practices in the Town and may lead to development controls or restrictions designed to maintain or improve water quality (e.g. detention ponds, pre and post flow controls, vegetation standards, infiltration techniques, treatment etc.). This may also lead to the development of a master drainage plan and a



series of best management practices.

C) The principles which Council intends to utilize in its approach to storm-water management are enumerated as follows:

1. That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses.
2. That the natural infiltration of water on lands which are developed is maximized.
3. That proposed development will not result in increased downstream flooding or erosion or cause adverse effects on neighbouring properties and receiving waters by appropriate management of storm-water volumes and contaminant loading.
4. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form.
5. That sanitary and storm water sewers are separated.
6. That fish and wildlife habitat is protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities.
7. That a sustainable environmental approach is utilized in protecting water resources.
8. That water quality will be monitored on an ongoing basis as the means to evaluating the effectiveness of storm water management practices.
9. The implications of new drainage and storm-water systems with respect to Source Water Protection will be investigated, particularly with respect to discharges to the Blue Berry Creek and Tay River watersheds and any protection plans studies, policies or regulations established by the Province, the Town of Perth or other authorities.
10. When considering development and redevelopment proposals, the Town shall promote stormwater systems which are resilient to climate change. This may involve the promotion of the use of low impact development (LID) approaches and technologies, such as the use of green infrastructure to manage stormwater runoff, on-site natural features to protect water quality, use of best management practices and reducing hard surfaces to maximize site permeability.
11. Promote stormwater systems which minimize or, where possible, prevent increases in stormwater contaminated loads and mitigate stormwater risks to human health, safety, property and the environment. To assist in implementing this policy the Zoning By-law may contain regulations related to matters of lot coverage, percentage of permeable surface and vegetative buffers.

D) It is the intent of Council to incorporate storm water management controls into the development review and approval process. Proponents of development will be required to plan for and undertake storm water management which complies with the above principles as well as any master drainage plan. This may require a sub-watershed management plan for large tracts of land or a storm water site management plan. Proponents may utilize best management practices where they are consistent with and

will achieve the Town's water quality and quantity targets.

- E) In the interim (prior to the development of a master drainage plan), proponents will be expected to assess the impact of the development on the receiving stream and to utilize a mix of site level, conveyance and end-of-pipe best management practices for the development.
- F) Improvements to storm sewer mains e.g. replacement, or extensions are anticipated as part of the regular program of maintenance by the Town and are deemed to comply with this Plan.

## **5.4 Waste Management**

- A) The existing active site located in the south end of Perth (as shown on **Schedule 'A' - Land Use Plan**) shall only be operated, expanded or closed in accordance with current provincial environmental standards and approvals under *The Environmental Protection Act*. This site is intended to be used to its optimum potential capacity under the applicable Environmental Compliance Approval as issued by the province from time to time. The Town is presently investigating options for extending the life of its site. Alternatives for managing the Town's waste will be determined at the time a decommissioning plan is considered.
- B) Council recognizes that waste management facilities may have an impact on adjacent land uses. An influence area surrounding the waste management facility will be set out in the implementing zoning by-law to recognize the potential for adverse effects between the existing waste management facility and any adjacent land uses.
- C) A 500 m (1,640 ft.) influence area or a separation distance as otherwise determined through a technical study, will be used when determining the impact of a waste disposal site on adjacent land uses. The Technical study will address the following: contamination by leachate, surface runoff, ground settlement, visual impact, soil contamination and hazardous waste and landfill generated gasses. The study will be used when determining the impact of a waste disposal site on adjacent uses.

An environmental impact statement will be required for any sensitive land uses proposed to be located within the influence area. If the impact statement indicates that measures can be undertaken to mitigate any adverse impacts, or that there will be no adverse impacts, development may be permitted. (See reference document.)

- D) Waste disposal activities may include facilities for recycling, composting, hazardous waste control, waste-to-energy opportunities, and permitted ancillary activities in accordance with the applicable Environmental Compliance Approval.
- E) Council will pursue efforts to reduce the carbon footprint of its waste management program and continue to support reductions in greenhouse gas emissions through enhanced diversion of organics and other best practices from the waste stream and landfill.

## **5.5 Transportation**

- A) The transportation network of the Planning Area consists of Highway 7, a provincial Highway, County Roads, arterials, collectors, local roads and private roads along with sidewalks and open space networks. The intent of Council to provide for a safe and functional transportation network that facilitates the movement of motorized, non-motorized and pedestrian traffic within and through the Town. To assist with such planning, the Town has commissioned a Transportation Plan which identifies improvements to be made to the transportation system. Council may require a traffic impact and/or parking study when considering any development application to evaluate the impact of proposed development on the transportation network. Components of the system and their functions are further described in the paragraphs below; the objectives of these policies are to ensure:
1. The scale and design of sidewalks, roads, and street networks should support a variety of transportation modes such as walking, cycling and motorized vehicles.
  2. The transportation system will be designed to co-ordinate land use and transportation decisions to encourage the use of high-occupancy vehicles, cycling and walking.
  3. Public transportation corridors will be designed in accordance with their intended function to provide or improve: accessible sidewalks, pedestrian level streetlighting, public seating, tree plantings, cycling and pedestrian paths, traffic calming features, textured rights-of-way and guiding signage and visual pathways and public art (i.e. complete streets). Advancing accessible public transportation corridors for individuals with disabilities is a priority.
  4. Perth becomes a more cycle-friendly community by creating a visible and connected cycling network, including cycling support infrastructure (bike parking, repair stations etc.), that is easily accessible, safe and actively used by cyclists of all ages and capabilities.
- B) The right-of way widths referred to in the following policies reflect commonly accepted provincial standards. However, it is recognized that in Perth the right-of-way dimensions of many existing roads are less than these standards and the Town is not proposing to increase them to such standards in the absence of new development. New roads, conversely, will be required to conform to the standards.
- C) Roadway widenings may be a requirement for new development along any road as a condition of site plan or other development approval. The width of the conveyance will vary depending on the classification of the road and whether additional lands are required for intersection improvements, bicycle lanes and/or merging lanes, as detailed in the following subsections.
- D) A table detailing the characteristics of the Town's roads classification system is provided as Appendix 3 to this Plan and is provided for information purposes. The Appendix may be modified by Council from time to time without amendment to the Plan.
- E) The Town may require a traffic impact study to assess the impacts of any potential development on traffic, related facilities and public health and safety. Without limiting the preceding sentence, a traffic impact study will normally be required for: new

commercial or drive-through uses accessing Dufferin Street Hwy 7), commercial development exceeding 1394 m<sup>2</sup> (15,000 ft.<sup>2</sup> or more), Official Plan amendments for new non-residential uses, residential development exceeding 30 units, or a planning application for a new use that has potential to substantively increase the volume or rate of traffic flow to or from a site.

Components of a traffic impact study will include an assessment of existing traffic conditions and an assessment of the magnitude of average daily and peak daily traffic changes and may include an assessment of the need for improvements to/ intersections, introduction or modification of traffic signals; evaluation of on-site parking demand (which may include recommendation for relief from or intensification of current parking standards), the need for the merging and turning lanes, driveway and intersection spacing, geometric design standards, bicycle lanes, parking and loading spaces, pedestrian and accessibility facilities and crosswalks, lighting and storm-water drainage facilities. In addition, traffic impact studies shall be required to identify the location and nature of construction traffic, mitigating measures and controls etc....the details of which would be confirmed in associated development agreement.

- F) The Town of Perth acknowledges that cycling and active transportation are increasingly popular modes of travel. The Town acknowledges the benefits of cycling which include the fact that bicycles take up little space, are fast, efficient and non-polluting. Active transportation also promotes a healthy lifestyle which reduces the strain upon the health care system. Therefore, the Town of Perth recognizes cycling and active transportation as major components of the Town's transportation system and seeks to encourage cycling through the results of land-use decisions.

### **5.5.1 Provincial Highway**

- a. Provincial highways are intended to accommodate inter-urban and long distance travel movements through the Town and to destinations outside of Perth. Access, buildings, land uses and signs for provincial Highway 7 shall be subject to the limitations under the jurisdiction of the Ministry of Transportation.
- b) new developments with frontage on a municipal road, shall obtain their access connection from that municipal road. An access connection generally will not be permitted to the highway for a lot with municipal road frontage, unless internal access to the total holding is impractical due to topographical or physical constraints or it can be demonstrated that access from the public road would be unsafe
- c) Ministry of Transportation (MTO) may ask for studies in support of development along provincial highways including traffic impact study, stormwater management report, site plan, and illumination report to ensure that developments do not pose adverse impact on the safety and operation of provincial highways.
- d) Controlled Area: highway 7 is a controlled access highway. Any development along the corridor is subject to Ministry of Transportation approvals under the *Public Transportation And Highways Improvement Act* (PTHIA) and the highway corridor management manual that is upon or within:

- i. 45 metres of any limit of a controlled-access highway or 395 metres of the centre point of an intersection for the purpose of the placement of buildings or other structures, entrances or any road;
- ii. 800 metres of any limit of a controlled access highway, for the purpose of a shopping centre, stadium, fairground, racetrack, drive-in theatre or any other purpose that cause persons to congregate in large numbers; or,
- iii. 400 metres of any limit of controlled-access highway for the purpose of placing signs and placing, erecting, or altering an electricity transmission and distribution system, pole line, or other transmission line.
- e. Functional improvements related to highway safety on Dufferin Street (Highway 7) will be achieved through working closely with the Ministry of Transportation. These are expected through the implementation of a (highway) corridor study currently being undertaken by the Ministry.
- f. Development caused by highway improvements are the sole responsibility, financial or otherwise, of the proponent. These responsibilities include the construction of the triggered improvements to MTO standards as well as associated works such as property acquisition, servicing connections, utility relocations and additional regulatory approvals.

## 5.5.2 Arterial Roads

- a. An arterial road is considered to be an existing or proposed undivided road of 2-4 traffic lanes which has a nominal basic right-of way width of 26-30 m (83-100 ft.) The right-of-way width may increase at intersections with other arterial or collector roads to 30-35 m (100 -115 ft.) as required for turning movements. New arterial roads should be designed with a 1.5 m wide bike lane on each side in order to support and accommodate safer cycling.
- b. Wherever terrain and traffic flow conditions permit, intersections of new or redesigned arterial roads with other arterial roads, major collector roads or intersections at the terminus of an arterial road will be designed with a traffic circle or in lieu of a traffic circle, will include a generous central median in the arterial road and medians in all roads forming the intersection and, at a minimum, in the road aligning with the arterial road. Road widening to facilitate creation of a traffic circle may be required as a condition of development approval save where the effect would be to require demolition of a building, or comparable hardship. (also see Appendix 3 - road design guidelines for additional details);
- c. Drummond Street is recognized in its function as a secondary arterial road. Its mixed use character, particularly through the well-established residential sections, is intended to be retained. Road widening is only anticipated in areas designated for highway commercial uses and will be avoided in residential areas except when justified and required to improve traffic safety. This road classification is intended to recognize the established road function and not to suggest or support change in the land use pattern.
- d. Limited access to abutting properties is also a characteristic as is the lack of a parking lane. Arterial roads will be shown on Schedule 'B' and include:

- Gore Street from North Street through to Rideau Ferry Road
- Craig Street from County Road 43 to Gore Street
- Drummond Street West from North St to Dufferin St (Hwy 7) (see part C above)
- Drummond Street West from Dufferin Street (Hwy 7) to the intersection with a new collector road extending to County Road 511 (see Schedule B).
- Foster Street from Gore Street to Wilson Street
- North Street from the east boundary of the Town to Wilson Street
- South Street (Scotch Line Road) from Gore Street to the Town boundary
- Sunset Blvd. from Wilson Street to the town boundary
- Wilson Street from Dufferin Street (Hwy 7) to Foster Street
- Wilson Street from Dufferin Street (Hwy 7) northerly to a traffic circle (see Schedule B)
- A new road extending from Highway 7 to North Street and Craig Street, including part of Perthmore Street on the easterly side of the Town in the corridor identified by the Environmental Assessment completed by the Town in 2008 as shown on Schedule 'B' to this Plan. This Plan acknowledges that the location of the new road proposed to extend from Highway 7 south on the east side of Town is generally located and that the alignment of new road connections to Highway 7 may change and evolve.

### 5.5.3 Collector Roads

- a. A collector road is an existing or proposed undivided road with two to three traffic lanes, and a corridor/allowance width of 20 - 26 m [65.6-85.3 ft.] (20 m if there is no median). Collector roads with traffic flows exceeding or expected to exceed an average of 4,000 vehicles a day will be considered Major Collector Roads. New Major Collector Roads shall have a minimum width of 23 m and will include bike lanes.
- b. At intersections with arterials, Provincial Highways, and entrances to new commercial developments, a design with a central median element will be encouraged and the minimum road allowance width may increase to between 26 and 35 m if necessary. Collector roads will be designed to accommodate automobile and bicycle traffic, and should include a bike lane. (see Appendix 3 - road design guidelines for more detail)
- c. They will be designed to collect and carry medium volumes of traffic at speeds of 50-60 km/hr. Collector roads distribute traffic to and from local roads, provide access to abutting properties and may contain parking lanes. Collector roads will be shown on Schedule B and include:
  - Foster Street from Drummond Street to Gore Street
  - Gore Street from North Street to Foster Street

- Drummond Street West from its intersection with a new collector road extending to County Road 511 to the terminus of Drummond.
- Drummond Street East from Craig Street to North Street.
- Drummond Street East from the intersection with Craig Street to the intersection with South Street.
- Harris Street from Drummond Street to Wilson Street
- Harvey Street from Gore Street to Rogers Road
- Peter Street from Wilson to Rogers Road
- Rogers Road from Peter Street to Scotch Line Road
- Sherbrooke Street/Chetwynd Street from North Street to Craig Street
- Wilson Street from Foster Street to Herriott Street
- A new road extending from Drummond Street West to intersect with Wilson Street and County Road 511 not less than 250 m north of and roughly parallel to Highway 7 as indicated on Schedule B here to.

*[in the event of a conflict between the arterial road listed in the text and Schedule B the Schedule shall prevail]*

#### **5.5.4 Local Roads**

- a. All other public roads within the Town are considered to be local roads. Local roads are intended to: have a corridor/allowance width of 18.5 to 20 m (51 to 65.6 ft.) which may increase to 22 m or more at intersections; carry low volumes of traffic at low speeds (40-50 km/hr.); provide direct access to abutting property as their primary function; and include on-street parking (See exceptions under Alternate Development Standards).
- b. Local roads intersecting with higher function roads or which will have average traffic volumes exceeding 500 vehicles per day should have a minimum width of 20 m. Local roads accommodating low volumes of traffic or developed together with rear access lanes, or local roads developed to accommodate alternative design standards in conjunction with policy 5.5.8, may have a reduced width provided the design is to the satisfaction of the Town. Alternative road design standards may also be developed by the Town and approved by Council.

#### **5.5.5 Laneways and Private Roads**

- a. Private roads and laneways within the Town generally perform the same function as *Local Roads* except that they are privately maintained. The intent is that new or existing private roads or laneways may have a narrower corridor width but will meet comparable construction standards as *Local Roads*. New private roads may only be constructed where they service approved condominium developments. It is generally not the intent of Council that these roads be assumed as public roads and Council may require that such notice be registered on title (through the Condominium Agreement) to all properties served by such roads.

The list of identified Private Lanes / roads is provided in Appendix 4 to this Plan. Appendix 4 is not part of the Plan; is provided for information purposes only; and may be modified by the Municipality from time to time as new private roads are recognized or created.

- b. Secondary access for passenger and service vehicles may be provided through rear laneways in new neighbourhoods where alternative design standards are proposed and will be provided for townhouse and other forms of medium to high density housing in new neighbourhoods. Laneways will be designed for low speeds of approximately 20-30 km/hr., and do not have special facilities for pedestrians or cyclists. Laneways typically have a corridor/allowance width of 6 - 10 m (20 to 33 ft.) and, except where other public infrastructure is provided, are anticipated to remain private roads.

### **5.5.6 Road Improvements**

Subject to a feasibility study, to the availability of funding and meeting the requirements of the *Environmental Assessment Act*, Council may undertake the construction of road improvements or require their construction as a condition of development in accordance with the Transportation Master Plan.

- a. Rights-of-way shall be protected in making planning decisions on community development for the above noted roads (see also **Section 5.5.10**) or for redevelopment.
- b. Road improvements may include traffic management measures such as pedestrian walkways, bike lanes and traffic calming as a measure of speed control and safety.
- c. This Plan acknowledges the road network identified on Schedule B and further acknowledges that multiple entities, including MTO, Lanark County, Town of Perth and private sector may be involved in road improvements.

### **5.5.7 Sidewalks**

- a. Sidewalks constructed to an appropriate standard shall be constructed on one side for any local road or collector and on two sides for any arterial road (subject to the availability of funds). In general, sidewalks are not required on residential streets such as a cul-de-sac or local roads with limited potential for through traffic.
- b. The planning of public streets and new development shall evaluate methods to encourage and meet the needs of pedestrian and non-motorized movement including but not limited to cycling. This shall include continuous linkages to or between residential neighbourhoods, shopping areas, institutional uses, parks and open space areas; employment areas and arterial/collector roads.
- c. The Town will plan sidewalks to prioritize universal accessibility and pedestrian safety and incorporate climate adaptation measures.

### **5.5.8 Alternative Development Standards**

- a. Council may permit the construction of a cul-de-sac or local road under an *Alternative Development Standard* where the road is not a through road and is intended to carry a low volume of traffic.
- b. Council may consider alternative development standards for other infrastructure as a



means to provide for more cost-effective and compact development. Local roads accommodating low volumes of traffic or developed together with rear access lanes, or local roads developed to accommodate alternative design standards, may have a reduced width provided the design is to the satisfaction of the Town. Alternative road design standards may also be developed by the Town and approved by Council.

- c. When establishing alternative development standards for local roads, consideration will be given to matters related to on-street parking, emergency vehicle access, maintenance and operational efficiencies, snow storage, drainage and other matters deemed appropriate by the Town.

### **5.5.9 Recreational Trails**

Council may develop a system of recreational trails to be integrated with the road network e.g. reserve lane or boulevard for bikeway or parks and open space system. The trail system should be linked with the Rideau Trail and should take advantage of the linear open space along the Tay River/Canal corridor. Opportunities to access the Tay River/Canal should be advanced through the recreational trail system. Construction standards will be designed to ensure the safety of users particularly where integrated with motorized vehicles. Generally, priority will be given to non-motorized users and universal accessibility, particularly when integrated with motorized vehicles.

### **5.5.10 Cycling & Active Transportation**

During the life of this plan the Town will endeavor to:

1. A cycling and active transportation network, identifying existing and proposed linkages for the Town is depicted on Schedule B to this Plan.
2. Integrate multi-use trails with cycling trails where they do not conflict with each other.
3. New Roads:  
All new collector and arterial roads will be designed to accommodate and facilitate cycling traffic by including bike lanes or through curb lane design.
4. The Town will coordinate and integrate its internal cycling network with those of adjacent municipalities and Lanark County.
5. The Town will work with the cycling community to facilitate a cycling program which will promote:
  - active living and improved air quality;
  - Improved cycling information (e.g., online bicycle route maps, safety information, upcoming events),
  - infrastructure for bicycles (bicycle parking facilities, bicycle maintenance and repair workshops, repair services;
  - incentives for cycling to work, artisan-designed bike racks, on-street bike lanes and markings, and improved safety signage).
6. The cycling network should be designed to maximize the safety of all users.

### **5.5.11 Access to Public Roads**

- (A) The primary access to development lands is considered to be the principal access to a site used by occupants of a development on a daily basis. Primary access will be connected to a thoroughfare that has a minimum right-of-way width of 9 m width for a laneway connection and 18.5 m for a roadway connection, or as otherwise expressed in the Town's Engineering Standards. This policy is recommended for existing development and required for all new development.
- (B) A second public access is required when the distance from the center line of the primary access street to the closest point of the access route at a building's principal entrance exceeds 200 m and/or the total number of households exceeds 100 (NFPA 1141 "Standard for Fire Protection Infrastructure for Land Development in all Suburban and Rural Areas." (now consolidated with NFPA 1140 Standards for Wildland Firefighting) NFPA Standard 1141 is the Standard for Fire Protection Infrastructure for Land Development in all Suburban and Rural Areas. This standard has recently been consolidated with NFPA 1140, the Standard for Wildland Fire Protection. The NFPA adopts codes and standards that are considered best practice, evidence-based and commonly used across North America. The Ontario Fire Code (O. Reg. 213/07) has adopted many NFPA codes and standards and when referenced, they are legally enforceable parts of adopted codes per section. The NFPA standards that are not specifically referenced in the Fire Code – such as NFPA 1140 and 1141 – are utilized by the Town of Perth Fire Services as a best practice and guide to establishing a localized standard in safety.
- (C) Residential projects with one to 100 households require one primary access point. Residential projects with 101 to 600 households require two access points. 601 households or more may require three access points. The Perth Fire Services reserves the right to declare these additional access points as emergency access routes or second public access depending on the operational requirements, topography, rail crossings, etc. of each site as per NFPA 1141 "Standard for Fire Protection Infrastructure for Land Development in all Suburban and Rural Areas.
- (D) Where multiple means of access are required, they shall be located as remotely from each other as practical and acceptable to the Perth Fire Services.
- (E) A split-entry access (primary access divided by an island or boulevard feature creating an entrance and exit at the primary access location) will not be deemed to be the primary access on one side and an emergency access route or second public access on the other side. An incident at this location would render the access inoperable either for additional emergency vehicle access or for occupants exiting the site. A split-entry access is not deemed an emergency access route or second public access. A split-entry access is deemed a single access point.
- (F) All development proposals shall be required to submit plans for streets, emergency access routes, second public access and emergency access gates or bollards are to be submitted to the Perth Fire Services for review and approval prior to the start of any projects. Consideration may be given to the need to modify existing emergency access routes, second public access or fire lanes. Each application will be assessed individually and is not to be viewed as a precedent setting or as an industry standard. Emergency access routes and infrastructure shall be designed to be resilient to the impacts of climate change.

## **5.6 Transportation And Utility Corridors**

- A) It is the intent of Council that existing and planned corridors and rights-of-ways for infrastructure, utilities, roads and rail be protected from land use activities which may interfere with the function and safe operation of these corridors including Highway 7 and the Rail Line.
- B) New development proposed on adjacent lands to existing or planned corridors and rights-of-ways should be compatible with, and supportive of, the long term intended use of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and related facilities.
- C) The Town will attempt to preserve, and reuse abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics.
- D) The Town will promote, where appropriate, the co-location of linear infrastructure.
- E) Other transportation corridors (see Schedule 'B') to be protected include:
  - the identified corridor for the new arterial road from Highway 7, to Craig Street (County Rd 43);
  - the northerly extension of the Drummond Street corridor as an arterial and collector road;
  - the northerly extension of Wilson Street corridor as an arterial and collector road; and;
  - the east-west collector road corridor through the secondary plan area extending from Drummond Street to County Rd 511.

Transportation corridors are intended to include lands for intersection widening, roundabouts and cul-de-sacs.

It is anticipated that the Town will undertake a comprehensive transportation master plan study during the life of this Plan. Any cycling or pedestrian trails or corridors that Council may declare as integral to the transportation system through the Transportation Master Plan study are intended to be protected under this Plan.

- F) Trunk lines for water distribution and sewage collection including pump stations and siphons and corridors for utilities shall be protected to ensure their continuity for servicing development. Without limiting the applicability of the preceding sentence, critical utility corridors shown on Schedule 'B' are intended to facilitate the infrastructure necessary for the growth anticipated by the Plan.
- G) Should there be a need for road widening for the various roads noted above, the identified right-of-way widths for the various road types shall be the widths required as a condition of development under the Planning Act (subdivision, consents, site plan control).

## **5.7 Hydro, Communication And Telecommunication Facilities**

It is the intent of Council to ensure that hydro, communication and telecommunication facilities are adequate to service community development. Planning for new development shall include consideration for cost-efficient routing of utilities and co-ordination in the design and installation of

facilities as part of construction. Preference will be given to the installation of underground services for new development.

Council recognizes that clean, sustainable hydro services are critical for the community's future growth and development. The Town will work with OPG and Hydro One to ensure the community has a robust clean energy supply and infrastructure to support future demands.

Council strongly supports and encourages the enhancement of telecommunications infrastructure as an economic development tool for the community and as a means of supporting and encouraging telework/remote work opportunities. The Town benefits from regional investments in modern, robust telecommunication infrastructure. This infrastructure is critical to advancing the Town's economy and attractiveness as a place to live and invest. The Council will continue to work with others to maintain and improve the telecommunication infrastructure of the area.

## **5.8 Snow Disposal**

New snow storage facilities are not permitted where they would be a significant drinking water threat. Snow storage will not be permitted within the IPZ 10 areas identified on Schedule 'A1' of this Plan. In emergency situations as determined by the Director of Environmental Services for the Town of Perth, snow storage in IPZ 9 is permitted as long as the size of the storage does not exceed 1ha. Snow storage is permitted in the IPZ 8 area but will be avoided if an alternate location outside the IPZ area is available and there must be a demonstrated need for a storage area exceeding 1 ha.

## **5.9 Energy And Resource Efficiency And Community Sustainability**

### **5.9.1 Objectives for Climate Change, Energy Efficiency/Conservation and Community Sustainability**

- a. The intent of this Plan is to create a community whose land use planning decisions result in well managed growth which is: energy efficient, generates less waste, have the potential to generate energy, supports renewable energy sources and is designed to be environmentally and fiscally sustainable. A primary objective of the Town's planning review and approval processes will be to maintain and preferably enhance the quality of the built and human managed environment and the natural environment.
- b. The Town of Perth has adopted the Climate Change Action Plan in 2017 which recognized that the Corporation of the Town of Perth and the broader community both have responsibilities in reducing greenhouse gas emissions, while building a local green economy, lowering utility costs and building an inclusive culture of sustainability. The Climate Change Action Plan establishes reduction targets as a means of monitoring advancements in reducing greenhouse gas emissions, mitigation and adaptation, including the advancement of nature-based solutions. Council will continue to monitor and support the implementation of the Climate Change Action Plan.
- c. Individuals and representatives of the development industry when filing planning applications

will be expected to demonstrate how their development proposals have taken into account the applicable principles of this Plan and the Climate Change Action Plan with regard to mitigation and adaptation, climate-resilient design, community sustainability, energy efficiency/conservation, energy production, landscaping/tree planting and environmental protection.

- d. The underlying objective for energy and resource efficiency is to minimize the consumption of non-renewable energy sources, to reuse and recycle manufactured or human-made materials and to reduce the amount of waste generated by individuals, households, businesses and institutions. The extent to which energy may be saved will depend on an integrated approach which involves municipal planning approvals, building and site design, consumer behavior and lifestyle changes. The municipality in playing a leadership role will influence change in the pattern of energy consumption and efficiency through pre-consultation, through ongoing grant, refund and incentive programs that encourage energy and resource efficient building components and designs, and by providing information that influences the decisions made during the design and development process.
- e. The underlying objective for community sustainability is to support and approve development which meets the needs of the present without compromising the ability of the community to meet its future needs. Sustainable development is a process of managing change which integrates human needs and lifestyle interests with the need to conserve, restore or improve the biodiversity of the natural environment, and human managed environment. Land use decisions will include sustainable design measures for transportation, infrastructure, energy systems, waste management and the use of natural resources. The objective for community sustainability is also intended to be adaptive to innovative design and new technologies that support the long term environmental and economic health of the municipality.

## **5.9.2 Principles for Energy Conservation**

- a. Council recognizes and supports initiatives for renewable energy projects and intends to promote complimentary initiatives through local land use decisions and municipal actions based on the following principles:
  1. Reducing the dependence on non-renewable energy sources by:
    - supporting increased use of innovative, renewable energy generation sources such as: solar, geothermal and wind power when approving new development or redevelopment;
    - supporting conservation/efficiency measures that reduce energy demand such as: correcting heat loss, reuse of waste heat, and decreased use of non-essential outdoor lighting;
    - Building and site design undertaken with the intent to minimize the amount of non-renewable energy that is needed to service the structure in terms of efficient heating, hot water, cooling, lighting and other sources of power demand and ventilation
  2. Optimizing energy use through:
    - supporting energy efficiency in building and infrastructure design by encouraging use of innovative technologies such as passive solar, wind and geothermal energy sources, energy efficient appliances, and more durable and reusable building materials

*(example is construction of LEED - Leadership in Energy and Environmental Design buildings)*

- supporting efficient energy conservation in building and infrastructure repair and reconstruction (e.g. insulation, vapour barrier and heating system retrofits),
  - supporting use of new design technologies that reduce energy demand such as: green roofs/roof gardens, enhanced insulation, use of energy efficient building materials, planning for shade trees, wind breaks and natural ventilation)
3. Encouraging design concepts which use district or multiple unit heating sources and/or waste energy sources
  4. Encouraging and designing for the recycling of waste heat
  5. Closing the loop by the principle of designing for continuous reuse and recycling within the built environment;
  6. Increasing diversion of material from the landfill site to approximately 60 to 65% of the waste stream during the life of the plan and optimizing diversion consistent with provincial initiatives. This may include reducing the scope of the current waste stream.
  7. Building in a life-cycle costing analysis of energy use, including maintenance cost, into planning approvals, particularly, but not exclusively, with regard to services being assumed by the Town.
  8. Ensuring that the design industry reduces the total amount of resources required to develop and operate buildings and properties (e.g. using local materials, minimizing building wastes, examining the energy consumed per unit of building product and building process such as the forms of construction, production technology, transportation and assembly and dismantling of building components)
  9. Promoting property retrofits and rehabilitation to meet or exceed building code standards
  10. Making equipment and supply purchases, establishing local regulations and encouraging upper levels of government to implement measures that will lead to reduced greenhouse gas production, waste reduction and increased reuse and recycling.

### **5.9.3 Principles for Community Sustainability**

- a. Council's intent is to pursue a program that integrates the principles of community sustainability with community development and redevelopment. The program will be guided by the following principles:
  1. General
    - i) Initiating lifecycle costing, inclusive of operational costs, repair costs, durability, climate-resilient materials, and recyclable content to avoid or minimize negative impacts on the natural environment over the life cycle of a building, infrastructure or site development while achieving the highest possible beneficial effect and restoration or reinstatement of the natural environment.
    - ii) Maintaining the integrity of existing ecosystems through the conservation and improvement of habitat for flora and fauna and wildlife linkages and corridors. Existing sensitive ecosystems and wildlife corridors will be respected and to the greatest extent

feasible, the intent will be to improve the biodiversity (species composition and abundance) of plant and animal species in protected areas through conservation and compensation measures implemented or assured through planning and development approvals.

- iii) Conserving and, wherever feasible, enhancing and improving the quality of surface and groundwater sources and municipal drinking water supplies. This may include the promotion of low impact stormwater solutions and increased use of permeable surfaces.
- iv) Reducing the municipality's carbon footprint by programs to improve the health and the extent of urban forest; maximizing the retention of vegetation cover, particularly tree cover and hedge rows, in land and infrastructure development; and through improvements to river corridors, road allowances and parkland in the Town.
- v) Reducing the consumption of water resources through low-use water fixtures, reuse of grey water/wastewater, harvesting and recycling rainwater, use of swales, using low water demand and drought resistant plants for landscaping etc.
- vi) This Plan is intended to be supportive of sustainable local food systems and advancing the cause of food security. Supporting opportunities for localized food production (food-security) through communal and shared garden plots, roof gardens and home-based vegetable farming on underutilized spaces (e.g. fair grounds, park land, residential rear yards, and institutional sites). Council may permit household scale urban agricultural uses involving the rearing of small livestock such as chickens, ducks, small game fowl, rabbits or comparable animals by zoning amendment together with enabling amendments to the Town's animal control and property standards by-laws which shall ensure noise control, acceptable waste management and good animal husbandry practices.
- vii) Regulating and controlling noise pollution to meet MECP noise protocols for day and night sound levels;
- viii) Optimizing building and infrastructure lifespans by supporting durable structural design and directing development away from unstable soils by requiring Geotechnical/Land Stability Studies;
- ix) Reducing night sky and light intrusion by using and encouraging ground oriented and directional lighting and discouraging use of night-long lighting or illuminated fixtures or signs for non-essential purposes.
- x) Using environmentally friendly (benign) materials, equipment and products that can be continuously reused, recycled and reintegrated and encouraging use of locally produced resources and materials to minimize transportation costs and energy use.
- xi) Maintaining a positive, welcoming, visual aesthetic in the downtown and through all of the neighbourhoods and commercial areas of the community through such measures as community improvement plans, design guidelines, beautification programs (including public art), regular street and boulevard cleaning and maintenance, consistent signage, upholding property standards ,animal and waste control programs

## 2. Transportation

- i) Reducing the need for motorized transportation by shifting urban design to emphasize

safe cycling routes, pedestrian walkways and pedestrian-friendly street design; neighbourhoods featuring commercial services and shopping opportunities within reasonable walking distance; by planning for and making better use of transportation services such as car pooling, car sharing, shuttle and private or public commuter transit services and

- ii) Providing preferential parking for energy efficient vehicles, carpooling, and drop-offs;
- iii) Facilitating the secure storage (including covered storage), parking and access for bicycles in the downtown core and for all non-residential development;
- iv) Ensuring that all new streets have at least one sidewalk and that a sidewalk is provided on at least one side, wherever physically practical in the redevelopment of existing streets.

### 3. Infrastructure and Waste Management

- i) Designing buildings and infrastructure at the outset to emphasize quality and longevity (50 years minimum) and the reuse, recycling or remanufacture of construction materials;
- ii) Offering grant and rebate programs, for use of recyclable materials and reduced waste construction practices whenever permissible under provincial legislation,
- iii) Encouraging industrial manufacturers to share resources (i.e. one manufacturer using another's waste as a resource)
- iv) Maintaining and enhancing municipal waste recycling, reuse, reduction and reintegration programs

### 4. Community Design

- i) Reshaping the transportation modes and patterns within the Town to establish more balance between motor vehicles and other means of travel with improved pedestrian and cycle friendly designs, routes and facilities. Design initiatives will also coordinate cycle and pedestrian routes with the bordering municipalities and with Lanark County (see also Cycle Friendly Policies);
- ii) Designing building envelopes to optimize the retention of natural features, retain soil and vegetation cover, reduce or minimize hard surfaces or replace with porous surfaces, retain and recycle storm-water;
- iii) Encouraging the adaptive reuse of buildings for residential intensification, notably upper floors of buildings in the downtown core. Encourage the adaptive re-use of non-residential buildings (vs. demolition);
- iv) Promoting more mixed use development in the downtown core to encourage: an increased presence of residents; higher levels of activity outside of traditional business hours; and to reduce the need for motor vehicle use;
- v) Designing to promote proximity of residential buildings and occupancies to other community facilities such as shops, schools, workplaces, recreation areas etc., to reduce the need for motor vehicle use;



- vi) Continuing to encourage residential intensification through development of vacant building lots and blocks. Intensification targets will be a minimum average density of 20-30 units per ha [8-12 units per ac.];
- vii) Emphasizing designs that restore impaired habitats, rehabilitate brownfield sites, and conserve the continuity of existing ecosystems, including landscaping and tree planting;
- viii) Reducing heat-island effect through greater energy efficient design, retention of green ground cover/vegetation, reduced hard surfaces, retaining shade producing vegetation and wind cooling between buildings;
- ix) Designing to reduce light and noise pollution (e.g. minimize misdirected and upward light, limiting the height of luminaries to prevent light trespass on adjacent properties, use energy-saving lights, using light sensors to minimize light usage, control architectural signage and billboard lighting to keep light spill to a minimum, control flood-lighting).

## 5. Site Design

- i) Limiting or phasing cleared areas during construction
- ii) Retaining and stockpiling materials for reuse
- iii) Designing to minimize the building footprint
- iv) Minimizing excavation, compaction and grade/slope alterations
- v) Orienting and designing to optimize solar gain
- vi) Designing to avoid wind tunneling/ channeling
- vii) Designing to respect or allow natural movement corridors to permit movement or migration of animals, plants and natural processes such as seasonal fauna movements or preserving water channels under built features;
- viii) Reducing hard surfaces and increasing porous surfaces;
- ix) Maximizing site biomass through generous landscaping and/or retention/restoration of vegetation cover
- x) Using runoff water on site to reduce demand for outdoor watering or to reintroduce/ support naturalized habitats
- xi) Using textured and natural building materials or alternative materials that can be recycled and/or help preserve biodiversity
- xii) Designing for reduced property maintenance through the use of natural products, native plant species, or low water demand plant cover.

## 6 Implementation

- i) Council will ensure a comprehensive and sustainable approach to development by requiring that new Greenfield areas and/ larger development sites are planned in an integrated and holistic manner. Phased development of new greenfield sites is anticipated and approved phasing plans will be detailed in related development agreements.
- ii) Applications for large scale development or the initial phase of development on lands

with potential for additional development shall submit a sustainable design report which demonstrates:

- how a proposed development will sustain sensitive natural heritage features or retain character defining natural features of a site such as hedgerows or stands of healthy, mature, indigenous trees;
  - a sustainable building or project design that addresses or creates interconnectedness between natural features, the site topography, the surrounding landscape and the intended built form,
  - a cohesive and sequential relationship of the development project to existing or planned development on adjacent properties, including the integration of infrastructure and utilities and will include energy conservation features;
- iii) Council will revise the zoning by-law to incorporate standards that support efficient use of land, energy and public infrastructure, and foster community sustainability and discourage inefficient development design.
- iv) The municipality will modify the planning approvals procedures to ensure energy conservation and community sustainability principles are considered during the pre-consultation process;
- v) Proposals for or predominantly featuring dispersed, low density residential development will be required to submit a Municipal financial impact/sustainability report that demonstrates:
- the project will generate sufficient water and sewer rate revenue for the maintenance and capital replacement of the infrastructure within the development and extending to and beyond the project; (Municipal Water and Sanitary Sewer Financial Sustainability Report); and
  - the project will generate sufficient tax revenue for maintenance and capital replacement of the road network and associated infrastructure, and contribute to all other municipal services in a manner comparable to the distribution of current residential tax revenues.

## **5.10 Source Protection Policies**

The Clean Water Act, 2006 was created by the Ontario government to implement the recommendations in Justice O'Connor's "Report of the Walkerton Inquiry" 2002. The Report of the Walkerton Inquiry highlighted the need for a watershed based, multi-barrier approach to prevent overuse and contamination of drinking water. The first barrier (level of protection) is protecting drinking water at the source.

To protect drinking water sources and to meet the requirements of the Clean Water Act, 2006, every Source Protection Region in Ontario must develop and implement a local Source Protection Plan (SPP). The SPP describes the actions and measures to be taken by various implementing agencies, including municipalities, to protect surface and groundwater sources supplying municipal drinking water. The policies created by the SPP are binding upon the implementing agencies once the SPP receives provincial approval.

The Town of Perth is included within the Mississippi-Rideau Source Protection Plan (MRSP) which

came into effect on January 1, 2015.

The established vulnerable areas within the boundaries of the Town of Perth are:

- Perth Intake Protection Zone (IPZ) – the area primarily, upstream of the intake at the Perth Water Treatment Plant on the Tay River, on Sunset Boulevard, where land use activities have the potential to impact the quality of water at the intake as shown on Schedule ‘A1’. There are legally binding policies in the MRSPP that apply in the IPZ to specifically protect the Town’s drinking water source.
- Highly Vulnerable Aquifer (HVA) the entire Town is within an identified HVA – an aquifer that is vulnerable to surface contaminants due to overlying soils that are thin or absent and bedrock that is fractured. There are non-legally binding policies in the Source Protection Plan to encourage the protection of groundwater throughout the HVA. These policies will be considered when planning applications are reviewed.
- Significant Groundwater Recharge Area (SGRA) – an area where an aquifer is readily replenished through the infiltration of rainfall and snowmelt because of gravel deposits or other soil features (refer to the MRSPP for regional scale mapping). There are no policies in the Source Protection Plan that specifically apply in the SGRA, however, measures to protect groundwater region wide are set out in this Plan.

The following policies establish how the Municipality will implement the Source Protection Plan within the Town. Some of these policies are to be implemented through planning policy changes, while others are related to the operations of other municipal departments (i.e. Fire Department, Public Works), or through administrative processes, while others are educational in nature.

It is anticipated that the Source Protection Plan will be revised to align with the 2021 SWP Technical Rules. Once completed and approved, the revised Source Protection Plan will be in force and effect and will govern this Official Plan and Planning Act decisions.

### **5.10.1 Source Water Protection Goal Statement**

The intent of this plan is to protect drinking water sources by establishing policies that are consistent with the Mississippi-Rideau Source Protection Plan (MRSPP).

### **5.10.2 Source Water Protection Objectives**

The Source Protection Goal of this Plan will be achieved through the following measures:

- 1 – ensure decisions of council conform with the MRSPP
- 2 – identify IPZ areas on an overlay schedule to the Plan
- 3 – ensure procedures are in place to implement the MRSPP during review of development applications
- 4- ensure appointment of a Risk Management Official
- 5 – support education and awareness programs and incentives
- 6 – consider implementing non-legally binding policies of the MSRPP as resources permit

7 – undertake annual reporting as required.

- a) Ensure decisions of Town Council conform to or implement the policies of the Mississippi-Rideau Source Protection Plan
- b) Identify the Intake Protection Zone (IPZ) with vulnerability scores of 8, 9 or 10 as established by the MRSPP as an overlay of Schedule ‘A’; the Land Designation Schedule;
- c) Ensure appointment of a Risk Management Official (RMO) or maintain an enforcement transfer agreement with another agency which has an appointed RMO (such as the Conservation Authority or Health Unit). A RMO is required to enforce the Source Protection Plan policies that invoke Part IV of the *Clean Water Act*. These policies either prohibit activities under Section 57 or require a Risk Management Plan (to reduce risks to drinking water sources) under Section 58 of the *Clean Water Act*.
- d) Ensure procedures are in place to enable planning and building staff to ensure source protection requirements are met during the review of all development applications and in collaboration with the RMO when appropriate.
- e) Raise awareness about drinking water sources and promote good stewardship practices to protect them by establishing an education and outreach program in cooperation with the Source Protection Authority (i.e. Conservation Authority).

### **5.10.3 Policies and Procedures for Lands Subject to the Source Protection Plan**

- a. Lands shown on overlay Schedule ‘A1’ are Intake Protection Zone (IPZ) areas where Planning Act and Building Code Act applications will require a clearance notice from the RMO. This is to ensure activities prohibited under Section 57 of the Clean Water Act and activities requiring a Risk Management Plan under Section 58 of the Clean Water Act (to reduce risks to drinking water sources) do not proceed until these requirements have been met. An application may proceed without a notice from the RMO if the applicant demonstrates to the satisfaction of the planning authority or the Chief Building Official that a designated drinking water threat activity will not be engaged in. The Source Water Protection Checklists in Appendix 12 can be used for this purpose.
- b. The land uses and land activities that will be prohibited from being introduced in the IPZ areas identified on Schedule A1 are as follows:
  - i. Sewage Treatment Plant Effluent Discharges in areas having IPZ scores of 8, 9, or 10
  - ii. Industrial Effluent Discharge within areas having IPZ scores of 8, 9, or 10
  - iii. Combined Sewer Discharge outlet within areas having IPZ scores of 8, 9, or 10
  - iv. Sewage Treatment Plant By-pass discharge within areas having IPZ scores of 8, 9, or 10
  - v. Waste disposal sites, within areas having IPZ scores of 8, 9, or 10
  - vi. Large Storage of Sewage (e.g. treatment plant storage tanks) within areas having IPZ scores of 9 or 10;
  - vii. Stormwater Management Facility within areas having and IPZ score of 10:

- viii. fuel storage at a bulk plant, gas station or refinery within an area with an IPZ score of 10,
  - ix. road salt storage of more than 5,000 tonnes within an area with IPZ- score of 9 and more than 500 tonnes within an area with an IPZ score of 10;
  - x. snow storage/disposal sites shall be less than 1 ha in an area with an IPZ-score of 9 and shall not be located in area with an IPZ score of 10
  - xi. Commercial or bulk storage of fertilizer in amounts exceeding 2,500 kg within an area with an IPZ score of 10
  - xii. Commercial or bulk storage of pesticides within areas having IPZ scores of 9, or 10;
  - xiii. development not connected to municipal sanitary sewer services within an area having an IPZ score of 10.
- c. It may be necessary to determine whether development, site alteration or proposed land uses as identified and defined by the MRSPP, may constitute a significant drinking water threat. Uses of land that may require site specific management measures, such as a Risk Management Plan, may be subject to holding zones or other development regulation will include:
- i. Fuel storage supply for on-site heating within an area with an IPZ score of 10
  - ii. Agricultural manure storage or manure application within areas having IPZ scores of 8, 9, or 10;
  - iii. Large scale drainage management projects or facilities within areas having IPZ scores of 8, 9, or 10;
  - iv. Major construction projects (such as high density residential uses, industrial building, shopping centre, business park, residential subdivision, or solar farm) within areas having IPZ scores of 8, 9, or 10.
- d. The Zoning By-law will be amended to implement these policies and ensure appropriate control on development regulated by the MRSPP.
- e. The Town will work with the Source Protection Authority to ensure the protection of the drinking water supply within the identified Intake Protection Zones.
- f. The “Source Water Protection Checklists attached hereto as Appendix 12” be used as a guide to determine if an application should be approved or reviewed by the RMO.
- g. The location of SPP areas are shown as overlays on Schedule ‘A1’. The uses permitted and the form of development shall be considered in accordance with the applicable provisions of this Plan and required to implement the intent of the Source Protection Plan. In the event of a discrepancy between the boundaries of the areas shown on Schedule ‘A1’ and those identified in the MRSPP the provisions of the MRSPP will prevail.
- h. All industrial, commercial, institutional, open space and high density residential areas located within Source Water Protection areas identified on the Schedule ‘A1’ overlay shall be subject to Site Plan Control in accordance with the policies of Section 9.12.12.
- i. Council shall amend the existing by-law for sanitary sewer connection to require that all development generating sewage located on lands in IPZ areas on Schedule ‘A1’ identified as

having a vulnerability score of 9 or 10, within the Town, shall be connected to the sanitary sewer where sewer services are available. In areas with a vulnerability score of 9, Septic systems may be permitted as an interim measure until piped municipal services are available. Areas with a vulnerability score of 10 will be considered premature for development if piped municipal sanitary services are not available.

- j. By February 1 of each year, Council shall ensure the Source Protection Authorities are provided with a summary of implementation activities for the previous calendar year related to the legally binding policies where the Municipality is responsible for implementation.
- k. Council shall ensure a Road Salt Management Plan is prepared and implemented within an IPZ with a vulnerability score of 10 where the application of road salt is considered to be a significant threat to the drinking water source. As resources permit, the Road Salt Management Plan may also be implemented elsewhere in the Municipality to help protect the Highly Vulnerable Aquifer from the effects of road salt application.
- l. Council will ensure that the Town's sanitary sewer monitoring program meets the objectives of the Sanitary Sewer Maintenance Program described in the Source Protection Plan and required within the IPZ with a vulnerability score of 10. Although not required by the MRSP, to further protect source water this policy will also apply to areas with a vulnerability score of 9.
- m. To provide a measure of protection to the Highly Vulnerable Aquifer underlying the Town, construction of new wells within the Town's jurisdiction will be discouraged except in location where it can be demonstrated that access to the municipal water supply is not feasible. Areas that ultimately are intended to be provided with municipal water will be considered premature for development if it is not practical to extend services at the time development is proposed. The Town will collaborate with other government agencies to ensure any wells that are shut down or abandoned are appropriately decommissioned.
- n. Within a significant Groundwater Recharge Area only residential, recreational open space and conservation uses will be permitted. Residential development will be limited to 40% lot coverage or less for impervious development features. Use of Low Impact Development approaches and green roofs on high density buildings will be encouraged.
- o. Subdivisions, condominiums or other projects greater than five lots or proposing extensive areas of impermeable surfaces shall be supported by a site evaluation report (SER) undertaken in consultation with the RVCA. An SER will evaluate the existing water quality of the water-body, the quality and volume of anticipated drainage water, impacts and loadings of anticipated contaminants, soil type and grade conditions, storm-water management options and the nature and extent of existing vegetation.
- p. Proposals for new lots adjacent a water-body should only be considered where the building and development site will be setback a minimum of 30 m from the Shoreline Standard Elevation (see Section 10). Within the 30 m setback measures will be taken to ensure no disturbance of native soil or grades and to ensure removal of shoreline vegetation will be kept to a minimum.
- q. Zoning By-law requirements should ensure that development on existing lots of record will be set back a minimum of 30 m from the normal high water mark. Where the depth of an existing lot is such that this setback cannot be applied, development similar to or smaller than the scale of existing development on adjacent lots may be considered but shall be placed as far from the water as possible. Reconstruction should be no closer to the shoreline and no more

extensive than the existing building. Enlargement of the existing building foot print should be at the minimum 30 m setback. A lesser setback may only be considered where the vegetated portion of the lot will exceed 35%, and most of the shoreline setback is either covered by existing native vegetation or will be covered by ensuring restoration of native vegetation.

- r. Work in partnership with adjacent municipalities, the Conservation Authority, provincial ministries, the Health Unit and other partners to develop and implement practices that maintain and improve the quality and quantity of water in local surface and ground-water resources, and to protect headwater areas from land uses that have potential to contaminate downstream water systems.
- s. Co-operate with the Conservation Authority and adjacent municipalities in identifying and mapping surface water features, groundwater features, hydrologic functions and natural heritage features and areas which are necessary for the ecological and hydrological integrity of the watershed.

## 6.0 HERITAGE

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### **6.1 Statement Of Purpose**

To provide the Town of Perth with the appropriate mechanisms for the conservation of the Town's heritage resources including built heritage resources, cultural heritage landscapes, and known or potential archaeological resources, for the benefit of the community and posterity, by identifying, recognizing, protecting, improving, and managing those resources.

### **6.2 Goal Statement**

To preserve Perth's built, cultural, and natural resources while ensuring its growth and economic prosperity and to establish the conservation of Perth's heritage resources as a primary element in the planned management of change; and

To use the protection of Perth's heritage resources as a goal of planning for land use and economic development.

### **6.3 Objectives**

- A) To provide Perth with the necessary tools to, identify, conserve and enhance its heritage resources;
- B) To provide a framework for achieving the most appropriate balance between development or redevelopment and heritage conservation in a manner consistent with the Provincial Policy Statement;
- C) To adopt a proactive approach towards heritage resource conservation by identifying specific areas and sites that have or encompass heritage resources and through policies and programs that support maintenance and restoration of built heritage resources and cultural heritage landscapes;
- D) To integrate the conservation of Perth's heritage resources into the Town's planning and development activities;
- E) To create one or more Heritage Conservation Districts that recognize, support and conserve areas and heritage features vital to the heritage character of the Town, in accordance with the *Ontario Heritage Act*.
- F) To sustain a positive first impression of Perth through enhancement of the physical setting;
- G) To encourage or require the exterior design of new development to reflect the heritage character of Perth; and
- H) To celebrate the founding of Perth in a manner that highlights the heritage character of the Town and serves to renew the community's awareness and appreciation of heritage resources from all periods of the Town's history, including pre-colonial history.
- I) To incorporate heritage elements into the Town's Urban Design Guidelines.



## **6.4 Heritage Character Statement**

### **6.4.1 Reasons for its Heritage Value**

Perth has been long recognized, both provincially and nationally, as a heritage community that values its built heritage resources and cultural heritage landscapes as key contributors to the community's sense of place. Its architectural elements, designed landscapes, and natural heritage features combine visual appeal with practical function.

Since its inception as a military settlement in 1816, Perth has been the service and cultural center for the adjacent rural region. As noted by Larry Turner: "few communities have been able to protect its generational identity like Perth, where landscape and architecture have evolved and meshed to create a small treasure of a town". The town site was laid out as a gridiron pattern, at odd angles to the compass that responded to the geometry of the Tay River and has conveyed a 'romantic' or 'picturesque' flavor to the engineered system of four-acre blocks, park lots and streets.

Perth is different from many other towns in that the original town site was laid-out and planned as a whole and the Town has developed in concert with the original design rather than growing piecemeal. Consequently, the heritage attributes of Perth extend beyond the commercial core to encompass the features of the original 1816 Survey Plan (see appendix 9). In fact, the subsequent development of the built-form of the Town not only implements the vision of the original town plan but is the foundation of the heritage character of Perth today, after almost 200 years of community history.

Perth's surviving architectural heritage dates back to the early 1820s and includes both landmark and vernacular buildings from all periods since that time.

The Tay River/Canal, its marshes, and farmland are an integral component of the landscape as well as a defining feature within the town itself. The Tay Canal and Basin were constructed as a commercial link to the Rideau Canal and are recognized as an integral component to the Rideau Canal waterway. The Rideau Canal system has been recognized by UNESCO as a World Heritage Site. The Tay Canal, the Tay Basin and the Tay River are vital elements of the Town's cultural heritage as a historic navigation corridor to the heart of the downtown. They have and will continue to play a role in defining the Town's character and supporting the economy of the commercial core. It is the intent of this Plan to ensure that the heritage value and unique characteristics of the UNESCO site features are recognized and conserved and that new development and redevelopment will respect this cultural heritage landscape.

*\*\*Larry Turner, Perth, Tradition & Style in Eastern Ontario, Toronto, 1992, p.25*

### **6.4.2 Character Defining Heritage Attributes**

The townscape of the downtown core and surrounding neighbourhoods, in which the evolution of Perth is shown in representative examples of buildings and landscapes from all periods of the town's history, is essential to Perth's character. The use of local materials, in a variety of vernacular and imported styles, is also characteristic and establishes a coherent appearance. Consistent building heights, massing and setbacks are also essential.

The consistent use of local stone in all types of buildings is a defining characteristic, as is the

compatible use of wood and brick. The downtown streetscape is distinctive in that it is a largely intact townscape of urban scale buildings (2 to 3 storeys) built to the street line and representing key periods in the town's history. Much of the town is developed in a grid pattern in which a compact, mixed use downtown core is surrounded by predominantly residential areas.

The high level of conservation of heritage resources is distinctive and essential. The integration of the river corridor and public open space with the neighbourhoods and downtown is also distinctive and essential. Specific design features, such as axial vistas along streets, are unusual features that are distinct to Perth and important elements of its character. Also important are the views, within the core, of the Tay River /Canal, the Basin as the terminus of navigation, the Town Hall (a national historic site), streets terminating with views of institutional sites, built heritage resources, and parklands and those, out from the core, of the surrounding rural countryside.

The Table in Appendix 9 should be referred to for identification of additional heritage character features and attributes.

## **6.5 Heritage Resources**

The definitions of terms used in the following policies may be found in Section 10.2 of the Plan and are derived in large part from the Provincial Policy Statement and form the foundation of the policies of this Plan:

### **6.5.1 Adjacent Lands**

For the purposes of evaluating potential impacts of development and site alteration on built heritage resources or cultural heritage landscapes, 'adjacent lands' includes:

- Contiguous (abutting) land or other properties where the positioning, or design features, or the scale of a development or redevelopment may impact a heritage site;
- A property that is separated from a designated heritage property (within the meaning of the *Ontario Heritage Act*) by a narrow strip of land used as a right-of-way, walkway, green space, park, and/or easement and whose recognized 'cultural heritage value or interest' would be impacted by proposed development and/or site alteration;
- Lands adjacent to natural heritage features and waterways; and/or
- Those properties whose 'cultural heritage value or interest' were identified within the following:
  - a. A designation By-law enacted under the *Ontario Heritage Act*;
  - b. Within a heritage easement enacted under the *Ontario Heritage Act*;
  - c. Within a Heritage Conservation District Plan;
  - d. Within the Town of Perth's Official Plan; and
  - e. Who's recognized 'cultural heritage value or interest' would be impacted by proposed development and/or site alteration.

## **6.6 Heritage Conservation Policy**

### 6.6.1 Identification and Recognition of Heritage Resources

- a. Council shall manage the following types of cultural heritage resources including buildings, sites, and landscapes which give Perth its special character and that can ensure its future well-being. (For the purposes of this Plan, HPAP's list of heritage buildings was and will be used as an inventory for built heritage resources while other heritage resources were identified in the Community Profile in 1999, in accordance with the Ontario Heritage Act):
  1. Built Heritage Resources include- Designated heritage properties and heritage resources identified in a Heritage Conservation District (See Appendix 1 for a list of properties designated under *Part IV* of *The Ontario Heritage Act*).
  2. Cultural Heritage Landscapes include:
    - **Designed Landscapes-** Stewart Park, Conlon Farm, Tay River corridor, Rideau Trail, cemeteries (Old Burying Ground, Methodist Cemetery and Elmwood Cemetery), and the classic grid layout of the Town with buildings to the street line;
    - **Evolved Landscapes-** Perth's downtown core and basin and canal lands;
    - **Associated Landscapes-** Perth Fairgrounds;
  3. Archaeological Resources
  4. Natural Features (Provincially Significant Wetland's):
    - Blue Berry Creek and Wetland complex
    - Grant's Creek Wetland
    - Perth Long Swamp Wetland
    - Tay River/Canal and Grant's Creek systems.

### 6.6.2 Conservation of Heritage Resources

- a. It is a policy of Council:
  1. To undertake a review of the Municipal Heritage Advisory Panel's (HPAP) list of heritage buildings, as well as maintain and update a comprehensive inventory and evaluation of built heritage resources and cultural heritage landscapes in accordance with Section 27 of the Heritage Act, as amended.;
  2. To encourage the identification, research, documentation, conservation, restoration, protection, maintenance and enhancement of heritage resources.
  3. To have regard for built heritage resources and cultural heritage landscapes and shall, wherever possible, incorporate and encourage measures for their conservation when considering development approvals or public works.
  4. To encourage and support individuals and heritage interest groups in recommending potential built heritage resources and cultural heritage landscapes for inclusion on the Town's heritage list, in accordance with Section 27 of the Heritage Act, as amended.

5. To designate individual buildings, structures, sites and landscapes as heritage properties under *Part IV* of the *Ontario Heritage Act* and/or recognize properties of historic interest on the Town's official heritage registry.
6. To conserve cultural heritage resources in accordance with the most current protocols and best management practices including but not limited to:
  - the Standards and Guidelines for the Conservation of Historic Places in Canada; and
  - the Guiding Principles for Conservation of built heritage properties as developed and revised from time to time by the Ontario Ministry of Tourism, Culture, Gaming and Sport.
7. To ensure that development within the Town is adequately and harmoniously integrated and blended with built heritage resources and cultural heritage landscapes in such a manner as to respect, preserve, and enhance the heritage resources.
8. To protect and enhance the distinguishing qualities, features, and character of cultural heritage landscapes, as defined in the Heritage Character Statement of this Plan.
9. To encourage the retention of yards, gardens, trees, and landscaped grounds of heritage sites.
10. To identify sites of archaeological potential in accordance with Section 6.8.1 of this Plan. Further, as a condition of any development proposal for a subdivision, major commercial or industrial development, Council shall require an archaeological assessment by a licensed archaeologist (as required by Provincial regulations) and shall facilitate conservation of any archeological resources and/or the mitigation of possible impacts of any proposed intervention in these sites.

### **6.6.3 Protection and Improvement of Heritage Resources**

- a. It is a policy of Council:
  1. To encourage owners who wish to protect their property in perpetuity to place a covenant to that effect on the property's title (the Heritage Easement Agreement of the Ontario Heritage Trust is one example of such a covenant).
  2. To implement a heritage grant program for owners of heritage properties designated under *Part IV* of the *Ontario Heritage Act* or located within a Heritage Conservation District under Part V of the Act.
  3. To consider the preparation of an archaeological management plan and a cultural plan as a means to conserving cultural heritage and archaeological resources.
  4. To consider participating in heritage grant programs or other financial aid programs of other levels of government or of non-governmental organizations.
  5. To enter into heritage easement agreements with owners of designated heritage resources who are recipients of grants.
  6. To undertake public works programs such as tree planting, landscaping, street improvements, underground wiring and the provision of street furniture, lighting,

signage, and other streetscape components, to enhance the environs of heritage resources, and to design and construct such works in accordance with the design guidelines included as appendices to this Plan.

7. To utilize other programs administered by the Town of Perth, such as heritage tourism, to further Council's heritage objectives.
8. To require any person who proposes to demolish or alter a designated heritage site to submit plans to Council for approval under the *Ontario Heritage Act*.
9. To require applicants wishing to demolish properties designated under the *Ontario Heritage Act* to prepare a heritage impact statement that demonstrates to Town Council's satisfaction the rationale for the proposal and shows the ways in which the new construction will not adversely impact the character of its surroundings.
10. To not issue a demolition permit until a building permit for new construction has been issued.
11. During development if a site is identified as containing an unmarked cemetery or burial site, the municipality shall contact the Province and local aboriginal communities. The provisions under the *Ontario Heritage Act*, *Cemeteries Act* and the *Funeral, Burial and Cremation Services Act* shall apply.
12. Development, lot creation, and site alteration including any public work, private development, consent or zoning by-law amendment or site plan approval, plan of subdivision or condominium, or any development requiring approval from the Committee of Adjustment shall not be permitted on adjacent lands to a protected heritage property except where the proposed development and site alteration has been evaluated in a heritage impact or archaeological assessment completed by a qualified professional and the evaluation demonstrates that the heritage attributes of the protected property will be conserved.
13. Council will consult with Aboriginal communities in conserving cultural heritage and archaeological resources involving aboriginal interests

#### **6.6.4 Management of Heritage Resources**

- a. It is a policy of Council:
  1. To maintain a heritage advisory committee known as the Heritage Perth Advisory Panel (HPAP) to advise and assist the Council on heritage matters.
  2. To provide support and encouragement to organizations (such as the Perth Museum) and individuals who undertake the conservation of heritage resources by private means; though efforts comparable to those that are guided by the Town's Heritage Perth Advisory Panel (HPAP).
  3. To consult with the HPAP on all matters and development applications that pertain to, or may impact, heritage resources.
  4. To co-ordinate its heritage planning and programs with other levels of government to avoid duplication of efforts and to reinforce mutual objectives, and to actively pursue demonstration projects from such programs (such as the programs in

education and skills development for heritage trades and technology offered by Algonquin College) for application in Perth.

5. To establish and maintain an official Municipal Heritage Registry comprised of two components being: all properties designated under Part IV of the Ontario Heritage Act and other properties not designated under Part IV but are drawn from the municipal inventory of sites with potential heritage value and formally added to the Registry when it is determined by Council that they have cultural value or interest. To maintain a registry of each Heritage Conservation District created under Part V of the Ontario Heritage Act, as amended.
6. Notwithstanding subsection 5 above, for any property included in the register before January 1, 2023, the Council shall either remove the property from the register by January 1, 2027 or designate the property in accordance with the Heritage Act. Once a property has been removed from the register, it shall not be placed back on the register for a minimum of five (5) years from the date of removal from the register.
7. To circulate any notices for planning applications under the *Planning Act* pertaining to plans of subdivision, consent, zoning by-laws, holding by-laws, interim control by-laws or any other application for development, to the Heritage Perth Advisory Panel (HPAP) if the subject land includes or adjoins a property or district designated under Part IV or V of the *Ontario Heritage Act*.
8. To delegate by By-law, to municipal staff or a municipal official, the power to approve alterations to designated heritage properties.

### **6.6.5 Municipally Owned Built Heritage Resources and Cultural Heritage Landscapes and Municipal Public Works**

- a. In managing built heritage resources and cultural heritage landscapes owned or leased by the Town and in undertaking public works the Town will:
  1. to the greatest extent that it is practical to do so, lead by example by restoring, rehabilitating, enhancing and maintaining municipally owned heritage buildings and structures to a high standard to demonstrate the Town's commitment to protecting heritage resources in the Town and to provide a vivid example of the benefits of quality restoration and maintenance;
  2. ensure that municipally owned heritage buildings or structures that are sold, leased or transferred to another owner or lessee are subject to a heritage easement agreement which will guarantee the building's preservation, maintenance and use in a manner which respects its heritage value. Where appropriate, the agreement shall require that the new owner or lessee carry out certain restoration works to an acceptable standard to the Town;
  3. prior to undertaking public works within or adjacent to properties or areas designated under the Ontario Heritage Act, evaluate the impacts of the public works project to heritage attributes of the property or area, determine the potential public safety considerations, identify alternatives, and implement any remedial measures to eliminate or reduce adverse impacts;

4. encourage companies and agencies providing local utilities to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not negatively impact the heritage integrity of those resources.

### **6.6.6 Development and Redevelopment of Built Heritage Resources**

- a. It is a policy of Council:
  1. To ensure that development and redevelopment is undertaken in accordance with other policies in this Plan and will be permitted in and adjacent to built heritage resources provided that it is compatible with the conservation or enhancement of the character of the town, as described in the Heritage Character Statement of this Plan and described in design guidelines established by Council from time to time and either attached as an appendix to this Plan or associated with a Heritage Conservation District Plan.
  2. To encourage development and redevelopment that will enhance the character and setting of Perth and will:
    - serve to stimulate economic regeneration through the conservation, retention and re-use of historic buildings and sites;
    - promote environmental improvement through landscaping or other street enhancement such as sidewalk and streetscape enhancement.
  3. To give assistance by encouraging private investment in the upkeep of older buildings and to look favorably on proposals that, in Council's opinion, have demonstrated their ability to maintain and enhance the economic vitality of the downtown area.
  4. To promote new infill construction that blends harmoniously with existing built heritage resources.
  5. To promote the re-use of built heritage resources (buildings) and features of built heritage resources (e.g. building elements) where a built heritage resource cannot be conserved intact.
  6. To require, prior to approving a development application which would result in destruction of the built heritage resource, that the applicant provide measured drawings, photographs, and other available documentation of the resources in its surrounding context. Demolition is a last resort and should only occur if Council is satisfied that it is not feasible to remove the built heritage resource to a location in which it can be conserved.
  7. When establishing policies or undertaking works to achieve an accessible community in compliance with the Accessibility for Ontarians with Disabilities Act, Council will encourage access solutions that respect the cultural heritage value or interest of protected heritage properties. Where necessary, site specific accessibility plans will be required to ensure potential adverse impacts on heritage attributes are avoided to the greatest extent possible. This practice will also be applied in the issuing of grants or providing other supports for privately-owned heritage buildings.

8. Municipal grants or other funding supports or approvals for retrofitting of buildings to improve energy efficiency, intensification, reuse or enhanced property value will generally be granted only where it is demonstrated that proposed retrofitting will not compromise the heritage value, interest or integrity of the building.

## **6.7 Special Heritage Policy (SHP) Areas**

It is a policy of Council:

- A) To ensure the protection of the built heritage by:
  - reviewing the need for SHP Areas;
  - preparing SHP Area Plans where, appropriate (see definitions Sect 10.2) and
  - notifying HPAP of any potential heritage resource that could be included within such SHP Area Plans.
- B) To consider the creation of (SHP) Area Plans for the following areas.
  - Tay Canal/River Corridor
  - Central Area District
  - Highway Commercial District
  - Gateways
  - The Heritage Character Areas identified in Appendix 8 and other areas identified as containing Heritage Resources
- C) To ensure that supplementary guidance in the form of design guidelines will be developed as part of SHP Area Plans, recognized in the Zoning By-Law, and implemented through the Site Plan Control By-law.

### **6.7.1 Heritage Conservation Districts**

#### **6.7.1.1 Introduction**

The Town of Perth has established the Downtown Perth Heritage Conservation District. It is anticipated that one or more Heritage Conservation Districts will be considered during the life of this Plan as a means to conserve and respect the heritage character of the Town. Heritage Conservation Districts are created under the authority of the Ontario Heritage Act. The following outlines the key features of Part V of the Act:

- A Heritage Conservation District (HCD) may only be designated under Part V, (Section 40 (1)) of the *Ontario Heritage Act* where an official plan contains provisions relating to the establishment of a HCD.
- A municipality may by by-law designate the municipality or any defined area or areas thereof as a HCD.
- The municipality may undertake a study for the purposes of designating one or more heritage conservation districts in the municipality.
- A property which is designated under Part IV of the Ontario Heritage Act may be included within an HCD but alterations to the property or any demolition or



removal of buildings or structures on the property are subject to the provisions of Part IV of the *Act*.

- The clerk of the municipality shall keep a register of all heritage conservation districts designated under Part V of the *Act* and shall ensure that the register contains a map or description of the area of each HCD.

#### 6.7.1.2 Attributes of a Heritage Conservation District

A Heritage Conservation District Designation is a SHP Area Plan characterized by one or more of the following descriptions or attributes:

- Any collection, concentration, or grouping of buildings, properties, streets or open spaces that as a result of their: location, landscape setting – including natural or managed landscapes, historic use or value, long-standing cultural or social function or contextual value, archaeological resources, or architecture, are collectively significant to, or unique within the community and/or demonstrate cultural heritage value;
- An area with a special character with an integrity of its own that distinguishes the area from other areas of the community and represents a certain aspect of, or era in, the cultural or social development of the Town which is worthy of being maintained and protected;
- A defined boundary identifying a portion of the Town within which properties are protected from inappropriate changes, repairs, restoration, rehabilitation or alterations which may negatively impact their cultural, social, heritage, historic or architectural values.

#### 6.7.1.3 Heritage Character

The heritage character of the Town has many components which collectively create a distinctive visual image and unique sense of place. The architectural styles of buildings, the layout of roads and placement of bridges together with the mix of land uses have been blended into a landscape dominated by the Tay River and the Tay Canal. Despite the passage of time and changes in both land use and the use of the waterway, the relationship between the landscape and building form has not changed. The heritage character has been retained through conserving key components of the natural landscape in the public domain, by retaining the gridiron street pattern, by conserving architectural styles and by the respect for building form and height that has remained consistent throughout the Town's history.

The *Ontario Heritage Act* and the application of Parts IV and V provide an opportunity to identify those building and landscapes which together make up the heritage character of Perth and to conserve those elements while responding to changes in land use and land use activities. The heritage character attributes described in subsection 6.4.2 and in Appendix 9 reflect the diversity of the elements contributing to and comprising the Town's heritage and may serve as the basis for establishing one or more Heritage Conservation Districts within the Town:

#### 6.7.1.4 Goal Statement for Heritage Conservation Districts

To create one or more Heritage Conservation Districts which serve to conserve the cultural, historic, archaeological, architectural, social, or economic, legacy of the Town as represented by a concentration, collection or grouping of buildings, properties, streets or open spaces and landscapes that collectively:

- reflect or are consistent with the origins of Perth as a nineteenth century military, administrative and commercial settlement; or
- which reflect any important era in the history of the Town consistent with the heritage character elements referenced in Section 6.7.1.3

#### 6.7.1.5 Objectives for Heritage Conservation Districts

- a) Creating one or more Heritage Conservation Districts in Town of Perth which are designed to achieve one or more of the following objectives:
  1. To conserve the heritage character of buildings and landscapes which together sustain Perth's distinctive visual image and unique sense of place as fostered in the identity of Perth as a community "Aged to Perfection".
  2. To conserve and profile the architectural styles created by Scottish stonemasons using the local cream coloured Potsdam sandstone or freestone or are consistent with the Georgian urban ideal.
  3. To conserve more contemporary architectural styles and associated materials which have been integrated into the original architectural fabric of historic Perth.
  4. To maintain a general consistency with the height and massing of buildings along the original street axes and preserve site lines within the District, particularly views to key heritage character elements such as the Town Hall, Tay Canal or other sites designated under Part IV of the Act.
  5. To conserve the heritage character and attributes of the exterior faces of the buildings and ensure that signs and other architectural alterations are tastefully integrated with the predominant architectural character of the area.
  6. To maintain the integrity of the original 1816 Survey Plan characterized by the gridiron layout of streets, lots and park blocks.
  7. To conserve the heritage attributes of natural landscapes and public parks and places in and around the Tay River and Tay Canal.
  8. To facilitate and encourage the designation of individual buildings and sites pursuant to Part IV of the Ontario Heritage Act through programs and activities associated with any Heritage Conservation Districts designated under Part V of the Act.
  9. To ensure new buildings, additions or architectural alterations are integrated with and respect the cultural heritage attributes that are the basis for the Heritage Conservation District.

#### 6.7.1.6 Designating a Heritage Conservation District

- a) The designation of a Heritage Conservation District may proceed upon the completion of a study that examines the heritage features of a candidate area and demonstrates that the area is consistent with the attributes of a HCD as set out in Section 6.7.1.2 above, will serve to recognize and conserve important heritage character elements as per Section 6.7.1.3 and meets the objectives of Section 6.7.1.5.

#### 6.7.1.7 Policies for a Heritage Conservation District

- a) The Plan for a Heritage Conservation District will include policies addressing the following:
  - 1. Using the criteria above for designation, the Town may designate one or more Heritage Conservation Districts
  - 2. A Heritage Conservation District may only be designated through a public engagement process and the preparation of a Heritage Conservation District plan in accordance with the provisions and requirements of Part V of the Ontario Heritage Act.
  - 3. A study prepared in support of a HCD plan shall have due regard for resource materials, including historical resources and conservation techniques including ‘Guidelines’ found in the Ontario Heritage Tool Kit and *Standards and Guidelines for the Conservation of Historic Places in Canada*, (Second Edition: Ottawa, 2010, or as revised from time to time).
  - 4. Each HCD Plan will include a statement of cultural heritage value which will be based on and describe the HCD’s heritage character attributes.
  - 5. A Heritage Conservation District Plan shall set out in detail:
    - i. the goal and objectives to be achieved through the designation;
    - ii. an inventory of the built and cultural heritage attributes to be conserved;
    - iii. the design guidelines for the HCD that will be implemented to assist property owners and the public in conserving, retrofitting, restoring, repairing, rehabilitating and enhancing the cultural heritage value of the district;
    - iv. provide a description of the approval process applicable to alterations and/or classes of alterations (both major and minor) to buildings or sites within the District that are subject to the policies of the HCD Plan as well as those that are exempt from regulation under Part V of the *Ontario Heritage Act*;
    - v. the phasing of improvements where appropriate or applicable;
    - vi. a menu of financial or other incentives that may be used to encourage the restoration and conservation of built heritage resources; and
    - vii. identify buildings with potential to be, or that should be, added to the Official Municipal Heritage Register;
  - 6. The HCD plan shall also include:

- the manner in which it implements or is consistent with the applicable policies of the Town's Official Plan;
  - policies which address heritage coordination with other levels of government; and
  - Provisions to permit alteration of the District boundary to add other buildings and cultural landscape features which are deemed to be integral to the HCD plan.
7. Where applicable, the HCD Plan shall address demolition control and the alternatives to demolition such as adaptive re-use of buildings, conservation of building facades, and/or the relocation, documentation and commemoration of heritage buildings.
  8. The HCD Plan will include a statement on the conservation of archaeological resources in relationship to the objectives of the HCD Plan taking into consideration the importance of the Tay River /Tay Canal and the proximity of the HCD to known sites or those with high potential to encompass archaeological resources.
  9. The Heritage Conservation District plan will set out the procedural tools and programs that may be used to implement the Plan; which may include but will not be limited to:
    - Community Improvement Plan
    - Demolition Control
    - Environmental Assessment – or Record of site condition process
    - Heritage Alteration Permits
    - Heritage Conservation Easements
    - Heritage Impact Assessment Studies
    - Heritage Overlays & Zoning bylaws
    - Natural Heritage Systems plan
    - Signage Control
    - Site Plan control
    - Stewardship and Grant Programs other financial incentives
    - Transportation management protocols
    - Tree Preservation bylaws
  10. Council shall adopt two separate by-laws: one defining the boundary of a Heritage Conservation District, and the other adopting the Heritage Conservation District Plan.
  11. The clerk of the municipality shall keep a register of all heritage conservation districts designated under Part V of the *Act* and shall ensure that the register contains a map or description of the area of each HCD.
  12. In the development of Guidelines for an HCD, the Town shall ensure the

guidelines are Perth-specific and that the heritage permit process be designed to be clear and expeditious in the granting of approvals and which address the following:

- i. Creation of classes of buildings and landscapes which may be candidates for alterations, repairs, rehabilitation and restoration;
  - ii. Recommendations for continuing care, conservation and maintenance of heritage properties;
  - iii. Conservation guidance on appropriate changes to heritage fabric and features including but not limited to: location and massing, architectural styles, masonry, cladding of buildings, building openings (windows and doors), roofs and roof lines, streetscape features (e.g. landscaping, street furniture and outdoor furniture, awnings, lighting, signs), parking areas for vehicles and bicycles;
  - iv. Standards for barrier-free design which will improve access to and within buildings;
  - v. Guidelines for alterations and additions to existing buildings and new construction and infill development on vacant lots;
  - vi. Landscape conservation for private property owners
  - vii. guidance on alterations and additions to properties within the public realm, in particular, conservation and enhancement of the natural environment along the Tay River and Tay Canal corridor, conservation of the Grant's Creek Wetland complex and the Perth Long Swamp Wetland complex, conservation of cemetery properties, maintenance of the swing bridge and dam structures, conservation of Stewart Park and Code's Mill Park; and
  - viii. a bibliography of resources available to assist or provide direction on best practices.
13. Council may evaluate the impact of creating a heritage Conservation District on staff and volunteer resources required to implement and manage the administration of Heritage Conservation Districts.

## **6.8 Archaeological Resources**

Council recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the municipality.

The Town of Perth recognizes that Indigenous cultural resources include cemeteries, burial sites, travel corridors, pictographs, narrows, archeological resources and sacred and ceremonial sites as well as traditional sustainable hunting, fishing, harvesting, and gathering grounds.

For those conducting archaeology within the Town of Perth, reference to the Algonquins of Ontario Archaeological Standards and Guidelines, is required.

Areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Town and developed by a

licensed archaeologist. Such criteria include features such as proximity to water such as current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

### **6.8.1 Archaeological Assessments**

Council shall require archaeological assessments conducted by archaeologist licensed under the *Ontario Heritage Act*, for any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. More particularly, development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless an archaeological assessment has been conducted. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Province, as well as licensing requirements developed under the *Ontario Heritage Act*.

The Algonquins of Ontario shall be consulted and provided an opportunity to provide input on all Archaeological Assessments related to proposed developments where areas of Algonquin Interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified. In addition, the Algonquins of Ontario shall be notified by the proponent and/or the Town should any burial sites or human remains be discovered which are to be of potential aboriginal origin. For those conducting archaeology within the Town of Perth, reference to the Algonquins of Ontario Archaeological Standards and Guidelines, is required.

Areas of archaeological potential include lands that contain or are located within at least one of the following:

- a. 50 meters of a known archaeological site.
- b. 300 meters of a primary water source such as a lakeshore, river or large creek.
- c. 300 meters of an ancient water source identified by a beach ridge or river bed.
- d. 200 meters of a secondary water source such as a wetland, marsh, small creek, spring.
- e. 10 meters of a cemetery dating prior to 1945 (World War II).
- f. Elevated topography (knolls, drumlins, eskers, plateaus, etc).
- g. Pockets of sandy soil in a clay or rocky area.
- h. Unusual land formations (mounds, caverns, waterfalls etc).
- i. An extractive area (for food or scarce resources).
- j. Non-aboriginal settlement features (monuments, cemeteries).
- k. Historic transportation features (road, rail, portage).
- l. Designated property (refer to Municipal Heritage Committee).
- m. Local knowledge associated to property with historic events, activities or occupations.

Council shall consult with appropriate government agencies when an identified historic human cemetery and marked or unmarked human burial site is affected by a proposed development. In such circumstances, the provisions of the *Heritage Act* and the *Cemeteries Act* shall apply.

Council may undertake the preparation of an Archaeological Management Plan. The Management Plan will identify, and map known archaeological sites registered with the Provincial Archaeological Sites Database as well as areas within the municipality having archaeological potential. The Management Plan may also outline policies, programs and strategies to protect significant

archaeological sites.

1. Where significant archaeological resources must be preserved on site, only development and site alterations which maintain the heritage integrity of the site will be permitted.
2. Pursuant to the relevant provisions of the *Planning Act*, sites containing archaeological resources may be zoned to restrict or prohibit uses which might conflict with the preservation of such resources.

### **6.8.2 Shorelines**

Applicants for waterfront development, including the Tay Canal/Basin, shall demonstrate that cultural heritage resources, either on shore or in the water, will not be adversely affected. Prior to development proceeding, Council shall be satisfied that appropriate measures to avoid or mitigate negative impacts on significant cultural heritage resources will be implemented.

### **6.8.3 Site Alterations**

Any alterations to known archaeological sites shall only be performed by licensed consultant archaeologists, as per Section 48 of the *Ontario Heritage Act*.

### **6.8.4 In Situ Preservation**

Council views archaeological preservation in situ as the preferred method of ensuring that the integrity of the resource is maintained. However, Council also recognizes there may be a need for rescue excavation of archaeological resources as a result of development proposals and will consider this only when it is demonstrated that in situ preservation is not possible (preservation report).

### **6.8.5 Cemeteries and Burial Sites**

Council shall ensure adequate archaeological assessment and consult with appropriate government Ministry when an identified and marked or unmarked cemetery is affected by land use development. The provisions under the *Ontario Heritage Act*, *Cemeteries Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

### **6.8.6 Marine Archaeological Resources**

Council recognizes that, within the boundaries of the Town, in the river bed of the Tay River, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged; and Council shall, prior to approving a development proposal within the Tay River, require a marine archaeological assessment to be conducted by a licensed marine archaeologist to demonstrate that either that no marine archaeological resources will be impacted or that any recommended remedial works/actions are consistent with best practices and any requirements established by the province or the federal government. Any marine archaeological resource that is identified must be reported to the Ontario Ministry of Tourism,

Culture, Gaming and Sport immediately.

## **6.9 Implementation (Heritage)**

To implement the Heritage Policies in the preceding sections Council will:

- A) Ensure that policies and decisions on community growth and development respect Perth's heritage and enhance overall livability;
- B) Consult with the Algonquins of Ontario and other First Nations and provide them an opportunity to provide input on all Archaeological Assessments related to proposed developments where areas of Algonquin Interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified. In addition, the Algonquins of Ontario shall be notified by the proponent and/or the Town should any burial sites or human remains be discovered which are to be of potential aboriginal origin.
- C) Require that in any proposed Plan of Subdivision and prior to the undertaking of any public work, private development, consent or Zoning By-Law amendment, the applicant shall demonstrate to Council's satisfaction that consideration has been given to the possible effects and impacts of such works or development on heritage resources and that such impacts, where identified, are appropriately mitigated;
- D) Consult with the Ministry of Tourism, Culture, Gaming and Sport or any other public body having jurisdiction as part of the development review process;
- E) Protect heritage resources that are identified by the Ministry of Tourism, Culture, Gaming and Sport or any other public body having jurisdiction;
- F) Ensure that zoning and other by-laws are updated to reflect the appropriate standards for the management of heritage resources. This may include the use of archaeological zoning by-laws to prohibit land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.
- G) Promote heritage tourism as a means of improving Perth's overall economy and ensure that the necessary investments are made provided that the development is compatible with conservation principles and overall economic policy.
- H) Promote public involvement and participation in the conservation of heritage resources.
- I) Promote understanding, appreciation, and enjoyment of the Town's heritage resources through an on-going public awareness.
- J) Use the relevant provisions of the *Ontario Heritage Act* to implement the heritage policies of this Plan, and the local Heritage Perth Advisory Panel and Heritage Management Advisory Panel will advise and assist Council on matters of heritage conservation.
- K) Use property maintenance and occupancy standards by-law provisions to protect cultural heritage resources and ensure that the applications of these by-laws are not detrimental to the conservation of heritage resources. Such by-laws may be amended to



prescribe minimum standards for the maintenance of heritage attributes for properties designated for protection under the *Ontario Heritage Act*.

- L) Support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.
- M) Ensure that any archaeological impact assessment or heritage impact assessment undertaken shall be conducted by a qualified professional in the field of assessing impacts to archaeological and cultural heritage resources. Archaeological assessment reports shall be in compliance with guidelines set out by the Province and shall comply with licensing requirements under the *Ontario Heritage Act*;
- N) Require accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and re-use versus demolition when considering demolition applications for designated heritage properties;
- O) When appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the implementing zoning by-law to facilitate the retention of heritage resources.

## 7.0 PUBLIC HEALTH AND SAFETY

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### **7.1 Introduction**

Natural and human-made hazards are conditions which may affect public health and safety. In the Planning Area, these include flood prone lands, contaminated sites and noise and vibration. Some of these conditions exist in the natural environment while others are human-made. The intent of the Plan is to ensure that where development occurs, it does not become a threat to public health and safety.

### **7.2 Goal Statement For Natural And Human-Made Hazards**

To ensure that all development has a high regard for public health and safety through mitigating adverse effects (as defined in **Section 10.2**) or by prohibiting development in unsafe places.

### **7.3 Environmental Protection Area Designation**

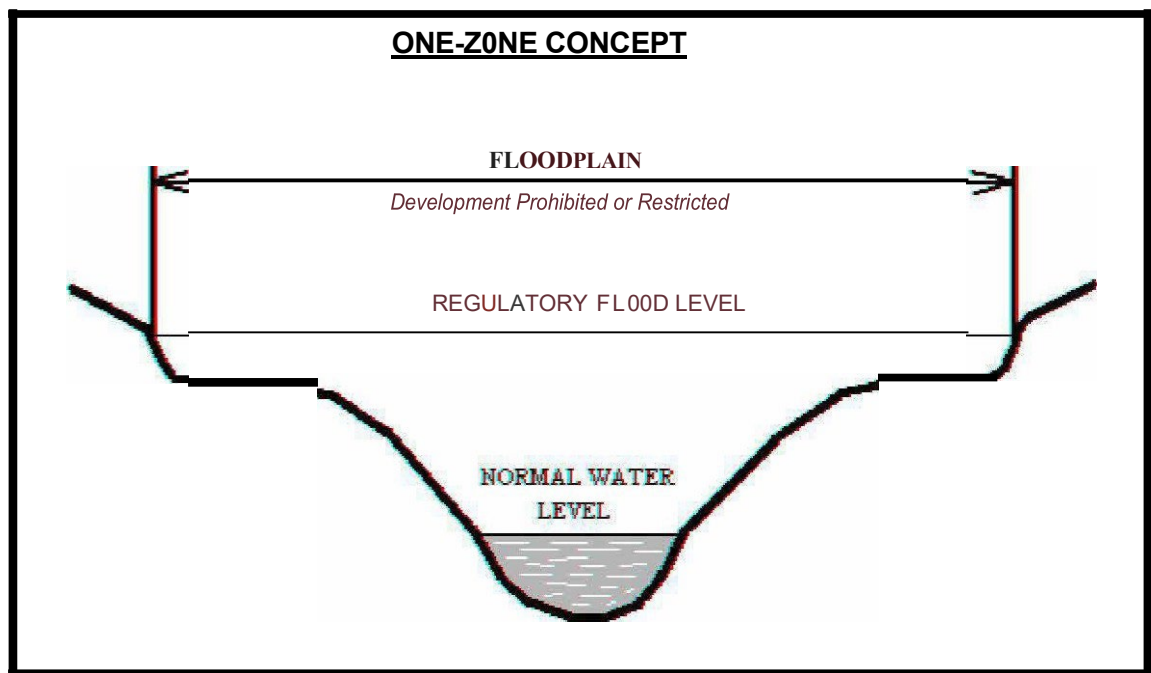
#### **7.3.1 General Environmental Protection Policies**

- a. The Environmental Protection Area Designation land use designation shown on **Schedule 'A', Land Use Plan** includes:
  1. Lands **within** the 1:100 regulatory flood level (flood plain and flood plain constraint);
  2. Lands characterized by a Natural Heritage Feature such as Provincially Significant wetlands and wildlife habitat [see **Section 8.5.4 b.**].
  3. Any update to the Plan will add to this designation areas of unstable soils, slopes or areas of forest types for wildland fires where they are identified.

#### **7.3.2 Flood Plains, Hazardous Lands and Hazardous Sites**

- a. It is Council's intent to protect the safety of residents and avoid undue damage of land through policies to control development in the flood plain and the associated impacts of climate change as follows:
  1. The flood plain in Perth is recognized as representing the 1:100 regulatory flood level (One Zone Concept) (see illustration in Part 4 below).
  2. Lands at or below the regulatory flood level are considered to be in the flood plain and are subject to flooding and have been identified by the Conservation Authority in collaboration with the Town.

3. Two flood prone categories are illustrated on **Schedule 'A', Land Use Plan**. These include:
- Tracts of land symbolized with an 'F'. On these lands no development is permitted with the exception of those uses and activities set out in **Section 7.3.2(a)(5)** below.
  - Lands illustrated with a hatching and labeled as "Flood Plain Constraint". These areas are also within the flood plain. In these areas, buildings or structures are permitted only on those parts of the property above the flood plain elevation in accordance with the underlying land use designation (e.g. residential). Development within the flood plain shall be limited to those uses and activities set out in **Section 7.3.2(a)(5)** below.
4. No new buildings are permitted to be constructed within the flood plain except flood control structures, or low impact buildings or structures such as a gazebo, dock, garden or small storage shed or utility structures if permitted by the applicable flood plain regulation. Other public and private activities including the construction of roads, or new structures necessary for the conservation, public recreation (recreational trails, tow path), water supply, waste water management, will be permitted in the flood plain subject to the approval of Council, the Conservation Authority and where deemed necessary, shall meet a flood proofing and access standard. (Also refer to subsection 8.5.4 paragraph d) Flood plain mapping shall also make efforts to identify areas where the depth of flooding on roadways exceeds limits for safe access to properties.



5. No use, building or structure which involves the storage of hazardous or toxic materials i.e. ignitable, corrosive, reactive, radioactive or pathological materials and sewage facilities, nor any institutional use including hospitals, long term care homes

retirement homes, pre-school, school nurseries, day care and schools, nor an essential emergency service (i.e. fire, police and ambulance stations and electrical substations), shall be permitted to be constructed, enlarged or expanded on any hazardous lands or hazardous sites.

6. In areas (i.e. within the prescribed fill and construction lines shown on **Schedule 'A', Land Use Plan**) where 'Fill, Construction and Alteration to Waterways' regulations have been established under the *Conservation Authorities Act*, a permit shall be required for:

- the construction, reconstruction, erection or placing of a building or structure of any kind;
- any change of use to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- site grading, or
- the temporary or permanent placing, dumping, or removal of any material, originating on the site elsewhere.

Such permit shall also be required for changing the channel of any water body or diverting a water course. The permit shall be obtained from and to the satisfaction of the Rideau Valley Conservation Authority in addition to any permits which may be required from the Town of Perth. In general, development of any kind which limits the flood capacity or the flood way, or obstructs the flood way within any prescribed fill and construction lines shall be discouraged or prohibited.

Along the Tay Canal a permit from Parks Canada may be required refer to subsection 8.5.4 paragraph d).

7. Extensions or enlargements to existing habitable or other existing buildings located within the flood plain (other than an institutional building or restricted use as set out in **Section 7.3.2(a)(5)** above), may be permitted where the building or structure meets an appropriate flood proofing and access standard and any openings are located above the flood elevation. Development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards and/or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of development and the natural hazard. Such expansions and enlargements are subject to the prior approval of the Rideau Valley Conservation Authority and the Town of Perth.
8. Where land which is designated as Environmental Protection Area is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the municipality or other public agency. An application for the redesignation of lands designated Environmental Protection Area for other purposes may be given due consideration by Council after taking into account:
- the existing environmental and/or physical hazards;

- the potential impacts of these hazards;
- the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering hazards.

There is no public obligation, however, either to redesignate by amendment to this Plan, or purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.

9. Where new development is proposed on a site, part of which has physical or environmental constraints, such land shall not necessarily be acceptable for parkland dedication under the *Planning Act*. All lands conveyed to the municipality shall be in a physical condition satisfactory to Council.
10. In the implementing Zoning By-Law, existing uses in the flood plain shall be recognized as conforming uses despite their designation as Environmental Protection Area. Council shall discourage the expansion or enlargement of any existing use beyond the limits recognized by the Zoning By-law except where it may be qualified under **Section 7.3.2(a)(5)** above.

In the preparation of the Zoning By-Law, Council shall consult with the Rideau Valley Conservation Authority to ensure that 'Fill, Construction and Alteration to Waterway' regulations are adequately reflected in zoning standards and in governing the issuance of building permits. The Schedules to the Zoning By-Law shall illustrate the areas affected by flooding and the fill and construction regulations.

11. Development generally will be directed away from areas where hazardous forest types for wildland fire are identified. However, development may be considered where the risk is mitigated in accordance with Provincial wildland fire assessment and mitigation standards.
12. Council may use Site Plan Control for any land use within 120 m of a watercourse/waterbody/wetland.

## **7.4 Contaminated Lands**

### **7.4.1 Description of Contaminated Sites**

Contaminated sites include lands where contaminants may be present due to previous industrial, transportation, utility or similar uses. 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.

### **7.4.2 Policies for the Re-use of Potentially Contaminated Sites**

- a) The proper decommissioning and clean-up of contaminated sites will be ensured prior to

their redevelopment or reuse. Measures to be taken by Council and/or any approval authority and the proponent include the following:

1. The Town will require applicants to document previous uses of a property or properties that are subject of a planning application and /or adjacent properties in order to assist in the determination of the potential for site contamination.
2. Where applications for the development or redevelopment of sites that are identified as being contaminated or potentially contaminated have been submitted, approval or condition of final approval will require the proponent to file a Record of Site Condition (RSC) on the Environmental Site Registry to show that the site has been assessed and if necessary, remediated in accordance with the requirements of Ontario Regulation 153/04 and MECP Guideline "Records of Site Condition- A Guide on Site Assessment, the Clean-Up of Brownfield Sites, such that the site is suitable for the intended future use. Mandatory filing of a Record of Site Condition on the Registry is required for any change to a more sensitive land use such as a change of use from industrial to residential or parkland.
3. As the first step in the review of a planning application, the Town will require the planning application to be supported by an affidavit from a qualified person as defined by provincial legislation and regulations, confirming that a Phase 1 Environmental Site Assessment (ESA) has been completed in accordance with Ontario Regulation 153/04, as amended from time to time.

Where a Phase 1 ESA indicates that the property or properties that are subject of the planning application may be contaminated, the Town will require the planning application to be supported by an affidavit from a qualified person as defined by provincial legislation and regulations, confirming that a Phase 2 ESA has been completed in accordance with Ontario Regulation 153/04, as amended from time to time. A Phase 2 ESA provides a sampling and analysis of the property to confirm and delineate the presence of soil or groundwater contamination at the site or confirm the absence of contamination at the site.

Where applicable, the Town may utilize the holding provisions of the *Planning Act* to ensure receipt of satisfactory verification of suitable remediation/risk management. Any contaminated site shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects to the user.

4. Where an RSC has been made a condition of planning approval, a building permit may be issued in regard to a property or properties on a phased basis to allow for site assessment and remediation/risk management.
5. Where land is to be deeded to the Town for public highways, road widening, parks, storm-water management, easements, or for any other purpose, the Town may require, as a pre-condition to the transfer of title, that verification acceptable to the Town be received from a qualified person, as defined by, or consistent with, provincial legislation and regulations, confirming the land to be transferred is not constrained by contaminants or hazardous substances and is suitable, or has been made suitable, for the proposed use, and, where required by the Town or by provincial legislation and/or regulations, this will include the property owner filing a

Record of Site Condition (RSC) signed by a qualified person in the Environmental Site Registry, and the owner demonstrating to the Town's satisfaction that the MOE has acknowledged receipt of the RSC.

6. In circumstances where contamination from a property or properties extends onto a public road allowance, Town right-of way, or other municipal land the Town may issue a building permit for development on the contaminated property or properties on a phased basis contingent on the execution and implementation of an Off-Site Management Agreement and/or a Remedial Action Plan. Any such agreement or plan intended to ensure the remediation or management of contamination shall be approved by the Town and (when required) the MECP. If the land or right-of-way is to be redeveloped from an industrial or commercial use to a residential or parkland use; filing of an RSC is mandatory. Where there is no change in use to a more sensitive use, the Town will require that a letter of the continued use from a qualified professional and /or the Technical Standards and Safety Authority be provided.
7. Where a gasoline station or any site with a former use that included bulk fuel storage is being redeveloped and there is no change in use to a more sensitive use, the Town will require that a letter of continued use from the Technical Standards and Safety Authority be provided. For instances where contamination extends onto a public road allowance, Town right-of way, or other municipal land the Town will require that an Off-Site Management Agreement and Remedial Action Plan be implemented to the satisfaction of the Town and MECP prior to issuance of the building permit.

## **7.5 Noise And Vibration**

Potential noise and vibration adverse impacts shall be evaluated and addressed when new sensitive land uses are proposed adjacent to existing railway lines, highways, sewage treatment facilities, waste management facilities, industries, or any other stationary or line noise sources where noise and vibration are being, or may be, generated. An evaluation will also be required where new generators of potential adverse noise and vibration impacts are proposed adjacent to existing sensitive uses or lands zoned to permit sensitive land uses. Development proponents shall engage a qualified consultant to either confirm a study is not required or to undertake a noise and/or vibration study to assess the impact on existing or proposed sensitive land uses within the minimum distances identified in MECP) guidelines, including NPC-300, Environmental Noise Guideline – Stationary and Transportation Sources- Approval and Planning Publication (NPC-300) or any replacement standard, as required and shall demonstrate that impacts will be reduced or can be mitigated to acceptable levels.

Consistent with NPC-300, detailed noise studies may be required for new sensitive development within:

- 250 m from a highway or 100 m from other arterial roads;
- 500 m of a principal railway line, 250 m from a secondary railway line or 100 m from other railway line;

These distances are guidelines and may vary depending on individual structures and site topography.

Stationary noise sources include equipment and extended facilities associated with industrial uses and aggregate extraction uses, sewage treatment, ancillary transportation and commercial facilities. Feasibility and detailed noise studies are generally required for new development proposed within the influence area of a stationary noise source. The influence area will be determined on a case-by-case basis depending on factors such as the type and scale of the stationary noise source, the intervening topography and other land uses.

## **7.6 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 province, as amended from time to time.

Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire. However, development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with a Wildland Fire assessment plan that demonstrates a resilience to climate change.

Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme Wildland Fire behaviour on the subject lands and adjacent lands (to the extent possible) in the form of a Fire Master Plan or Fire Break Plan to the satisfaction of the Town. A general indication of hazardous forest types for Wildland Fire are identified on Schedule B – Constraints and Opportunities, to this Plan. If development is proceeding where “high” to “extreme” or “pine (needs assessment)” risks for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

Wildland Fire mitigation measures shall not be permitted in provincially significant wetlands. Wildland fire mitigation measures shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

In order to implement any mitigation measures that may be required, various reference documents, planning tools and agreements may be used. Resources such as FireSmart Canada and Protecting your Community from Wildfire Manual and or NFPA 1140 may assist in minimizing wildland fire hazards.

## **7.7 Emergency Management**

The Town shall maintain and update its Emergency Management Plan in accordance with the directions from Emergency Management Ontario and the Emergency Management and Civil Protection Act. Infrastructure and public service facilities will be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of



public health and safety. The Town will coordinate with neighbouring municipalities and Lanark County in the delivery of regional emergency management services.

Some significant development proposals may be requested to submit an Emergency Management Plan in support of their development.

## 8.0 DESIGNATION AND DEVELOPMENT POLICIES

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### 8.1 Residential Areas

#### 8.1.1 Development Concept

- a. Residential neighbourhoods are the building blocks of the community. The intent of the Plan is to develop new neighbourhoods with a mix of housing types and densities 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.
- b. A new residential neighbourhoods will be developed north of Dufferin Street, as well as in Perthmore development, Tayview development and the Golf Course development. The residential development in these areas will be developed based on the following design principles:
  - i. Provide for a full range and mix of housing types and densities. Housing mix targets are not meant to apply to individual phases of a new multi-phase neighbourhood development, but rather they are to apply to the entire neighbourhood development concept.
  - ii. The road pattern will generally be based on a grid network to provide for a well connected, integrated and efficient transportation network;
  - iii. Provide well landscaped streetscapes that create safe pedestrian and non-motorized links while providing for vehicular traffic flows at safe speeds;
  - iv. Provide for a variety of conveniently located parks such that each dwelling has a park within a five minute walking distance. A variety of recreational and leisure opportunities may also be provided within the neighbourhood;
  - v. Incorporate sustainable design concepts including energy and water use efficiency, compact development, walkable distances to community services and activities, accessibility for those with disabilities and the conservation of natural features and vistas;
  - vi. Facilitate alternative design concepts as a means to encouraging community formation and cohesion, creation of pedestrian-friendly streetscapes and potentially reducing infrastructure costs (e.g. reduced right-of-way widths for local streets, back lane access);
  - vii. Provide safe and functional linkages to other residential neighbourhoods and employment areas, which are supportive of pedestrian and cycling activities;
  - viii. Provide for design features in transition areas between the residential

- neighbourhood and the highway commercial corridor and the business park area to facilitate compatibility;
- ix. Incorporate existing elements of the cultural heritage landscape into new development;
  - x. Implement relevant elements of the Urban Design Guidelines designed to guide development decisions and approvals of residential and other development in the new residential neighbourhood;
  - xi. Development will proceed on the basis of a coordinated drainage and storm-water management plan that is generally consistent with the Secondary Plan Study and addresses the provisions and policies of the Tay River Watershed Plan.
  - xii. The Elmwood Cemetery (165 Dufferin Road) has been in use since 1872 and is expected to continue serving the community for the tenure of this Plan. Adjacent development should be designed to buffer and respect the character and peaceful setting of the cemetery and to avoid negative impacts to either the drainage pattern or to mature vegetation along the cemetery's boundary.
  - xiii. Where development of sensitive uses is proposed in proximity to land zoned to permit industrial use or used for existing industrial purposes MOE Guidelines D-1-3 and D-6, or any modifications or replacements of said guidelines shall be addressed.
- c. Within existing neighbourhoods, the focus will be on maintaining the housing stock in good repair, encouraging infill on vacant lots and intensification (increases in density) on underutilized lands. Change will be gradual where it occurs (e.g. residential intensification, infill on vacant lots or development/redevelopment at a higher density). Development/redevelopment will only be permitted provided there is no adverse effect to existing surrounding development.
  - d. 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), long-term care homes and cemeteries.
  - e. Special housing needs will be permitted and may include but not be limited to garden suites, group homes, crisis housing and student housing. [also refer to article 8.1.3.11]
  - f. To ensure an adequate supply of housing, the Plan increases the areas designated for residential development, provides a strategy for Council intervention in the housing market and encourages mixed use housing developments in commercial districts.
  - g. Provision of an adequate housing supply will be achieved, in part, through facilitating intensification in Perth's Central Area District. Conversion and retrofitting of upper storey's of commercial buildings for residential units will be encouraged through such measures as community improvement and increasing the supply of parking. Outside of the Central Area District, compatible conversion of larger dwellings; residential intensification and infill development on larger and vacant lots; residential units, and the conversion of schools and institutional buildings for housing will be permitted when consistent with the residential design provisions of this Plan.
  - h. In the secondary plan area north of Dufferin Street and in new comprehensively planned residential developments, alternative development and energy conservation standards will be utilized in the design of new residential neighbourhoods to minimize infrastructure and development costs.

- i. Community Development - The universal design principle (see Appendix 6) will guide the design of all public buildings and facilities, as well as new publicly accessible private buildings. Accessibility will be encouraged in private development, and required for new private developments that are publicly accessible. Council may create accessibility guidelines based on the universal design principle to guide the development of municipal facilities. (see also Section 5.9.3.4 (x)).
- j. The Secondary Plan Area north of Dufferin Street envisioned a large block of land reserved for future recreational and public service facilities (sport complex and high school) uses. To this end, the Town of Perth has ownership of approximately 7.7ha (19acres) of land within the Residential Designation of the Secondary Plan Area. These lands do not exactly match the planned location for such facilities, but do represent the land mass necessary to support such uses. As such, the Town owned lands are not intended for residential development. Notwithstanding this, the Town owned lands may be developed for residential purposes on the condition that the Town acquire an equivalent amount of land to be reserved for future recreational and public service facilities consistent with the Secondary Plan and Infrastructure Master Plan design. The new lands to be acquired by the Town must be designated Residential.

### **8.1.2 Goal**

To provide for an adequate and continuous supply of serviced land for the development of an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents.

To meet targets for the supply of affordable housing for low and moderate income households through development approvals and housing supply initiatives.

### **8.1.3 Residential Area Designation Policies**

#### **8.1.3.1 Objectives**

- a) To provide for an appropriate range and mix of housing types, densities and designs to meet the projected housing requirements of current and future residents with particular attention to the availability of an adequate supply of attainable and affordable housing and housing designed for people with mobility challenges or other specific accommodation needs.
- b) To provide for compact, energy efficient development that is fully serviced.
- c) To encourage infill and residential intensification projects which optimize the use of existing infrastructure, building stock and public service facilities before developing new infrastructure and public service facilities.
- d) To maintain a generally ground-oriented housing form (e.g. 4 storey's or less except as otherwise permitted in this Plan).
- e) To ensure that the built form, massing and profile of new and redeveloped housing is well integrated in design with existing housing and that a respectful transition between existing housing and new residential or non-residential land uses is achieved.

- f) To facilitate the provision of conveniently and appropriately located neighbourhood-serving land uses in residential areas.
- g) In addition to the provisions of this Section, Sections 8.1.4.2 through 8.1.4.5 will apply to lands westerly of the Tay River and will prevail in the event of a conflict.

### 8.1.3.2 Range of Permitted Uses

On **Schedule ‘A’**, Land Use Plan, lands designated as ‘Residential Areas’ may be used for the following scope of permitted uses:

1. A full range and mix of housing types and densities sufficient to meet freehold and rental markets and consistent with the Residential Design Principles of this Plan will be permitted. Medium and high-density housing types, notably low rise multiplexes, apartments, should be designed to include a mix of bachelor, one, two and three bedroom units. Accessory apartments or additional residential units (ARUs) in low density housing will be permitted where residential design and zoning standards are met. Creative and sustainable forms of housing tenure may be supported, including co-housing and co-ops. Infill, intensification, conversion of existing buildings and residential redevelopment shall be encouraged. Special needs housing (see Section 8.1.3.11) such as: student housing, group homes, garden suites and crisis housing is also permitted.

Parking structures, recreational structures, utility and waste receptacles accessory to medium and high density residential uses.

2. Parks, community gardens, open space and natural areas.
3. Neighbourhood-serving uses such as places of worship, limited local commercial services and public service and institutional facilities including cemeteries and long-term care homes appropriate to the neighbourhood.
4. Home Based Businesses.
5. A mixed use building comprising a ground floor commercial use (funeral home) and upper storey residential uses on lands described as Plan 8828, Lot A, B and C (15 Victoria Street and 13 Queen Street).

### 8.1.3.3 Housing Supply

- a) Council’s policy is to accommodate residential growth for a minimum of 15 years through infill, residential intensification, redevelopment and greenfield lands designated and available for residential development. The Town also intends to always maintain lands with servicing capacity sufficient to provide at least three-year supply of residential units available through lands suitably zoned to facilitate residential intensification, redevelopment, and lands in draft approved and registered plans.
- b) Council may strategically intervene in the housing market to increase the supply by such measures as:
  1. Acquiring land within areas designated for residential development.

2. Selling or leasing land for residential development including preparing plans of subdivision.
3. Co-venturing with the residential development industry to service and sell/lease land for residential development.
4. Partnering with senior levels of government in designing programs or in facilitating residential development.
5. Pro-actively working with land owners in the community to facilitate residential land development through residential intensification, infill, conversion of non-residential buildings (full or partial conversion), financing and servicing.
6. Expediting planning approvals.
7. Working with local housing authorities to add to the stock of affordable housing.
8. Preparing or updating a municipal housing statement which would address but not be limited to the following matters:
  - Monitor demographic, employment and housing needs (e.g. housing types, number of bedrooms, size of households, changes in income, etc.);
  - Monitor any neighbourhoods that appear to be in transition;
  - Monitor housing and development costs;
  - Monitor housing targets for low to moderate income households;
  - Analyze housing supply and demand for all types of housing including affordable housing;
  - Evaluate various forms of housing that make housing more affordable (i.e. materials, development standards);
  - Evaluate programs and opportunities to stimulate the housing market.

#### 8.1.3.4 Housing Densities

- a) Council's policy is to provide for different densities within the following general ranges:

***Low Density Housing*** (1-2 dwelling unit types): single detached and two unit housing (semi-detached, duplex, converted) at 15-25 units per gross hectare.

***Medium Density Housing*** (3-6 dwelling units): row or town housing, multiplex and small block apartments (6 units) at 25-60 units per gross hectare.

***High Density Housing*** (greater than 6 dwelling units): apartments at 60-100 units per gross hectare.

- b) It is the policy of this Plan to require new greenfield residential development to be planned to incorporate a mix of densities. Development proposals involving just low density development should generally be discouraged. The specific mix of housing approved through the registration of the plan of subdivision should reflect community housing needs at the time. Housing density targets are not meant to apply to individual phases of a new multi-phase neighbourhood development, but rather they are to apply to the entire neighbourhood development concept.

- c) The overall housing densities to be achieved in new neighbourhoods (i.e. greenfield subdivisions) are expected to be somewhat lower than that achieved in infill and intensification residential project in established neighbourhoods. Where greenfield development generally involves the development of larger plots through a plan of subdivision, infill and intensification generally involves the development of smaller plots which may or may not require Planning Act approvals. Where new neighbourhoods should achieve an overall density of between 26 to 34 units per net hectare, the introduction of infill and intensification residential projects into established neighbourhoods can see densities in excess of 35 units per hectare to the maximum noted above of 100 units per gross hectare.

#### 8.1.3.5 Housing Mix

- a) Recognizing that it is in the Town's interest to create a sustainable community where public infrastructure is used in an efficient manner, neighbourhoods are functional, and an adequate range and mix of housing types are available to address the current and projected needs of all citizens, Council will strive to ensure a balanced mix of housing densities is achieved. Over the life of this plan the Town's objective is to achieve a mix of housing types consisting of:

Low Density = 50 to 55% of future residential development

Medium Density = 30 to 35% of future residential development

High Density = 10 to 15% of future residential development

- b) The housing mix targets are intended for the community as a whole and are not intended to be inflexibly applied to individual development proposals. However, Council will ensure that developing neighbourhoods in larger green-field areas (greater than 2 ha) are planned comprehensively to achieve the desired mix of housing densities. Housing mix targets are not meant to apply to individual phases of a new multi-phase neighbourhood development, but rather they are to apply to the entire neighbourhood development concept. In areas where physical or natural heritage constraints limit development options, densities greater than the Town's objective and higher percentages of multi-residential units may be permitted when the provisions of Section 8.1.3.4 are addressed.
- c) Neighbourhoods are intended to feature a variety of housing types, values and occupancies (freehold, rental units, cooperative housing and condominiums) and will be designed to ensure compatible transition between housing densities. In order to promote a mix of housing types, new residential neighbourhoods will be designed to include a variety of lot frontages and lot sizes.
- d) New medium and high-density residential developments should be located so that densities increase gradually from lower-density residential environments. High-density dwelling types exceeding four stories should generally be separated or buffered from low-density dwelling types by medium density dwelling-types or another land use (e.g., parkland, public service uses, higher function roads or a substantive landscaped buffer). Exceptions may be made where the proponent demonstrates that a higher density development, by virtue of its site design, building mass, building profile and traffic impact will be compatible with adjacent low-density residential uses (evaluation/report).

#### 8.1.3.6 Infill, Additional Residential Units, Conversions and Residential Intensification

- a) It is the intention of Council to encourage in-filling on vacant parcels of land designated for residential purposes. Infill may also occur as a result of the development of lands through re- subdivision of land by consent, by plan of subdivision or by part-lot control where lands are surplus to the needs of the existing development. Council will also encourage infill on vacant lots of record in established subdivision areas to consolidate developed areas before new areas are developed. This may be achieved by extending services. Infill should occur only in instances where the principle of development has been established through a prior planning review.
- b) The Town recognizes the benefits of a compact community form as promoting greater physical activity and increased interaction amongst residents. In addition, the Town recognizes the benefits of residential intensification in reducing Perth's ecological footprint as denser and more walkable neighbourhoods reduce the need for dependence on the automobile. Residential intensification and infill will be encouraged in Perth's Central Area District and in established residential neighborhoods. A Community Improvement Plan may provide incentives for encouraging greater use of upper storey units in mixed-use buildings in the Central Area District. In addition, the Town will encourage the redevelopment of unique sites, including places of worship, community facilities, and institutions, throughout the Town as they become available.
- c) Historically, 17% of Perth's residential development occurred within existing neighbourhoods. The intent of this Plan is to maintain this percentage of future residential development in the form of intensification and infill in established neighbourhoods and thus achieve a healthier and environmentally efficient pattern of community development. (see other policies for intensification in Section 8.2.4 – Central Area District).
- d) Areas for residential intensification will include: residential areas developed prior to adoption of the initial Official Plan in 1976; unique sites or buildings such as major institutional uses (i.e. schools, places of worship, places of assembly); under-utilized floor space, conversion of existing commercial uses in residential areas; residential lots that are substantively larger than minimum zoning requirements; lots fronting on arterial and collector road corridors where adequate on-site parking and safe access (flood impact/access plan) can be provided; and areas adjacent to, and in reuse of the upper stories of buildings within, the Central Area District). Opportunities for residential intensification in existing residential neighbourhoods will be promoted and permitted under appropriate conditions that respect the character and functionality of neighbourhood infrastructure. As part of a proposal for Residential Intensification involving a Zoning By-law Amendment or Committee of Adjustment decision, the applicant shall be required to provide a detailed statement of the integration of the proposed development within the existing neighbourhood in the form of a Neighbourhood Character Statement. A Neighbourhood Character Statement is intended to detail how a proposed development is sensitive to and integrated within an existing neighbourhood.
- e) In addition to the requirements of a Neighbourhood Character Statement, all infill and intensification development should address the following criteria :
  - i. Height, massing, and scale are appropriate for the site in relation to the adjacent neighbourhood. Increases in height and lot coverage for residential infill and intensification projects may be permitted provided overall compatibility is maintained; To the greatest extent feasible, new taller structures should have a terraced building form rather than



- presenting a taller wall face directly to existing, lower profile buildings;
- ii. The development avoids any inappropriate interface between buildings and/or uses. The concept of *sympathetic development* is paramount when considering developments in existing residential neighbourhoods;
  - iii. Ground floor uses, and ground floor building design will be consistent with the objectives of maximizing the safety of adjacent streets and increasing active use of pedestrian areas, cycling routes and public open space;
  - iv. The provision of sufficient parking is a key determinant of the appropriate density that infill and intensification projects can achieve (i.e. the density of development is dependent on the amount of parking provided). This recognizes that one of the more notable impacts that infill and intensification projects may have is parking congestion. Wherever possible resident surface parking and building service areas shall generally be located away from the front yard and screened to minimize visual presentation to and impacts on adjacent streets and neighbourhoods. Entrances to below grade or sheltered parking shall be located at the side or rear of buildings when feasible;
  - v. Public safety, views and accessibility, both physically and visually, to public facilities including parks and other natural features will be a key consideration in the design of the development;
  - vi. The proposed grading, drainage and storm-water management on the site, will not create negative impacts on adjacent properties;
  - vii. Residential intensification will not impede or constrain the intended development of adjacent properties;
  - viii. Be respectful of the architectural characteristics of adjacent dwellings with the elements of new dwellings including facade details, porches, windows, cornices, and other exterior features being comparable in form and character.
  - ix. Any new buildings should be built in a manner that minimizes shadow effects on the backyards of existing residential buildings;
  - x. Mature vegetation, particularly the tree canopy, will be retained where feasible and/or new tree plantings required;
  - xi. The lot area is adequate to accommodate on-site parking or an appropriate alternative is provided. The provision of bike storage shall be incorporated into the parking plan;
  - xii. The development enhances the livability and appeal of the neighbourhood through the quality, layout and attractiveness of the public streetscape and private spaces and buildings. Emphasis should be placed on eco-friendly and sustainable;
  - xiii. The design of new buildings and redeveloped structures will include a well planned area for sorting and storing garbage, recyclables and green waste. Such an area should be screened from the view of residents and the adjacent neighbourhoods.
  - xiv. The Town will work with proponents of redevelopment to retain/enhance community facilities for use by the community (e.g. active transportation network, arts and cultural facilities, and physical activity facilities).
- f) The design of new residential subdivisions shall be such that infill and residential

intensification through the introduction of additional residential units (ARUs) or a garden suite in an ancillary structure (e.g., a garage on a rear laneway) could be accommodated on most lots initially developed at low density.

#### 8.1.3.6.1 Neighbourhood Character Statement

It is understood that the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment are some of the elements that collectively determine much of the character of a neighbourhood and its streetscape. A well organized and documented understanding of a neighbourhood's character is an effective tool in assessing the appropriateness of a proposed change and the implications the change may have on a neighbourhood. Such Neighbourhood Character Statement may be incorporated in an associated Planning Justification Report.

- a) Although the extent of the neighbourhood area to be reviewed is to be confirmed through pre-consultation with the Town, it shall generally include an area consisting of a minimum 120 metres radius from the subject property. Council's expectation is that the conceptual design of the development should incorporate specific built form characteristics, styles, materials and features which help define the neighbourhood.
- b) A Neighbourhood Character Statement should demonstrate how the proposed development respects the character of the existing neighbourhood, including a review of structures and the natural environment within the surrounding neighbourhood. Such a review should be based on, but not limited to, an assessment of both existing and proposed built form, massing, and architectural treatments, and accommodations of natural heritage and hazard features.
- c) A Neighbourhood Character Statement should discuss the following items:
  - i. Character and Image:
    - 1. description of the existing street character;
    - 2. description of the project in the context of the neighbourhood;
    - 3. visual components of the neighbourhood and their consideration in the proposed development; and,
    - 4. retention, replacement and role of natural environment features.
  - ii. Site Design:
    - 1. the location of buildings, as well as their orientation to the street edge, public spaces and sidewalks;
    - 2. the location and design of building entrances and openings (windows);
    - 3. how the design relates to its site and greater surrounding area;
    - 4. parking, vehicular and pedestrian circulation
  - iii. Servicing:
    - 1. accessibility and connectivity of the site to the adjacent neighbourhood, community facilities and destinations, including consideration of the circulation for automobile, pedestrians, cyclists and persons with disabilities;
    - 2. shared service locations, parking, ramps, drop-offs, service areas for garbage,

- loading, utilities, etc;
  - 3. capacity of water and sewage system; and
  - 4. stormwater controls and protection of source water aquifers.
- iv. Built Form Elements:
- 1. how the building(s) addresses the street and neighbouring buildings - transition to adjacent uses / buildings, and among buildings within the site;
  - 2. street wall and treatment of grade level;
  - 3. rooftop and cornice lines;
  - 4. location and design of entrances and building openings;
  - 5. shadowing caused by mid-rise and tall buildings should be minimized and impacts on adjacent private amenity areas (natural light and privacy for example) should be minimized;
  - 6. energy efficiency, passive solar design, solar panels, accommodation of electric vehicles.
  - 7. design for comfort and safety (i.e., privacy, lighting, sun and wind protection, etc);
  - 8. full cut off (i.e. dark skies friendly) exterior lighting; and,
  - 9. architectural elements including styles, details, materials and colours.

#### 8.1.3.6.2 Additional Residential Units (ARUs)

- 1. Additional Residential Units (ARUs) are an efficient and cost-effective means of increasing the supply of affordable accommodation for rental purposes.
- 2. ARUs include, up to two, self-contained dwelling units, often with separate entrances, located within and subordinate to an existing single dwelling, semi-detached dwelling or townhouse. In addition to the two ARUs within a dwelling, this Plan also permits one ARU to be located in a building or structure ancillary to the principal dwelling, that contains its own separate cooking and bathroom facilities in addition to the usual living quarters.
- 3. For the sake of clarity, this policy allows for a total of three ARUs on a given property, two internal to the principal dwelling and one in an accessory structure, representing a total of four dwelling units on a property (three ARUs and the principal dwelling), provided the regulations set out in the Zoning By-Law are complied with.
- 4. In conjunction with a single dwelling, semi-detached dwelling or townhouse, ARUs will be permitted 'as of right' in certain zones of the implementing Zoning By-Law or by amendment to the implementing Zoning By-Law.
- 5. Standards will be established in the Zoning By-law to govern the establishment of ARUs, integration with surrounding land uses, parking requirements, and servicing standards.
- 6. Notwithstanding this policy, the implementation of ARUs does not supersede the need for all development to be in conformity with the natural hazard policies of this Plan. No new ARUs shall be permitted within land identified as a natural or man-made hazard. Although similar in nature, garden suites are different than ARUs. Garden Suites may be permitted through the enactment of temporary use by- laws (see Section 8.1.3.11 and Section 9.12.10).

#### 8.1.3.7 Re-Use of Heritage Structures

Adaptive re-use of heritage structures and sites is permitted provided that such re-use respects and

preserves the heritage elements or the heritage values of the site. Such redevelopments will have regard to the policies of *Section 8.2.4.7 (Redevelopment or Change of Use)* with appropriate modification. The Town will require new developments or redevelopment on sites adjacent to heritage sites to protect and conserve heritage values and architectural features through complementary site design and building form (see also Section 6.6.3.12 for protected heritage properties).

#### 8.1.3.8 Conservation and Renewal

- a) Council shall ensure the maintenance and rehabilitation of the housing stock through active enforcement of the Town's Property Standards By-Law.
- b) Council may establish areas of demolition control to prevent the unnecessary demolition of residential units, particularly dwellings which have been or are likely to be designated under *The Ontario Heritage Act*. Demolition will not generally be encouraged unless the housing stock is proven to be beyond economical repair or creates a fire or public safety hazard to the community.
- c) Outside of designated Residential Areas, Council will encourage land owners of commercial buildings to renovate and restore upper storeys for residential use.

#### 8.1.3.9 Affordable Housing

- a) Access to affordable housing is recognized as a human right and provision of affordable housing in the market is an investment that benefits the greater community. Discrimination against proponents or occupants of affordable housing units is an expression of intolerance that is not acceptable to the Town of Perth.

Council will support affordable housing through such measures as:

- 1. Working with local housing authorities to monitor and assess the need for social assisted housing e.g. periodic surveys, analysis of waiting lists etc.
- 2. Ensure creation of affordable housing when approving new residential development and redevelopment to meet targets of:
  - 25% of all new rental housing to be affordable such that a unit for which the rent does not exceed 30 percent of gross annual household income for households up to the 60<sup>th</sup> income percentile of rental housing households for the County of Lanark regional market area; or a unit for which the rent is at or below the average market rent of a unit in the County of Lanark regional market area.
  - 25% of all new ownership housing to be affordable such that housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for households up to the 60<sup>th</sup> income percentile for the County of Lanark regional market area, or housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;—
- 3. Requiring applicants for new residential development to pre-consult with the Town's Planning Department on matters of affordability. Opportunities for affordable housing for those with low and moderate incomes will be sought. Proposals for affordable housing shall be considered in an equitable and non-discriminatory manner in all

neighbourhoods.

4. Proponents of larger subdivisions and other housing projects with a substantive number of housing units will be required to demonstrate the extent of affordable housing being provided.
5. Applications from non-profit housing corporations and housing cooperatives for housing that are intended for low to moderate income households will be given priority for development review by the Town.
6. Lands which are declared to be surplus to the Town's needs and which are suitable for residential development will be given priority for sale or lease for the development of affordable housing.
7. Whenever possible the Town will participate in programs delivered by senior levels of government that will provide or assisting in the provision of affordable housing.
8. The Town will encourage partnerships among public, private and institutional organizations in the provision of affordable housing. This may include: joint ventures, land exchanges, donations in kind, sharing human resources and similar initiatives.

#### 8.1.3.10 Residential Design Principles

- a) Council recognizes the importance of planning communities which are welcoming, inclusive, safe, functional and have a sense of human scale. The image of Perth as a community with a high quality of life, a 'small town atmosphere' and livable residential neighbourhoods is intended to be sustained by having regard for the following residential principles in the review of residential development or redevelopment projects:
  1. **Prominent natural features** such as the Perth Long Swamp, Tay River, Grant's Creek Wetland, urban woodlots, watercourses and their tributaries will be maintained as visual landmarks within Perth. Residential developments which border these features will integrate these features into the design. This may include using such features as a natural visual border, by using these features to enhance open space or provide passive recreational opportunities, by providing shelter belts against wind and areas to maintain biodiversity. Impact Assessments (**see Section 8.5 - Environmental Protection Areas - Natural Heritage Features**) will be used as opportunities to evaluate these amenities, their conservation, support proposed lotting patterns and to ensure the compatible integration of adjacent residential areas.
  2. Lotting patterns for subdivisions and the placement of buildings should match the existing topography and conserve vistas, visual landmarks and landscapes which exhibit heritage value and ensure new lots are located outside natural heritage features unless supported through an EIS acceptable to the Town.

**Energy conservation and sustainability** 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 or active transportation systems over motorized travel and by considering alternative development standards e.g. reduced street widths.
  3. **Human scale** will be achieved by a number of measures including: centrally located parks, safe streets and pedestrian access/sidewalks, building height, building relationship

to the street, street tree plantings and use of landscaping, lighting, and site accessibility.

4. **Parking Areas** should be within a short walking distance (12-15 m or 40-50 ft.) to permit loading and unloading. Parking areas should not impair views from front windows or entrances and should be set back from habitable windows. Parking spaces should be of sufficient size and include handicapped parking for medium and high density residential projects. Grades for parking areas and spaces should generally not exceed 5 %.

Parking areas should be located or designed to facilitate a building placement that will create a streetscape/ street-wall consistent with the established building line and to minimize the visual access to, or impact of, parked cars from the street. Parking areas for multi-residential dwellings should be appropriately screened from adjacent residential uses using landscaping or a vegetative buffer. The use of rear yard, multiple parking areas and underground parking is encouraged for larger multi-residential dwellings.

5. **Street Lighting** shall be provided as a measure of public safety for both pedestrians and vehicles. **Lighting** in other forms may be used for: landscaping, architectural lighting, security, definition of walkways and access points, street or building signage or for enhanced visibility provided such lighting does not provide undesirable effects such as glare, harsh reflections, and spillover from areas of high intensity lighting or oscillations.
6. **Barrier Free Access** shall be provided to all buildings where required by the *Building Code*, and the Town's Accessibility Plan. .
7. **Service Areas** for delivery and waste disposal pick-up 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.
8. **Fire Protection:** all new proposals for residential development shall provide adequate vehicular access and circulation for fire fighting 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.
9. **Noise Attenuation:** residential development proposed adjacent to a rail line, industry or Highway 7 shall incorporate noise attenuation and vibration mitigation features that achieve provincial standards. (See also Section 7.5- Noise and Vibration.)
10. **Landscaping and open space:** all residential development shall include a generous area devoted to open space to be utilized as privacy areas for occupants, snow storage areas and landscaped areas. Medium and high density residential and non-residential development in designated residential areas shall incorporate a landscaping plan into any development proposal. Existing natural vegetation will be conserved wherever possible and/or enhanced with additional tree planting along street boulevards using healthy native species stock. 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.

Play areas should be readily visible for supervision, should include active and passive play elements, should be arranged to take advantage of the sun most of the day and should be well separated from conflicting uses e.g. parking areas, utility structures

11. **Microclimate Conditions:** consideration shall be given to measures which protect pedestrians or properties from the impacts of climate such as:
  - minimizing snow drifting at entrance points to buildings and at emergency exits;
  - avoiding structures or features which would allow snow or ice to accumulate and fall or slide onto sidewalks or pedestrian pathways, building entrances etc.;
  - using landscaping for summer cooling or shelter from wind;
  - maximizing sun light penetration onto pedestrian spaces;
  - avoiding sun shadow on adjacent properties.
12. **Building Integration:** where proposed residential areas are to be developed adjacent to existing non-residential areas or residential areas of different densities, consideration shall be given to how the new use or redeveloped use can be physically integrated with the existing use(s). Matters related to site layout, height, access, landscaping, building setbacks, separation distances, influence areas or other appropriate measures shall be evaluated (report/study). Appropriate distance separation from incompatible land uses shall be achieved. The Zoning By-law may contain provisions regulating the location and prominence of garages in relation to streetline/building line.
13. **Street Layout and Construction:** the configuration of streets shall be planned to avoid or minimize the use of cul-de-sacs, ensure that intersections are properly spaced and that the integrity of the existing grid system is maintained. New local streets shall be constructed to urban standards with a minimum width of 20 m (65.6 ft.). Alternative standards may be considered to reduce the road width in compliance with Section 5.5.4 and 5.5.8 of this Plan.
14. **Street Profile:** buildings in new subdivisions should generally have walls parallel to the road, creating a consistent street wall. To accommodate some variety in the streetscape the zoning By-law may permit front yard setbacks to vary up to 10% from the established (average) building line. Greater variation and alternative presentation to the street may be considered when it is demonstrated such variation improves solar access for heating or energy needs.
15. **Existing Setbacks** Where the existing street setback varies new development should adopt a setback that is sympathetic to the existing streetscape. New developments should also try and adhere to the established rear yard setback where possible. Building forms will be adjusted to minimize overshadowing into neighbouring yards

16. ***Sides of Buildings*** where sides or flanks of buildings are visible or are likely or intended to be visible from a street, they should have windows or other appropriate architectural treatment to be comparable to the main building face.

17. ***Corner Lot Design:***

Corner lots, particularly at entryways for new development or at transitions in land use, are high profile locations that should be developed in a distinctive manner. The policies of Section 8.2.5.6, with appropriate modification, will be addressed at the time of new development or redevelopment for residential use.

18. ***Row-house or Townhouse Design:***

- i. Townhouses should be mixed with other housing forms so that they do not dominate an entire neighbourhood. Townhouses should be located to ensure sufficient on-site parking to avoid on-street parking.
- ii. Access may be provided via a rear lane to avoid the dominance of garages and driveways on the street. In situations where a laneway cannot be provided, units should have a minimum width of 6 m and driveways for every two units will abut and alternate with front yard green space.

Long and unbroken strips of development with no variation in roofline or building setback are not compatible with existing and preferred streetscapes and are not permitted. Projects with units above the ground floor (stacked townhouses) should be limited to a four (4) storey design or a maximum height equivalent thereto.

19. ***Apartment Buildings:***

- i. Apartment buildings will be permitted along arterial roads and collector roads and in transition locations within the Residential Designation and should be oriented to front, face and feature the road. Buildings and associated landscaping should help to define the street edge.
- ii. The maximum building height of an apartment building within the Central Area District or within 500 m of: the Town Hall, the intersection of Wilson Street with Foster Street, or the intersection of Foster Street and Beckwith Street, will be limited to 4 storeys. At the periphery of existing development within the 500 m limiting distance the maximum apartment building height will be 5 storeys. One additional storey may be permitted by zoning amendment where the building features a terraced design stepping back from the street and the proponent demonstrates that there will be no impact on adjacent properties with respect to sunlight access, site lines to municipal heritage landmarks, or impacts on properties having heritage value.
- iii. In all other areas of the Town the maximum apartment building height will be six (6) storeys. However, Council may consider site specific zoning exemptions proposing increased building height and lot coverage outside of the 500 m limiting distance where such development will abut an arterial road or a major collector or on sites that will not direct traffic into lower density residential



areas in exchange for increased street setbacks, increased on-site green space, terraced building design, sustainable design elements, and community benefits such as increased parkland dedication; contributions to recreational infrastructure or trail development; retention or enhancement of urban wilderness and/or natural heritage features; contributions to outdoor public art or gateway development; or contribution to improved environmental performance of public infrastructure.

- iv. Any permanent parking, loading or servicing areas should be located in the side or rear yards, set back from the front facade of the building and/or located within the building. Visitor drop-off laneways, accessible parking spaces and temporary parking may be located in the front of a building.

## 20. ***Building Mass:***

- i. Larger residential buildings such as multi-residential buildings are encouraged to locate adjacent to parks or open spaces where they can help to reinforce an urban "street-scape" enclosure and provide residents with convenient access to outdoor living space. In these locations setback and vegetated buffers including hedges and generous tree plantings should be used to lessen the visual presentation of taller buildings to the public space.
- ii. Building heights should be compatible with the structural rhythm along the existing street. Where there is a consistent streetscape, building heights of new townhouse or row house units should respect the existing built context. Increased rear yard and side yard setbacks for taller buildings will be provided where they abut lower buildings.
- iii. Ground-floor accessed residential townhouse developments should be restricted to a height that is reflective of the general pattern of surrounding low-density residential development.
- iv. For single/common-entry multiple-residential dwellings, stepped massing is encouraged to reduce interference of views by creating view corridors.

## 21. ***Projections and Recesses:***

Building projections in the form of bays, dormers, room projections, porches, and verandas create visually interesting facades, and provide distinctiveness to residential developments. Such projections are therefore encouraged in new residential developments, while in-filling of porches and balconies and recessed spaces flattens building facades and is discouraged. Likewise, the use of chimneys in single-detached and townhouse/row house developments is encouraged as it provides a strong vertical element in the building.

## 22. ***Accessible Housing:***

An objective of this plan is to meet the housing needs of all citizens and to address the requirements of the Accessibility for Ontarians with Disabilities Act. Housing for citizens with special needs should improve accessibility, and incorporate universal design; e.g. functional layouts which 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, barriers against vehicular use, lighting.

**23. *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 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 which may be unsafe will not be permitted.

**24. *Residential Design Principles:***

High and medium density residential development must be built according to the universal design principle to provide full access to members of the community with disabilities.

### **8.1.3.11 Special Needs Housing**

- a) It is the intent of Council to provide or support the provision of housing for particular household types in the community including:

**1. *Student Housing:***

Council will work with educational institutions (e.g. Algonquin College) in identifying opportunities and facilitating the delivery of student housing in Perth.

**2. *Garden Suites (also refer to Section 8.1.3.7):***

- i. For the purposes of this Plan a Garden Suite means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability require some support to live on their own.
- ii. Council may use a Temporary Use By-law under the *Planning Act* to permit a garden suite for a period not exceeding twenty (20) years (renewable) and may require a homeowner proposing a garden suite to enter into an agreement with the municipality under the Municipal Act to govern the appearance and maintenance and stipulate the removal of the garden suite when the occupant (named in the agreement) moves out, is deceased or the temporary use by-law expires.
- iii. It is a policy of Council to provide opportunities for garden suites on a site specific basis. This may be achieved through the installation of a garden suite on the same lot as the principle (single detached or two-unit) dwelling. In substantiating the need for a garden suite, the proponent shall:

- Demonstrate compliance with all applicable zoning standards for lot size, setbacks and parking;
  - Demonstrate that there will be no adverse impacts to adjacent land uses (e.g. drainage, access for fire protection, barrier free access etc.); and
  - Demonstrate sufficiency of compliance to the Building Code.
- iv. Garden suites shall only be established under the enactment of a Temporary Use By-Law under the *Planning Act*.

### 3. ***Group Homes:***

- i. Council recognizes the special and varied needs of individuals that can be met by providing for group homes. Accordingly, group homes shall be permitted in all zoned areas that permit permanent residential development.
- ii. A group home is defined as a single housekeeping unit in a residential dwelling, which is registered with the municipality, in which 3 to 10 residents (excluding supervisory staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement and which is licensed or approved under provincial statute and in compliance with municipal by-laws.
- iii. Group Homes should be developed in compliance with the zoning requirements applicable to the site or consistent with the zoning established on the adjacent lands. The Zoning By-law may make a distinction between traditional group homes and group homes related to custodial care.  
At the time the group home is proposed to be established the sponsoring agency, group or persons may be required to provide the following information:
  - the type and location of the group home proposed;
  - the number of residents;
  - the name of the licensing or approval agency within the province and proof of licensing or approval or financing;
  - plans for parking including visitor parking; and
  - architectural information pertaining to the facility.
- v. In permitting group homes, Council does not mean to exclude other persons which may live in a group setting where provincial licensing is not a requirement, but who otherwise meet the requirements of the zoning by-law.

### 4. ***Crisis Housing:***

This type of housing which is intended to provide temporary residence for persons requiring immediate emergency shelter shall be permitted in designated Residential Areas provided the facility is appropriately designed or retrofitted to meet the needs of its residents.

### 8.1.3.12 Neighbourhood Serving Uses

- a) It is the intent of Council to permit neighbourhood-serving uses in the Residential Areas designation which are complementary and normally associated with a residential environment. These neighbourhood serving uses shall include public service and institutional uses such as schools, day care centers, health care clinics, places of worship, parks, libraries, long-term care homes (see **Section 8.3 - Public Services and Institutional Uses**) as well as neighbourhood commercial uses.
- b) Neighbourhood-serving commercial uses in the Residential Area include: convenience stores, small scale coffee shops / snack bars, professional offices, personal service and pet grooming establishments, laundromats, dry cleaning drop-off services, and artistic and instructional studios. Other similar small-scale neighbourhood-serving commercial uses may be permitted in the Residential Area where their characteristics are not dissimilar from those listed above and the proposed use satisfies the policies of this Plan. Generally, drive through/fast food restaurant type uses are not considered appropriate neighbourhood commercial uses.
- c) In reviewing applications for new neighbourhood-serving commercial uses in the Residential Area, the following criteria shall be considered:
  - 1. The lot size and configuration, and the size and scale of the proposed commercial use, shall be consistent with the built-form of surrounding residential and institutional uses not result in the attraction of large volumes of traffic from outside the general residential area that is intended to be served ;
  - 2. Setbacks from front and side lot lines shall generally emulate the setbacks of buildings on adjacent properties wherever possible to establish a consistent streetscape and building form;
  - 3. Buffering and screening by means of fencing and landscaping may be required to mitigate externalities associated with lighting, noise (Noise Study), parking areas and commercial activities;
  - 4. Neighbourhood-serving commercial uses shall generally be directed to lots fronting on arterial and collector roads with preference for corner lots;
  - 5. Neighbourhood-serving commercial uses shall locate where there is adequate off-street parking available, or where there is adequate existing supplemental on-street parking;
  - 6. Neighbourhood-serving commercial uses should be encouraged to cluster with other non- residential uses in the Residential Area (e.g. parks, community centres, existing commercial uses, institutional uses). Clusters of neighbourhood-serving commercial uses should generally not exceed three units;
  - 7. Neighbourhood-serving commercial uses should not be located so as to lead to the expansion of the Central Area District or the Highway Commercial District along local streets;
  - 8. Neighbourhood-serving commercial uses in the Residential Area shall not include facilities for drive-through services.
- d) Proposals for the establishment of new neighbourhood-serving commercial uses in the Residential Area shall be accompanied by a justification report (Neighbourhood-Serving Use

Study) that describes the following:

1. The target customer and population, and the market area to be served;
  2. The existing commercial uses in the Town that provide the same or similar service as the one proposed, and discusses the rationale for why the proposed use is needed in the community and in the proposed location; and
  3. A site plan showing buildings and structures, parking areas, building entrances and buffering.
  4. A traffic impact assessment (Traffic Study) shall be required for proposals involving multiple premises or convenience stores.
- e) Accessory or ancillary dwelling units shall be permitted in a building occupied by a neighbourhood-serving commercial use in accordance with the following:
- An accessory dwelling unit shall not exceed 50% of the main floor space of the building;
- Where multiple dwelling units are proposed, they should be largely located above or to the rear of the first floor.
- Separated entrances should be provided for the commercial and residential components of the building and which complies with the *Ontario Building Code*;
- f) Where on-site parking spaces for the commercial and residential uses are located in the same parking area, parking spaces for the dwelling unit(s) shall be clearly signed and reserved for residents
- g) Non-residential uses, except parks, will be subject to site plan control.

#### 8.1.3.13 Home Based Businesses

- a) In order to recognize remote work opportunities and to provide for economic development opportunities within the community, it is the policy of Council to permit a home based business, in a dwelling unit within the areas where residential uses are permitted subject to the provisions of the implementing Zoning By-Law and other by-laws established by Council e.g. noise, parking. In permitting such uses, Council's policy is to ensure that they do not create a public nuisance or adverse impact on the surrounding neighborhood.
- b) For the purposes of this Plan, a home based business is defined as a privately operated legal business located within a residential dwelling, or accessory structure, by the occupant or owner thereof and which is compatible with the character of a residential setting or surrounding neighborhood and which is an accessory use or clearly secondary to the principal residential use.
- c) The scope of home based businesses shall be set out in the zoning by-law but generally they shall fall within one of the following categories:
1. professional and consulting services ;
  2. instructional services
  3. home craft businesses
  4. private daycare;

5. distribution sales offices or mail order sales (
6. offices for contractors and trades
7. repair services (examples: small appliance, computers);
8. high technology uses
9. a taxi service where limited to no more than two licensed taxis;
10. personal care services

Provided the use does not create a public nuisance or cause adverse effects, in particular in regard to noise or vibration, traffic or parking, odor, fumes, dust, radiation, hours of operation, health or public safety, magnetic fields or electronic interference.

- d) Prohibited uses may be detailed in the Zoning By-law and generally could include a retail or wholesale store, clinic, restaurant, nursing or convalescent home, adult entertainment parlor, an automotive use including mechanical repairs and body work. The incidental and limited retailing of products specifically fabricated on site (in-situ) shall be permitted.
  1. The regulatory requirements governing home based businesses shall be set out in the zoning by-law.

#### 8.1.3.14 Bed and Breakfast Establishments and Inns

The small-scale Bed and Breakfast and specialty accommodations service sector has been, and will continue to be, important to the overall travel and tourism industry in the Town of Perth. The following policies for bed and breakfast establishments and inns are intended to ensure that these uses continue to be an integral component of the tourism industry and that they complement and integrate well with adjacent residential development. The Zoning By-law shall contain detailed regulations associated with the establishment of Bed and Breakfast and Inns.

##### *a) Bed and Breakfast Establishments*

1. A Bed and Breakfast Establishment is a distinctive form of home-based business which may be permitted as an accessory use to the main residential occupancy of a single detached dwelling in which guest bedrooms are provided for gain as temporary overnight accommodation on a daily basis, where meals may or may not be provided to guests; and any permitted amenity space is consistent in scale with the number of guest bedrooms. A dwelling to be used for a bed and breakfast establishment shall be the proprietor's principal dwelling and it is anticipated that the proprietor will be in residence when the establishment is occupied. Other than an existing establishment, a bed and breakfast establishment in the Residential Designation should generally not exceed four guest bedrooms. A bed and breakfast establishment should be distinct from any other form of overnight accommodation for the travelling public (e.g. an inn, hotel, motel, or lodging home).
2. Bed and breakfast establishments may be permitted as a home based business within the Residential Area and Central Area District land use designations where the single detached dwelling is the main use of the property.

3. Bed and breakfast establishments shall not alter the residential character of the single detached dwelling. The residential use shall clearly be the principal use of the dwelling and property, and the bed and breakfast establishment shall clearly be the secondary use.
4. All bed and breakfast establishments shall be on full municipal services, and such services shall be suitable to accommodate the intended use (Municipal Services Capacity Study). The local Health Unit or delegate and Fire Department shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of these agencies shall first be obtained before the establishment begins operating.
5. The Zoning By-law shall:
  - Recognize bed and breakfast establishments as a permitted form of home-based business in the Residential Designation;
  - Differentiate bed and breakfast establishments from other permitted accessory uses to a single detached dwelling;
  - Establish provisions, such as floor space use limits, and the number of guest bedrooms permitted in a bed and breakfast establishment to restrict the scale of a bed and breakfast establishment so that it is clearly an accessory use to the single detached dwelling;
  - Regulate parking requirements for bed and breakfast establishments. In order to maintain the residential character of neighbourhoods, all required parking shall be provided on the same property as the bed and breakfast establishment and except where a front yard substantively exceeds the zoning minimum, parking in excess of two spaces should be directed to a side or rear yard;
  - Ensure a minimum vegetated open space is maintained on a lot used for a Bed and Breakfast in the Residential Designation;
  - Regulate any outdoor ancillary use, such as a guest dining patio;
  - Establish parking requirements and regulate other accessory or ancillary uses, such as dining and event-hosting facilities where permitted in the Central Area District designation.
6. All signage for bed and breakfast establishments shall be in accordance with the Zoning By-law and/or any Sign By-law in effect in the Town of Perth.

***b) Inns***

1. An Inn is recognized as an establishment that provides short-term overnight accommodation with a minimum of five guest rooms and a maximum of 15 to 20 rooms in buildings previously in residential use; buildings having residential design characteristics; or heritage buildings appropriate for conversion to an accommodation use function with primary access to most accommodation rooms being from the interior of the building. An Inn may include accessory or ancillary dining, meeting, or event hosting facilities with capacity to host clients in excess of the maximum over-night

accommodation capacity; however, such facilities generally should not be substantively more than double the over-night guest capacity.

2. The Zoning By-law may establish location criteria for the establishment of an Inn but generally an Inn may be permitted in the Residential Area Designation on full municipal services. Generally, the lot to be occupied by an Inn shall be of sufficient size to accommodate the intended use, the number of guest rooms, amenity space and adequate on-site parking for the main use and all ancillary uses. Inns that include event-hosting facilities should be located on larger lots in order to separate the use from surrounding residential uses. To ensure compatibility between inns and sensitive uses, landscaping features and separation distances (evaluation) may be required for buffering.
3. New Inns in the Residential Area designation shall only be permitted by zoning amendment.
4. New Inns in the Residential Area designation should be limited to a maximum of fifteen accommodation rooms and shall only be permitted in buildings that complement the residential character of the surrounding neighbourhood, such as former single detached dwellings, larger heritage residential buildings and buildings designed or altered to emulate residential architecture.
5. New Inns in the Residential Area designation should be well buffered and screened from abutting residential uses. Outdoor activities should generally be limited to passive use of the grounds and dining patios abutting the main building. Ancillary outdoor activities such as the hosting of wedding ceremonies, anniversary parties, business luncheons or similar functions may be permitted by site specific zoning amendment on lots where such events will be visually screened and the scale of the events is consistent with the on-site parking capacity.
6. Inns should generally have access and frontage onto an arterial or collector road as classified and designated pursuant to the transportation policies of this Plan; however, an Inn may be considered in the transition area where the designation abuts the Central Area District, Highway Commercial or Business Park designations.
7. Inns shall be subject to site plan control.
8. The Zoning By-law shall differentiate inns from residential uses by applying a commercial zone category and will contain specific provisions to govern the development of Inns.

#### 8.1.3.15 Short-Term Rental Accommodation

1. This Plan recognizes short-term rental accommodation as a form of transient accommodation in the whole or part of a residential unit for a period of less than thirty (30) consecutive nights and which is marketed or brokered by a short-term rental platform, is not a rooming house or hotel and includes bed and breakfast and cottage rental.
2. The Town may pass a by-law under the *Planning Act* or *Municipal Act*, to regulate and/or license short-term rentals. Such by-laws may establish definitions of short-term rental accommodation, set out site and building conditions that must be satisfied, identify ownership requirements, establish a



renter code of conduct, set out licensing terms, detail enforcement and penalty provisions, and other relevant provisions.

#### 8.1.3.16 Places of Worship and Places of Assembly in the Residential Area

- a) Places of worship and places of assembly are important institutional uses in the Town of Perth. These uses provide a gathering place for community service groups or organizations, people of the same religion, those celebrating events, or those sharing similar interest. Most such existing facilities are found in the Residential Area land use designation. The following policies shall guide the development of new places of worship and places of assembly in the Residential Area:
1. New places of worship and places of assembly in green-field areas shall have frontage on a Collector or Arterial Road. For the purposes of this section, a green-field area is an area of land that has not been previously developed.
  2. New places of worship and places of assembly in residential areas shall be encouraged to locate on or in proximity to Arterial or Collector Roads on sites with potential to provide adequate parking and outdoor use areas for the scale of the assembly use. New Places of worship and places of assembly shall avoid or minimize the need for vehicular trips through the Residential Area on local roads.
  3. Sites for places of worship and places of assembly shall be designed to have regard to surrounding sensitive land uses; whether existing or permitted. Parking and activity areas, where they abut residential areas shall be buffered by opaque fencing and vegetation, particularly trees, sufficient to mitigate visual impacts such as building height and mass, exterior lighting and vehicle lights; and the site shall be designed to buffer other impacts such as, dust, vehicle exhaust and drainage. Within or abutting residential area developments which are intending or designed to accommodate concert or other performance events and the use of amplified sound systems shall also evaluate potential noise impacts and mitigating design options where necessary.
  4. New places of worship and places of assembly abutting existing institutional or open space uses should be designed in a manner consistent with the existing use in terms of building form and/or landscaping. Buffering may be required where appropriate to ensure compatibility and mitigate potential impacts when identified (compatibility report).
  5. The height and massing of places of worship and places of assembly shall be sensitively designed to have regard for the uses and building forms permitted on other lots in the vicinity. Buildings or structures that stand out from the surrounding built form (existing or permitted) will be subject to increased setbacks from lot lines and will provide a mix of vegetative buffering and landscaping elements to ensure compatibility (report).
  6. The premises of places of worship and places of assembly should be located to encourage walk-in attendance. Buildings shall be designed to be accessible to both pedestrians and automobile users.
  7. The Town may require a traffic impact assessment as part of an application for development or substantive expansion.
  8. Places of worship and assembly shall also be subject to Section 8.3 (Public Service and

Institutional Areas).

#### 8.1.3.17 Lands abutting the Railway

- a) Council recognizes the general incompatibility of sensitive land uses (residential, day care and other institutional uses) with train noise and vibration. Council's policy is to provide for a parallel corridor adjacent to the rail line right-of-way to be developed as a recreational trail over the long term. Other new development on lands abutting the rail line right-of-way or this recreational corridor may be developed for residential use provided the health and safety of the residential development is protected through the imposition of the following mitigating measures on the development:
1. Development abutting a railway corridor shall generally be consist with the "Guidelines for New Development in Proximity to Railway Operations (2013)".
  2. The installation of a berm having a total height of not less than 2.5 m (8.2 ft.) above the grade elevation at the center of the track which parallels the rail right-of-way and is located on the property to be developed.
  3. Dwellings or other sensitive uses are set back a minimum of 30 m (98.4 ft.) from the boundary of the railway property.
  4. Ground vibration transmission shall be determined through site tests. Where the vertical natural frequency is projected to exceed 12 Hz, the installation of rubber padding between the foundation and occupied portion of the building may be required.
  5. Dwellings or sensitive uses must be constructed such that the interior noise level meets the noise level criteria of the MECP. This may include a requirement for the installation of acoustical insulation.
  6. Closures shall be registered on and run with the title of all properties within 300 m (984.2 ft.) of the boundary of the rail line right-of-way, warning prospective purchasers of the railway's presence and also that the railway will not take responsibility for complaints as a result of noise, vibration, air quality etc., generated by rail operations.
  7. There shall be no change in the direction of natural drainage which would adversely affect the railway right-of-way. Any modification or addition to the existing drainage pattern would be the responsibility of the developer.
  8. Any proposed utilities under or over the railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.
  9. A 1.83 m (6 ft.) high chain link fence shall be constructed and maintained along the common property line of the railway and the adjacent development, by the developer, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchaser of the land to maintain the fence in a satisfactory condition at their expense.

**(See also Section 7.6 - Noise and Vibration)**

### 8.1.3.18 Zone Categories

Housing types and non-residential uses in the Residential Areas designation may be distinguished by placing them in separate zone categories in the zoning by-law.

### 8.1.3.19 Site Plan Control

- a) Site plan control shall apply to all residential dwellings (regardless of the land use designation in which they are located) which contain ten (10) or more units. The submission of drawings that show plan, elevation, and cross-section views may be required.
- b) Council may pass a site plan control by-law which identifies areas subject to site plan control. Under the site plan control by-law, Exterior design controls, except a building to be used for residential purposes containing fewer than 25 dwelling units, may be used to define or address the massing and conceptual design of the proposed building, its relationship to adjacent buildings, streets and exterior public spaces, exterior access, accessibility, and sustainable design elements. Sustainable design elements may include provisions for trees, shrubs, hedges, plantings, other ground cover; permeable hard surface paving materials; street furniture; curb ramps; waste and recycling containers; and bicycle parking facilities. In the application of site plan control, regard will be given to Urban Design Guidelines as approved by Council from time to time (See also Section 9.12.12 - Site Plan Control).
- c) Site Plan Control will be used to ensure that sound planning and design principles are the basis for new developments or redevelopments. Particular emphasis will be placed on ensuring that there is a harmonious integration with the surrounding area, that buildings are safe, attractive, environmentally friendly, and accessible for people with disabilities.

### 8.1.3.20 Parks, Open Space and Natural Areas

- a) The Town of Perth shall strive to promote a healthy, active community by:
  - planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
  - planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
  - providing opportunities for public access to shorelines; and
  - recognizing the Rideau Canal, public lands, conservation areas, and other protected areas, and minimizing negative impacts on these areas.
- b) Parks, open space and natural areas are intended to serve a variety of purposes in the community including:
  - active recreational areas for sports activities and community events;
  - playgrounds for tots and youth, including barrier free options;
  - passive areas for informal recreation, leisure and nature appreciation;

- community gardens, cool down areas, shade trees/features;
  - open space linkages for recreational trails, pedestrian ways and access to water;
  - natural areas and systems and urban wilderness;
  - cemeteries;
  - areas which may be subject to environmental constraints e.g. significant wetlands, wildlife corridors and flood plains;
  - heritage sites and landscapes; and
  - landscaped boulevards or other 'green' areas on public lands.
  - protection of archaeological sites
- c) Since many of the types of parks and open space areas are an integral component of the residential area, this land use is generally not distinguished by a separate land use designation in residential neighbourhoods.
- d) Public buildings, parks and open spaces should be designed according to the principle of Universal Design, and accessible to all members of the public including those with disabilities, except those buildings, parks or open space areas deemed inappropriate for use by the public.
- e) The intent of Council is to recognize the variety of parks and open space areas as an important part of the community fabric and to ensure that the areas devoted to parks are adequate for the recreation and leisure needs of the community. The following policies articulate the strategy for this land use within the Residential Area Designation in particular as well as other areas of Perth.
1. The **Conlon Farm Recreational Complex** is intended to be the primary athletic and recreational facility for Perth. It is also recognized as serving a catchment area of some 20,000 population. In addition to the facilities in place, this facility has the potential to be expanded through the addition of new facilities e.g. twin ice surface, curling/lawn bowling venue, basketball courts, skateboard facility on the existing site as well as to expand the land area overall. Both may be achieved without amendment to this Plan.
  2. **Neighbourhood Parks** such as Scott Park, Perthmore Park, Morgan /Carson Park, Daines Park shall be primarily dedicated to neighbourhood level facilities and may be developed with playground furniture, fitness stations and passive usage. It is the intent to further develop Perthmore Park during the life of this Plan to serve the Perthmore residential area. No other new neighbourhood parks are proposed at this time.
  3. **Special Purpose Parks** such as Stewart Park, Code-Haggart Park, and Mill Street Park are intended to be conserved as parks that add to the open space and public amenities of the Central Area District. These parks are not intended to be developed for active sports or leisure activities. The Round Garden is also recognized as a special purpose park.
  4. **The Fairgrounds** are host to: an annual agricultural fair, sporting events, and other special events; and is recognized for that purpose.
  5. **Last Duel Park** is recognized in this Plan as a recreational vehicle park and

campground facility that includes ancillary uses such as picnic areas, a boat launch and storage facilities.

6. **Darou Farm** is recognized in this Plan as an informal recreation property containing an off-leash dog park and walking trails.
7. **Recreational Trails** provide opportunities for fitness *as* well as alternate linkages in the community to motorized travel. Subject to more detailed study, linkages may be established along the Tay River linking the tow path, Conlon Farm, the Rideau Trail, wetlands and adjacent community activity centers e.g. downtown, residential neighbourhoods and between Algonquin College and the downtown. Recreational trails should be constructed to standards that ensure the safety and personal security of users e.g. height, width, surface, lighting and incorporate components for use by disabled persons. (See also Section 5.5.9 - Recreational Trails.)

It is also the intent of the Plan to provide for pedestrian walkways in new residential development which provide convenient and direct travel or linkages between streets, parks and other activity areas and which support active transportation and community connectivity.

8. **Natural Areas** include lands along the Tay River/Canal corridor, Grant's Creek systems (including federal lands) and flood susceptible lands which are not suited to development, but may be utilized as continuous linear 'green' space as well as other open space areas in the community.
  9. **Community Gardens:** Council may identify suitable portions of public parks and undeveloped public open space areas for the development of community gardens. Community gardens are green space areas set aside by the Town (for growing food and/or decorative ornamental plants), which are planned, designed, built and cultivated by members of the community and are beneficial: in supporting local food production; providing an opportunity to garden for those who do not own land; as a source of fresh produce for less affluent members of the community; in supporting social interaction; and for encouraging environmentally and socially sustainable activities.
  10. **Cemeteries** are recognized as open space areas that may also have heritage values e.g. Last Duel Park Old Burying Ground.
  11. Council's policy will be to use the provisions of the *Planning Act* for cash- in-lieu to assist in funding the development of parks designated for recreational or leisure activities. In addition, Council may require the dedication of parkland where it enhances a particular policy of this Plan such as creating a public meeting place in the redevelopment of the Tay Basin property.
  12. Parks may be classified in a separate zone category in the Town's s zoning by-law.
- f) In new residential neighbourhoods, in green-field sites such as: north of Dufferin Street, in Perthmore Glen and the Perth golf course and Tayview sites, the design will include a mix of parks that provide or enhance pedestrian links and provide for a variety of recreation and leisure opportunities and should be located such that there is a park or trail within a convenient five minute walking distance of each dwelling, (see also section 8.1 b.).

#### 8.1.3.21 Exceptions to the Residential Area Designation

- a) The exceptions to the Residential Area Designation (including those brought forward from the previous Official Plan) are as follows:
1. On lands known as 23 Drummond Street West and more particularly described as Lots 7, 8, 9, 10 and 17, north side of D'Arey Street and south side of Boulton Street, Plan 8828, Town of Perth, County of Lanark, an Inn and a restaurant which serves the guests of the Inn and the public shall be permitted. The development, or redevelopment of the land so designated shall be permitted in accordance with the following principles:
    - i. The scale of development, or redevelopment, of the land for the purposes of the Inn shall remain compatible with the neighbourhood. The Inn and restaurant use shall be confined to existing structures on the land and maximum building coverage allowed on the land shall be 436 m<sup>2</sup> (4,693.2 ft.<sup>2</sup>);
    - ii. Incidental and ancillary uses to the Inn and restaurant may be permitted including an exercise room and small craft or boutique shop that serves overnight guests, light entertainment for patrons of both the restaurant and the Inn. Small banquet functions, wedding receptions and business conferences may also be allowed;
    - iii. The Inn and restaurant shall be permitted on the land as an exclusive use or in conjunction with permitted residential uses;
    - iv. the development or redevelopment of the land for the permitted uses shall occur in a manner so as to reduce land use conflicts. Buffering through the use of materials sufficient in size to visually screen parking areas, loading zone areas and other permitted outdoor activities from abutting residential properties shall be required;
    - v. Sufficient land to adequately sustain parking, loading and open space shall be required of the uses permitted on the land to ensure compatibility and further reduce any possible land use impacts on the surrounding properties within the area;
    - vi. In the event the Inn ceases to operate on the land, then the restaurant and the permitted ancillary and incidental uses shall also cease and the land and buildings shall revert to residential uses, and
    - vii. Specific zoning provisions to control the permitted uses, ancillary and incidental uses, building locations, heights, and coverage, parking and loading zone requirements and any other applicable requirements shall be included in the Zoning By-Law.
  2. On the lot described as Part 1 on the Reference Plan prepared by Brian Kerr O.L.S. and municipally known as 1 Harris Street, abutting the Canadian Pacific Railway line, service commercial uses be permitted. Service commercial uses are uses characterized as having limited on-site walk in retail activity and having potential to generate or attract only low to moderate traffic volumes, they shall require no outdoor storage or display areas, shall be compatible with existing uses with respect to noise, odour and visual impacts and generally include uses such as the sale and service of non-pharmaceutical medical, or dental supplies and equipment, the sale and service of office furniture and equipment, a printing or publishing establishment, a veterinary clinic with no outdoor facilities for animals, a catering establishment, a mini-warehouse/rental storage facility and similar uses. In no case shall such uses involve motor vehicle repairs, combustion engine repairs, or the venting of paint or solvent fumes. Structural development shall be

limited to: a maximum of two stories, a minimum road setback of 7.5 metres, a maximum lot coverage of 20%, visual buffering shall be provided with respect to adjacent residential holdings and site plan control shall be applied. (per OPA #1 relocated from Section 8.1.3.18)

In establishing this amendment it is not the intent of Council to establish a precedent for broadening commercial uses in the Residential Designation. Further amendments to introduce new sites for independent or stand-alone commercial uses on lands designated Residential, in the Wilson Street corridor should be based on a comprehensive review of commercial growth needs and should be consistent with the intent of the plan to retain the existing residential character of the street-scape. This amendment recognizes the unique development history of the subject lands given that the building at 57 Wilson St. W. was designed and constructed with commercial office space, that the property had extended commercial occupancy as a legal non-conforming use, and there is potential public benefit to permitting less intensive uses on-site. Therefore, notwithstanding the uses permitted under article 8.1.3.2 within the Residential Designation as it applies to lands described as Part 2, RP 27R-6528 and including Lot 18 Plan 8828, N Isabella and Part 1, RP 27R- 6528 including Pt. Lot 30 Plan 8828, N Isabella; and municipally known as 57 and 59 Wilson St. W., low intensity professional office and health care uses which are primarily client oriented may be permitted subject to the following provisions:

- i. the primary purpose of a permitted office or health care use shall be the provision of a service to a client and not the sale of a good, product; or real estate.
- ii. a permitted office or health care use shall only locate within the building at 57 Wilson St W and may be operated without being a home-business format but shall not occur without a residential premises in the same building;
- iii. a permitted office or health care use is limited to 140 sq. m (1,500 sq. ft) on the main floor and a comparable floor area for residential use shall be maintained on the second storey;
- iv. a permitted office or health care use that is not operated as a home occupation shall be subject to zoning standards that ensure the maximum parking demand for staff and clients will generally not exceed a maximum of 6 spaces.
- v. a permitted office or health care use shall have the status of a home-occupation with regard to the use, placement and scale of signage.
- vi. When considering a zoning change to establish a permitted office or health care use independent of on-site residency the Town shall be satisfied that such uses will occur solely on the basis of access to the parking lot at 59 Wilson St. W.
- vii. the lot at 59 Wilson Street, save and except for the established parking area is to be used for residential purposes and may only be used for a home-based business where the parking required in conjunction with the uses established at 57 Wilson Street will not exceed the maximum parking permitted on site.

(per OPA #5 relocated from Section 8.17.5)

4. Notwithstanding any policy of the Residential Area Designation to the contrary, on lands described as Part Lot 2 N South St Plan 8828, including Parts 2 and 3 Plan 27R-3164 located at 226 and 230 Gore Street East (locally known as Donaldson's Shell), the permitted uses may include a convenience store, gas bar, restaurant or snack bar, associated accessory uses, including the sale of propane and an accessory

- dwelling unit, provided such lands are appropriately zoned. Existing non-complying uses and structures may be recognized and deemed to comply with the zoning By-law; however, any further development or expansion of existing uses on the site will be subject to site plan control and an implementing agreement. No buffering will be required between the commercial use and an abutting residential use in the same ownership.
5. Notwithstanding any policy of the Residential Area Designation to the contrary, on land described as Pt. Lot 7 N South St. Plan 8828, Parts 1 to 5 Plan 27R-540 and municipally known as 125 Beckwith Street E. the zoning By-law may apply a local commercial zone that permits the existing sign design and production business, artisan studios or arts instruction services, professional offices and other neighbourhood serving commercial uses per section 8.1.3.13 of this Plan.
  6. Notwithstanding any policy of the Residential Area Designation to the contrary, on land described as Pt. Lot 3 South Halton St. Plan 8828, and municipally known as 205 Gore Street East the zoning By-law may apply a local commercial zone that permits artisan studios or arts instruction services, up to 140 m<sup>2</sup> (1,500 ft.<sup>2</sup>) of retail space and other neighbourhood serving commercial uses per section 8.1.3.13 of this Plan.

## **8.1.4 Special Policies for the 2009 Annexed Residential Lands**

### **8.1.4.1 Objectives**

- a) To ensure that development within areas annexed into the Town proceeds on the basis of piped municipal water and sanitary sewer services.
- b) To ensure that new green field areas annexed into the Town in 2009 develop in a rational, orderly, and environmentally responsible manner.
- c) To ensure that development proceeds in accordance with the servicing capacity of the Town and is integrated with planning for the Town's long term growth.
- d) To ensure that development in new green field areas annexed into the Town in 2009 is cost effective and fiscally sustainable in the long term in accordance with the Town's Asset Management Plan, and does not result in a cost to existing development or rate payers that Council considers to be unacceptable.
- e) To ensure servicing in new development areas annexed into the Town in 2009 complies with all regulatory requirements.
- f) To ensure that servicing capacity is allocated in an equitable manner that achieves a reasonable distribution of capacity/ development potential among the Town's green field development areas annexed into the Town in 2009 and that development potential is not unduly assigned to one site or area of the Town such that it effectively precludes development in another area for an extended period of time.



#### 8.1.4.2 Development Concept

- a) The New Residential Areas annexed into the Town in 2009 are anticipated to meet the mid to long-term growth and settlement needs of the Town. The intended land use pattern will be predominantly residential but will include an appropriate mix of public service facilities and neighbourhood-serving commercial uses essential to a well planned residential community and will also seek to retain and support redevelopment of existing land uses, particularly the Perth Golf Course. The mix of housing types and densities will be designed to meet the projected requirements of future residents and which are consistent with the housing policies of this Plan. Development may only proceed where the necessary urban infrastructure can be provided and adequate capacity is available, notably municipal (piped) water and sanitary sewer. Development will be designed to conserve the attributes of the natural environment and will avoid hazardous sites.
- b) The Town may consider approval of development on lands annexed into the Town in 2009 in advance of the build-out of other areas of the Town; however, the proponent must demonstrate that the proposed development is comprehensively planned, is cost-effective, efficient, sustainable, and can be integrated with the projected growth needs of the Town.

#### 8.1.4.3 Range of Permitted Uses- in the New Residential Area Annexed Into the Town in 2009

- a) Development within lands annexed into the Town in 2009 shall proceed consistent with the permitted uses and the policies for the Residential Designation as per Section 8.1.3 of this Plan except that the mix / ratio of housing density forms may involve increased levels of medium and high density housing types. Retention and redevelopment of the existing golf course and the continuation and development of commercial uses typically associated with a golf course will also be contemplated in this designation.
- b) The subdivision of land, construction of new buildings and/ or significant expansion of existing buildings within this designation will only be permitted when the Town has established or recovered adequate residual capacity to service such development (Servicing Capacity Study).

#### 8.1.4.4 Development Restriction - Servicing - Zoning

- a) All new development shall be connected to municipal services. The Town anticipates that piped water and sanitary sewage services will be extended to all of the developable lands within the Residential designation in an efficient sustainable and cost effective manner.
- b) Accordingly, all land annexed into the Town in 2009 shall be placed in one or more zone categories that limits the expansion of existing uses and prohibits new uses and /or new development until extension of piped, municipally owned water supply and sanitary sewage collection services and other utilities is assured and adequate residual treatment capacity is available and allocated.
- c) Sanitary treatment capacity, essential to growth, was greatly expanded in 2018 with the addition of a "Submerged Active Growth reactor" (SAGR). This addition to the sanitary treatment system increased the treatment capacity of the existing lagoon system to a population equivalent of 8,100. With the additional of a fourth cell to the SAGR, the

population equivalent could be increased to 10,500 persons. This expanded capacity is sufficient to provide sanitary treatment services to the design population of 10,500 and the lands designated for development within the Urban Settlement Boundary.

#### **8.1.4.5 Access Constraints**

- a) Certain lands within the New Residential Area annexed into the Town in 2009 have inadequate road access to accommodate the safe and efficient movement of people and goods based on the development potential of the land within the designation, unless an additional road access is constructed. This is particularly a concern for the Perth Golf Course lands lying to the southwest of the Tay River, which is generally described as comprising or occupying part of lots 25, 26 and 27 Concessions 1 and 2 in the Geographic Township of Bathurst and part of the southwest half of lot 1 concession 2 in the Geographic Township of Drummond as well as portions of associated unopened municipal road allowances.
- b) Where access constraints exist, the rezoning of land within this area for new development shall limit the number of residential units and shall be based in part on the traffic management capacity of the existing Peter Street Bridge and the associated Peter Street road corridor to accept additional traffic without a reduction in the level of service. The Zoning amendment should not proceed until such time as a new primary vehicle access corridor has been established either by plan of subdivision, acquisition of a corridor by the Town of Perth or by identification of a specific road corridor in a completed formal Master Plan for the lands annexed to the westerly side of Perth.
- c) Further, no development shall be permitted on lands annexed into the Town in 2009 abutting or adjacent to either shoreline of the Tay River unless the proponent demonstrates that any such development will not impede or reduce options for the creation of a new vehicle access corridor to the lands on the south-westerly side of the Tay River.
- d) For a new development, a transportation study must demonstrate to the satisfaction of the Town, and the Ministry of Transportation how the access connections, including any proposed municipal road along municipal crossroads in the vicinity of a provincial highway intersection or interchange ramp terminal, meet MTO's access management standards, including operational and safety needs.

## **8.2 Commercial Uses**

### **8.2.1 Development Concept**

- a) The intent of the Plan is to provide for the development and/or strengthening of the role of two commercial districts, the Central Area District and the Highway Commercial District. These areas are intended to complement each other since the scope of permitted uses will vary. These areas are important to the economic well-being of Perth and have a market area that extends well beyond the municipal boundaries of the community.
- b) The Central Area District will be developed or recognized for a mix of commercial, residential and institutional lands uses, which together are intended to make for a people-oriented, healthy and vibrant community core or downtown. Gore Street, Foster Street and Wilson Street constitute the "main streets" of the Central Area District's commercial

activity. The image of this area to residents and visitors alike is based on its rich architectural heritage, the visual landmarks of the Town's Clock Tower, the Tay Canal/River Corridor and the mix of land uses. The relocation or introduction of bank branch, credit union, or comparable full service banking offices away from the Central Area District will not be supported. Sustaining this image and strengthening the economic role of this area is dependent on several features articulated by the Plan, namely, developing the basin lands, conservation and renewal of the building stock, streetscaping measures, improving parking and encouraging the development of people places. Indirect measures include through traffic diversion (by-pass) and beautification and promotion/marketing programs sponsored by various merchant associations.

- c) The Highway Commercial District will continue to evolve as primarily an automobile-oriented corridor along Dufferin Street. The development concept for this commercial corridor is intended to facilitate infill as well as optimize highway exposure for existing and new businesses by controlling the depth and building setbacks of commercial development from this commercial arterial; encouraging commercial marketing to occur through increased building presence on the streetscape; through decreased and consolidated signage; and softened or reduced views of extensive, pavement dominated parking areas. To ensure the residential neighbourhood-north of Dufferin Street is not isolated, control over building setbacks and other design features shall be implemented to avoid commercial development becoming an impediment to non-commercial north-south community linkages between the developing residential neighbourhood and the balance of the Town.
- d) The Highway Commercial District will primarily include commercial uses which require large floor areas and properties to support their operations; uses that depend upon or serve the travelling public; and/ or uses that retail or service motor vehicles; and is intended to accommodate development of a scale that would not readily integrate into the downtown core.
- e) The intent of the plan is to facilitate an evolution of the Dufferin Street corridor to a more aesthetically pleasing urban thoroughfare that is safe and friendlier for the pedestrian through landscaping, reducing the number of entrances and providing north-south vehicular and pedestrian links. The three key linkage areas are the intersections associated with the extension of Wilson Street and Drummond Street north of Dufferin Street and the principal entrance to the Perth Mews Mall mid-block between Wilson Street and County Road 511. The first two linkages will be designed and developed as gateways to both the new residential area and to the established urban area, notably Perth's downtown and to provide access points to abutting commercial uses. The third linkage point is anticipated to become an increasingly active and vital pedestrian crossing as the neighbourhood to the north develops.
- f) The emphasis on development/redevelopment within the commercial districts is intended to avoid fragmentation e.g. avoiding commercial development at the east and south entrances to the community, although recognition will be given to existing uses.
- g) Subject to the criteria specified herein, an Inn may be permitted in the Central Area District, Highway Commercial District, or the Business Park Designations on full municipal services (Municipal Services Capacity Study may be required), where such services are adequate to accommodate the scale of the proposed use. In these

designations an Inn may be located in the transition area where the designation boundary abuts the boundary of the Residential Area designation.

### **8.2.2 Goal**

To maintain the well-being of the Central Area and Highway Commercial Districts of the community. Land use decisions will be cognizant of the need to create or preserve 'people places', to reduce the need and impact of the automobile and increase the opportunities for pedestrian travel within and through the community.

### **8.2.3 Urban Design Guidelines**

Urban design guidelines will be applied in the review of applications for new commercial developments. Urban design guidelines (see Appendix 5) relate to the visual character and aesthetics of developments, as well as the compatibility of commercial uses with sensitive land uses. Urban design guidelines for all commercial uses include criteria such as:

- Integrating development with the natural environment;
- Landscaping with the use of native and drought-resistant plants for aesthetics, buffering and water and energy conservation;
- Architectural continuity and harmony, and the conservation of heritage values;
- Functionality of parking, loading, queuing, access, waste management, drainage and storm-water, utilities and municipal services;
- Maintaining an integrated and harmonious streetscape;
- Gateways and attention to Corner Lot Design (see subsection 8.2.5.6)
- Noise attenuation;
- Safety and accessibility for pedestrians, cyclists and persons with disabilities through measures for active transportation and universal design.
- Signage and lighting addressing energy efficiency and night sky intrusion;
- Energy conservation and sustainable design, including minimizing hard surfaces and incorporating green infrastructure, such as bioswales and permeable pavements.

### **8.2.4 Central Area District Designation**

#### **8.2.4.1 Objectives**

- a) To maintain the Central Area District as a major center of business, employment and economic activity and the social and visual heart of Perth by providing for a mix of land uses and ensuring its role as a people-place.
- b) To provide a mix of uses that recognizes the value of business, residential, retail, entertainment, cultural and leisure uses in creating vitality and diversity.
- c) To maintain the Central Area District as the core of the architectural heritage of the community.

- d) To provide opportunities for increasing the supply of parking in the Central Area District.
- e) To emphasize and preserve the natural amenities of the Tay Canal/River Corridor and Stewart Park as an integral component of the Central Area District.
- f) To maintain the building stock in good repair.
- g) To increase the level of accessibility of businesses in the Central Area District for people with disabilities.

#### 8.2.4.2 Range of Permitted Uses

- a) On **Schedule 'A', Land Use Plan**, lands designated as 'Central Area District' may be used for the following scope or mix of permitted uses:
  - 1. Commercial Uses including: retail uses, specialty shops, restaurants and cafes, professional offices, financial and real estate services, services related to information technologies, tourist accommodation, a hotel and convention center, personal and automotive services, art studios and galleries, taverns, instructional uses (e.g. art, martial arts, music, dance, etc.), health and fitness and entertainment facilities (e.g. theatres, billiards, bowling, etc.).
  - 2. Industrial Uses: continuance of existing uses (see also 8.2.4.3 c).
  - 3. Public Service and Institutional Facilities including: government offices, health and educational services, social services, cultural services and day care uses.
  - 4. Conversion of residential uses to non-residential uses will also be recognized subject to **Section 8.2.4.7 - Redevelopment or Change of Use**.
  - 5. Residential Uses including upper storey apartments and conversions and student housing where appropriate and compatible with the use and building form of the existing housing stock in the immediate area. Existing residential buildings (e.g. apartment buildings, single detached dwellings, duplexes, etc.) are recognized in the Central Area District. New residential apartment buildings may be permitted within the Central Area District, subject to zoning approval, consistent with the policies of Section 8.1.3.10 (19) of this Plan.
  - 6. Craft/Micro-brewery and Craft/Micro-distillery and associated bottling operations will be considered in locations which will not conflict with existing residential uses subject to a risk management report which addresses fire management issues, a compatibility evaluation including a review of anticipated fugitive emissions and a Municipal Services Capacity impact evaluation acceptable to the Town.
  - 7. Bed and breakfast establishments in existing single detached dwellings. Bed and breakfast establishments in the Central Area District shall be subject to the policies of Section 8.1.3.15.a) with all necessary modifications.
  - 8. Inns may be developed in larger, single detached dwellings or the repurposing of underutilized or heritage commercial buildings and shall be subject to the policies of Section 8.1.3.15.b), with necessary modifications.
  - 9. Community focus

The Central Area District hosts, or may be the focus of community festivals, special and

ceremonial events, and pedestrian malls. Such activities have, and will continue to require, use and occupation of municipal streets within the District from time to time. These activities assist with defining, and reflect the pedestrian oriented character and human scale, of development in the Central Area District. New development should be located in a manner that supports and will not conflict with this function of the District.

#### 10. Restricted Uses

New automobile-oriented land uses (definition Sect 10.2) in this designation will only be considered by site specific zoning amendment and shall only be approved in locations that will not impede or conflict with community festivals and functions in the District per clause 9. Applications to rezone land outside of a Heritage Conservation District shall only be located on sites that meet the applicable minimum design criteria as established in urban design guidelines approved by Council from time to time and subject to a land use compatibility study that includes traffic impact and site design analysis and demonstrates there will be no conflict with or potential to impede pedestrian and cycling activities or on-street traffic flow and the use will not result in exhaust, odour, noise, or lighting impacts on adjacent non-commercial uses or pedestrian use areas. Within a Heritage Conservation District such uses will only be considered where the preceding criteria are met and if:

- the use does not require the removal, alteration or demolition of built heritage resources or heritage elements
- a heritage impact assessment demonstrates the use will not negatively impact heritage features and how the design will be sensitive to and compatible with existing heritage features and character on site or on adjacent site.

#### 8.2.4.3 Land Use Pattern

- a) Council recognizes that the Central Area District is largely built-out and that opportunities for new development are limited. New commercial floor space is anticipated to emerge through the conversion of single detached dwellings along collector and arterial roads as the Central Area District is gradually extended, and as intensification occurs within the district. The intent of the Plan is to conserve the existing built form in-tact with some exceptions. These exceptions include the conversion of non-residential buildings to residential use and low density residential buildings to higher densities provided that:
  1. The availability of sewer, water, utility services, road access and on-site parking are adequate, (Municipal Services Capacity Study);
  2. There is reasonable proximity to parks, schools, shopping facilities and other normal attributes of a residential area;
  3. Compatibility can be achieved between the converted building and surrounding land uses (Building Compatibility Study);
  4. Buffering, where appropriate to reduce any potential conflicts between residential and non-residential uses, can be provided; and
  5. There is adequate parking on-site or alternative, dedicated off-site leased parking ensured to the satisfaction of Council;

6. The conversion will not create an inappropriate discontinuity of commercial uses within the commercial fabric of the Central Area District. Generally conversion of first floor space to non-commercial uses should:
  - be directed to properties adjacent to existing non-commercial uses;
  - avoid loss of retail space; avoid separating commercial premises by a distance equivalent to two commercial units typical for the block;
  - not be permitted on Foster Street between Wilson and Gore or on Gore Street between North Street and Mill Street.
- b) The Plan shall also permit the conversion of residential buildings in the Central Area District to non-residential uses provided that the policies of Section 8.2.4.7 are complied with.
- c) Existing industrial uses will be encouraged to relocate to designated industrial areas. Existing automotive uses will be recognized, however, new automotive uses that require a large land area or display area (e.g. automotive sales and service, gas stations) will be directed to areas outside the Central Area District and to the Highway Commercial District, while small scale uses in this category may be permitted where they are compatible with their surroundings, can be integrated into the Central Area District, and can achieve urban design principles established for the area.
- d) Changes of commercial uses are expected and permitted to occur as a part of normal business cycles. Along Gore, North, Herriott, Foster, Drummond and Beckwith Streets, Council's intent is to conserve the architectural and heritage characteristics of the existing street profiles, missing and heights of buildings.
- e) It is the intent of this Plan to maintain or improve the diversity and blend of uses in the Central Area District. The pattern of uses along Wilson, Foster and Gore Streets should include a healthy mixture and distribution of retail commercial uses, personal service businesses, offices, restaurants, financial institutions, institutional and cultural facilities, open space and residential uses to maintain a consistently attractive mixed use downtown district.
- f) Plan intends that land use compatibility will be achieved in transition areas along the boundary between this designation and the Residential Area Designation. Specific buffering and screening measures will be required through the zoning By-law and site plan control approvals to mitigate the impact of commercial uses on established residential uses. Existing residential properties in this designation in transition areas should retain a residential building form and should only be rezoned for commercial uses that will be compatible with adjacent residential uses. Along Leslie Street landscaping, screening elements and increased setbacks shall be used to provide buffering for residences in the Residential Area Designation. The use of upper storey units for commercial purposes shall be permitted. This Plan will encourage: professional offices; health and fitness uses; entertainment uses; and instructional services and studios for the cultural arts; to locate in upper storey units and to encourage retail and pedestrian oriented uses to locate primarily in ground floor units. Such development, redevelopment or change of use will avoid the removal of existing affordable housing units.
- g) The presence of banks and similar financial institutions is critically important to the vitality and functional success of the Central Area District from both economic and

cultural heritage perspectives. It is the intent of this Plan to maintain bank branches and encourage financial service uses in the Central Area District. The relocation or introduction of bank branch, credit union, or comparable full service banking offices into other commercial areas of Town, particularly the Highway Commercial District will not be supported.

- h) The Downtown Perth Community Improvement Plan encompassing all or part of the Central Area District supports and encourages intensification that is compatible with the land use pattern intended for the Central Area District (see Section 9.12.5).

#### 8.2.4.4 Accessibility

The Plan acknowledges that Perth's older building stock in the Central Area District can pose significant accessibility challenges and barriers for people with disabilities. Given the Town's obligation to maintain and implement its 2010 Accessibility Plan, it is the intent of this Plan to support and ensure the modification of public spaces to improve accessibility and to encourage private land owners to make building modifications needed to accommodate all citizens including those with disabilities. When undertaking capital repair and replacement projects the Town will improve municipal infrastructure in the Central Area District to remove and correct barriers that impede the movement of people with disabilities and to increase the level of accessibility to businesses within the District. (See also Community Improvement Section 9.12.5).

#### 8.2.4.5 Residential Uses in Upper Storeys

**a) Goal:**

to encourage, wherever possible, an increase in the number of residential units within the Central Area District through the redevelopment or rehabilitation of upper storeys or underutilized floor area of existing buildings while avoiding a loss of main-floor commercial space or a net reduction of commercial floor space currently in use or with a recent history of use.

**b) Function:**

The Central Area District should function as a place to live, work and play. It is the intent of the Plan to encourage residential development within the Central Area District through redevelopment or rehabilitation of upper storeys in commercial buildings, intensified use of existing residential buildings, new residential apartments and the repurposing of institutional buildings where appropriate and protection of heritage and architectural values is assured. A strong residential component strengthens the vitality of the Central Area District, and provides added support for downtown retailers, service providers and cultural and entertainment establishments. A strong residential component also increases the safety and vitality of the Central Area District day and night.

- c) Opportunities for the conversion of existing, vacant or under-utilized upper stories to residential units will be strongly encouraged through policy and appropriate programs.
- d) When new residential development or redevelopment that results in a net increase in the number of dwelling units is proposed, innovative solutions for parking should be considered such as off-site parkades, , shared parking spaces, parking exemptions etc. The objective of



such solutions will be to achieve more efficient and comprehensive use of parking facilities while avoiding a net reduction of the parking in proximity to and needed for support of commercial uses in the Central Area District.

- e) In order to encourage residential development or rehabilitation of upper storeys in the Central Area District, the Town may consider financial incentives through the Downtown Perth Community Improvement Plan, and may consider alternative off-street parking requirements where relief is appropriately justified.
- f) To serve existing residents and to attract new residents, the Town shall encourage the establishment and retention of businesses in the Central Area District that support residential development, such as grocery stores, drug stores, personal service uses, banks and restaurants.
- g) While it is the policy of the Town to encourage the rehabilitation of upper storey dwelling units in the Central Area District, the Town will work to coordinate with other levels of government, non-government agencies, and the private sector to ensure the retention and provision of affordable housing to avoid the displacement of lower-income tenants.

#### 8.2.4.6 Places of Worship and Places of Assembly in the Central Area District

- a) Places of worship and places of assembly are important institutional uses in the Town of Perth. They provide a gathering place for groups or organizations, people of the same religion, those celebrating events, or those sharing a similar interest. Most such existing facilities are found in the Residential Area land use designation, however, these uses are found in the Central Area District. The following policies shall guide the development of new places of worship and places of assembly in the Central Area District:
  - 1. Places of worship and places of assembly in the Central Area District shall use land efficiently and shall limit demand for and impact on off-site parking resources to the greatest extent possible. Parking and activity areas shall be designed to have regard to surrounding sensitive land uses. Parking and activity areas, where they abut residential, institutional or open space uses, shall be buffered by opaque fencing and/or vegetation to obstruct visual and noise emissions.
  - 2. The height and massing of places of worship and places of assembly shall be sensitively designed to have regard for surrounding uses and building form, and should use land efficiently to resemble the built-form of the surrounding lands and buildings in the Central Area District. Those facilities that stand out may require increased setbacks from lot lines to ensure compatibility.
  - 3. New places of worship and places of assembly shall have frontage on a public road and are encouraged to locate on Arterial or Collector Roads. Wherever possible, driveway entrances should be on local roads. Places of worship and places of assembly shall locate in close proximity to Collector or Arterial Roads in order to avoid the need for vehicular trips through the Residential Area on local roads.
  - 4. The premises of places of worship and places of assembly shall be designed to encourage walking. Buildings shall be designed to be accessible to both pedestrians and automobile users. The principle entrance to such facilities should face a front or exterior side yard.

5. The Town may require a parking study and/or a traffic impact study, at the cost of the proponent, to determine the possible impacts of new places of worship or places of assembly on traffic flow, on-street parking areas and municipal parking lots and the impacts on commercial business in the Central Area District.
6. Places of worship and assembly shall also be subject to Section 8.3 (Public Service and Institutional Areas).

#### 8.2.4.7 Redevelopment or Change of Use

- a) It is Council's intent in reviewing applications for redevelopment or a change of use which may involve a zoning amendment, minor variance or site plan control, to have regard to the following factors:
  1. To respect the massing, profile and character of adjacent or nearby buildings or landscapes especially if they are heritage and to have regard for the cultural heritage policies and heritage character statement of this Plan (see **Section 6.0 - Heritage**).
  2. To maintain the average height profile of the main buildings in the area. Generally, buildings should not exceed three storeys in height.
  3. To approximate the established setback pattern on the street.
  4. To comply with the municipal requirements for signage.
  5. To increase the supply of parking whenever possible (see **Section 8.2.4.9 - Cash-in-lieu of Parking**).
  6. To provide for barrier free access where required by the *Building Code*.
  7. To comply with zoning standards.
  8. To landscape all areas not occupied by the building, parking areas or utility structures.
  9. To ensure compatibility with land uses in the immediate area of the proposed redevelopment in terms of the scale, intensity and type of use.
  10. To ensure the adequacy and availability of sewer, water and utility services.
  11. To arrange access, outside lighting and parking to reduce any potential visual or operational incompatibility with adjacent development.
  12. To arrange buffering, where appropriate to mitigate impacts on adjacent properties.
  13. Adaptive re-use of heritage structures or sites is permitted provided that such re-use respects and preserves the heritage or architectural values/features of the site in a manner consistent with the accepted practices and the heritage policies of this Plan. The Town may require the preparation of a site specific heritage and architecture preservation report or use specific design guidelines tailored to particular sites. The Town will require new development or redevelopment on sites adjacent to heritage sites to protect and conserve heritage values through complementary site design and building form (see Section 6.6.3.12).

#### 8.2.4.8 Streetscaping

- a) Council's intent is to provide for functional, safe and useable streets and sidewalks through such measures as:
  - 1. The installation and maintenance of vandal proof street furnishings (benches, bicycle parking features, and waste receptacles). Such furnishings should be consistent in design and colour scheme with the character of the streetscape and more frequent in areas of higher pedestrian traffic.
  - 2. Ensuring sufficient space for coordinated street furnishings, public utilities, tree planting, parking meters and other appropriate or necessary sidewalk elements while also providing opportunities for sidewalk cafes and patios.
  - 3. Maintaining sidewalks and streets in good repair and passable for pedestrian and handicapped usage e.g. depressed curbs at intersections or other important access points.
  - 4. Beautification of the streetscape through tree planting and landscaping, retaining/replacing existing trees and vegetation, use of light fixtures sympathetic to the Town's heritage, integration and consistent design of street signage, use of event and ceremonial banners.

#### 8.2.4.9 Cash-in-lieu of Parking

- a) Cash-in-lieu of parking is intended to help finance the maintenance of existing public parking and where appropriate, increase the supply of parking to support the mix of land uses in the Central Area District. In considering the allocation of new public parking spaces, emphasis will be given to the supply of parking to support creation or improvement of residential uses.
- b) As a means to provide increased off-street parking in the Central Area District, Council has passed a "cash in lieu of parking" by-law under the *Planning Act*. The cash-in-lieu of parking by-law allow Council to enter into an agreement with an owner or occupant of a building where parking is required, for a cash-in-lieu of parking payment. Such agreement shall set out the terms of payment, the method of calculation and shall indicate the number of parking spaces the owner or occupant is exempted from providing. The agreement may be registered on title and subject to fulfilling the terms of the agreement, the clerk shall provide a certificate to the signatory of the agreement.
- c) Generally, cash-in-lieu of parking should be considered for new or expanded non-residential development. It is general policy of this Plan that new or expanded residential development will provide sufficient on-site or off-site parking to support the increase in the number of residential units.
- d) Monies received for cash-in-lieu of parking shall be set into a special reserve for that purpose.

#### 8.2.4.10 Conservation and Renewal

Council shall ensure the maintenance and rehabilitation of the building stock through active enforcement of the Town's Property Standards By-Law (see *the Building Code Act*.) The Town may promote the improvement of the building stock, the renewal of public infrastructure and support the restoration, conservation and rehabilitation of heritage buildings and features, through

initiatives established in the Downtown Perth Community Improvement Plan under the *Planning Act* (see Section 9.12.5 of this Plan)

#### 8.2.4.11 Tay Basin Site, Boat Access and Downtown Parks

- a) Council recognizes the importance of the Tay Basin Site as a vital public meeting and gathering place for social, cultural and economic purposes and as a central means of accessing the Tay River/Canal. The lands also provide a significant amount of needed parking space to support the Central Area District. It is the intent of this Plan to preserve the existing function of the property as a community defining place for cultural, social and marketplace events and as a parking lot; which is intended to enhance and support the character and vitality of the downtown and provide public access to water. Buildings, structures and uses on the property shall be maintained or modified to serve these primary functions.
- b) Development criteria for the Tay Basin Site shall include the following:
  - 1. Pedestrian and vehicular linkages shall be maintained between the basin area and the water and between the surrounding streets, most notably Gore, Drummond and Herriott Streets, such that the basin area remains a natural extension of the main street and of the downtown area. Design of the area shall also integrate pedestrian linkages between the basin lands and the Tay River/Tay Canal corridor and Stewart Park, providing a public access corridor to the Tay River/Canal.
  - 2. Landscaping of all open spaces shall be used to create and maintain attractive spaces.
  - 3. Public open space and meeting places shall be functional, safe and easily accessed.
  - 4. Conservation of the fish habitat in the Tay River and Tay Canal will be maintained by having regard for Section 8.5.4 of this Plan (including an Impact Assessment Study).
  - 5. Substantive portions of the Tay Basin site are within the flood plain of the Tay River and any modification of the site will be consistent with the applicable regulations as established by the Rideau Valley Conservation Authority.
  - 6. Coordination with the objectives of a UNESCO world heritage site (see Section 6.4.1).
- c) As a long term objective, it is Council's intent to improve boat access to the Tay Basin from the Canal. This may be achieved through redesign and increasing the height of bridge structures along the Tay River and Tay canal.

#### 8.2.4.12 Zone Categories

Commercial and other uses in the Central Area District designation may be distinguished for their particular zoning standards by placing them in separate zone categories in the zoning by-law.

#### 8.2.4.13 Site Plan Control

In the Central Area District, site plan control shall apply to new commercial buildings, mixed use buildings and to all residential dwellings containing ten (10) or more units. The submission of drawings will be required that show plan, elevation and cross-section views. Such drawings may also be required for residential buildings. Other measures may be required as per **Section 9.12.12** –

## **Site Plan Control of this Plan.**

### **8.2.5 Highway Commercial District Designation**

#### **8.2.5.1 Objectives**

- i. To develop the Highway Commercial District as a major center of employment and economic activity which complements the economic role and function of the Central Area District.
- ii. To provide a range of commercial uses that is largely automobile oriented and serves both a local and regional market.
- iii. To ensure the provision of an adequate land supply for highway commercial development. To improve the visual image of the Highway Commercial District.
- iv. To enhance the visual and economic linkage between the Highway Commercial District and the Central Area District.
- v. To incorporate design standards into commercial developments that respect and reinforce the heritage character of Perth.
- vi. To maintain the building stock in good repair.
- vii. To improve traffic patterns, safety and serviceability of the road network.
- viii. To incorporate design standards into new commercial developments that will: align with municipal efforts to facilitate and encourage pedestrian movement throughout the Town, minimize land use conflicts, and contribute to increased public safety (see Appendix 5 for design guidelines for commercial facilities).

#### **8.2.5.2 Range of Permitted Uses**

- a) On **Schedule 'A', Land Use Plan**, lands designated as 'Highway Commercial District' may be used for the following scope of permitted uses:
  1. Commercial uses which are typically dependent on high volumes of traffic or which are heavily transportation oriented. The scope of uses shall include restaurants and fast food outlets, recreational and automotive sales, repair and service establishments, building contractor, building supply and home furnishing retail and wholesale outlets, lodging facilities, garden centers and nurseries, warehousing and distribution centers.
  2. Retail stores, factory outlets and business offices which require large land areas and are impractical to locate in the Central Area District and will serve to complement the downtown core. Such uses may be stand alone or grouped in a strip commercial setting. Within a grouping, a variety of smaller scale retail stores, business and professional and financial services will also be permitted.
  3. Public service uses which are highway oriented e.g. OPP, tourist information services.
  4. Ancillary uses to permitted uses but excluding residential uses.

5. Existing Industrial Uses.
6. Inns shall be subject to the policies of Section 8.1.3.15.b. with necessary modifications.
7. Drive-through facilities will generally be permitted as an accessory or ancillary use to a commercial use in this designation. The implementing zoning By-law will include minimum lot standards as well as setback and primary design requirements for such uses. Drive-through facilities shall be subject to site plan control to minimize undesirable impacts and to ensure appropriate design, and consistency with commercial design guidelines as approved by Council from time to time.
8. Craft/Micro-brewery and Craft/Micro-distillery and associated bottling operations will be considered in locations which will not conflict with existing hotel, motel or residential uses subject to a risk management report which addresses fire management issues, a compatibility evaluation including a review of anticipated fugitive emissions and a Municipal Services Capacity impact evaluation acceptable to the Town.

### 8.2.5.3 Development and Design Criteria

- a) It is the intent of Council to encourage development which strengthens the economic base of the community through such measures and development application review as:
  1. Encouraging the intensification and best use of existing lands fronting on Highway 7 (Dufferin Street) and infill on vacant lands.
  2. Providing for the development of lands to the north of Highway 7 (Dufferin Street) through the extension of Wilson Street. This may include a commercial subdivision and/or a secondary plan to show a functional street and lotting pattern.

#### **Market Studies:**

- A. -The following table illustrates the minimum and maximum unit sizes permitted in the Highway Commercial District without a re-zoning or to re-designate land to the Highway Commercial District.

**Table 1: Minimum and Maximum Gross Leasable Floor Area (GLA)**

Use	Minimum GLA per unit	Maximum GLA per site
Building Supply Use	278.7 m <sup>2</sup> [3,000 ft <sup>2</sup> ]	4,645 m <sup>2</sup> (50,000 ft <sup>2</sup> )
Office Supply Use	278.7 m <sup>2</sup> [3,000 ft <sup>2</sup> ]	1,393.5 m <sup>2</sup> [15,000 ft <sup>2</sup> ]
Other Commercial Retail Uses	278.7 m <sup>2</sup> [3,000 ft <sup>2</sup> ]	1,393.5 m <sup>2</sup> [15,000 ft <sup>2</sup> ]
Business or Professional Offices	278.7 m <sup>2</sup> [3,000 ft <sup>2</sup> ]	1,858 m <sup>2</sup> [20,000 ft <sup>2</sup> ]

B.-Market studies will be required to support any application to re-zone or re-designate land to the Highway Commercial District in order to expand or decrease the permitted GLA beyond the minimum and maximum GLA for the respective uses as shown in the above table or to expand the currently permitted GLA on sites already zoned for development in excess of the maximum in the table (also see section 8.2.5.3 a) 12.). For clarity, a market study is not required to proceed with the maximum development permitted under the Highway Commercial Exception Six (C2-6) Zone applied to lands at 80 Dufferin Street per By-law 3358 or under the Highway Commercial Exception Eleven (C2-11) Zone applied to lands at 65 Dufferin Street per By-law 3358-45 nor for the removal of any holding provision applicable to the C2-6 or C2-11 Zone under said By-laws.

C. -Market studies to support re-zonings or Official Plan Amendments for developments *exceeding* the maximum GLA requirement must:

- i. Identify the type and size of retail and/or business office facilities that are proposed, and the need for the amount and type of those commercial uses in the market area;
- ii. Provide evidence that the proposed increase in commercial floor space will not be premature relative to the Town's projected 5 year market demand;
- iii. Demonstrate that existing partially developed or vacant commercial sites within the Town are not suitable for the proposed development.
- iv. Demonstrate that available property in the Central Area District is not economically viable for the proposed use;
- v. Provide updated information on the performance of the Town's retail and/or business office sector and identify the impact of the proposed development on comparable commercial uses in the Central Area District and relevant segments of the Town's commercial base;
- vi. Where the projected development period will exceed 5 years, show that the proposed development is warranted and appropriate given the currently available vacant commercial land/floor area and the projected market demand over the development period;
- vii. Demonstrate that the proposed development will not undermine the economic viability and planned function of the Central Area District, nor result in an commercial vacancy rate within the District regardless of the level of aggregate market support for commercial floor space in the Town;
- viii. Enable the Town to identify specific requirements and limitations, if any, to be included as a condition of approval;
- ix. Demonstrate that the proposed development primarily intends to draw new businesses to Town or is necessary to accommodate expansion of an existing business and outline any phasing needed to minimize the extent and duration of vacant floor space created by or resulting from the

proposed development.

- x. Provide reasonable assurances that construction is intended to commence within 12 to 24 months of zoning completion.

D. -Market studies for re-zonings and Official Plan amendments for commercial developments *under* the minimum GLA requirement must demonstrate a market need for the use and its location, and that there will be no detrimental effect on the Central Area District.

E. -The cost of market studies will be borne by the proponent of the development. The Town may require a peer review of a market impact study undertaken to support large commercial developments at the cost of the proponent.

3. Verifying the sewer (sanitary and storm), water and waste disposal servicing capacity and appropriate drainage management. Proposed uses with large storage areas and/or notably lower lot coverage will need to be supported by a Municipal water and sanitary sewer financial sustainability report.
4. Governing access, Council or MTO may require a traffic study or evaluation to determine the needs and/or standards for entrances, turning lanes, vehicle stacking, signalization, on-site directional movements, parking etc. Council's intent is to limit or reduce the number of entrances/exits onto public roads and may require the use of shared entrances, where appropriate. Entrances and exits shall be appropriately marked (pavement markings and/or signage) to identify their purpose. Traffic engineering should include the integration of both on-site traffic movements and the configuration, type and width of streets and sidewalks.
5. Ensuring lighting poles, utility structures, signage and advertizing are in keeping with good design and highway safety practices. MTO should be consulted on all development within the Highway 7 Corridor.
6. Requiring adequate off-street parking spaces for motorized vehicles and bicycles and loading facilities relative to the needs of individual uses. Parking requirements shall include provision for handicapped parking in close proximity to building entrances in locations which are protected, where possible, from adverse climatic elements.

Where possible, parking areas shall be sited on a property such that large expanses fronting on public streets are avoided. The visual appearance of parking areas and structures shall be enhanced through the use of a diversity of plant forms, landscaping methods or other architectural elements. Parking areas adjacent to residential areas shall be screened through the use of fencing and/or vegetation.

7. All parking and loading areas shall be well illuminated to increase the safe and secure use of these areas. Parking and loading areas shall be designed to incorporate proper drainage and storm water management controls.
8. Requiring site plans to also indicate areas or measures to be taken to provide for adequate snow storage.
9. Governing the location of on-site storage and outdoor display and the temporary storage of commercial wastes. Outdoor storage areas (equipment, garbage) shall be screened or fenced from adjacent uses and the street. Permanent display areas shall not be located in



designated parking areas. Temporary or seasonal displays shall be permitted where they do not conflict with traffic flows or the safety of pedestrians.

10. Where commercial or industrial uses are located adjacent to residential uses, the proponent of any development or redevelopment shall provide screening, buffering, distance separation or other measures designed to minimize or mitigate potential land use conflicts or adverse effects. Council may limit the type, scale or intensity of the proposed development to ensure a reasonable level of compatibility. It is Council's policy to evaluate proposals in light of the natural heritage features of this Plan (see also **Section 9.12.12 – Site Plan Control, and Section 8.5 – Environmental Protection Area Designation – Natural Heritage Features**).

**11. Development in proximity to Dufferin Street**

- A. – Commercial development along Dufferin Street will generally be limited to a single tier of commercially zoned land with frontage on Dufferin Street. To the west of the extension of Wilson Street commercial development shall not extend beyond the southerly limit of the proposed east-west collector road. Between Wilson Street and Drummond, in the event the collector road is located 60 m or more from existing development, any extension in the depth of the commercial area should be limited to a maximum of 30 m.
- B. – A transitional buffer area along the northerly limit of the highway commercial designation will be incorporated into site designs as a means to ensure compatibility with the residential neighbourhood. The transitional buffer area shall have a minimum width of 30 m. and will abut either the southerly side of the major east-west local road or the Residential designation.
- C. – Within the transitional buffer area land uses will be restricted to one or more of the following:
- higher density residential (i.e. town houses or apartments);
  - live-work housing;
  - buildings which for commercial purposes are limited to neighbourhood serving uses, personal service, artisan shops, Inns and professional office uses and designed as single purpose commercial buildings that are small scale, with one storey less than 4.5 m height and a maximum foot print of 929 m<sup>2</sup> (10,000 ft.<sup>2</sup>) or mixed format buildings (i.e. street level commercial and upper storey residential with a maximum of three storeys) that are compatible in form with adjacent residential uses.
  - a commercial parking area or outdoor storage accessory to a commercial use provided it is visually screened from abutting residential uses by berms, landscaping and fencing and is designed with low level or “cut-off” lighting
  - parkland.
- D. – Between Drummond Street and the intended extension of Wilson Street, the Transitional Buffer area will extend not more than 120 m from existing commercial lots abutting Dufferin St.
- E. – For the purposes of this Section, live-work housing is characterised by residential form buildings in which the first or main floor is predominantly occupied by a small

scale commercial use in the form of a business office, personal service, artisan gallery or specialty retail use with the balance of the main floor and the upper floor used as the principal residence of the business operator. Inns shall be subject to the policies of Section 8.1.3.15 b. with necessary modifications.

13. The design of commercial development or redevelopment shall have regard to the following principles:
  - i. reducing the number of street entrances; - through planning approvals, or corridor redevelopment shared entrances will be encouraged and entrances that are not required for safe property access should be eliminated over time;
  - ii. facilitating pedestrian and non-motorized traffic movement within the corridor and through the corridor;
  - iii. infill and the optimal use of existing vacant or underutilized property holdings;
  - iv. incorporating a local 'street-like' grid pattern and form for traffic lanes in large scale commercial developments;
  - v. using building orientation away from residential development, soft surfaces and landscaping elements to reduce the visual impact of parking areas, open display areas and shipping, receiving, outdoor storage and refuse management areas
  - vi. using soft surfaces, landscaping and articulation of exterior walls to reduce the visual impact of large building masses;
  - vii. incorporating heritage elements into architecture and site development, to the greatest extent it is possible and feasible;
  - viii. facilitating access for people with disabilities;
  - ix. consolidating advertising and reducing signage;
  - x. enhancing the aesthetics of the corridor through landscaping, lighting and the elements of site design;
  - xi. measures to conserve energy and water and improve air quality.
  - xii. compliance with design guidelines as they are established by the Town of Perth from time to time.
  - xiii. Ensuring that the function of provincial and arterial transportation corridors are freight-supportive and facilitate the movement of goods.
14. Introducing Urban Design Guidelines to guide the design and development of commercial development, mixed use development and gateways and for implementation through the site plan process.
15. The Perth Gateway District is an area in which the design elements for gateways are intended to be implemented but is not intended as a specific land use designation. In considering development approvals through planning applications, the Town of Perth will consider land acquisition if necessary to implement adopted gateway designs.

16. Site Plan Applications for development of commercial facilities will comply with commercial design guidelines as established by Council from time to time.

17. **Limit on Large Scale Development.**

The Town of Perth has granted approval for two shopping centre/ mall sites adjacent to the intersection of Wilson Street and Dufferin Street (Hwy 7); each being permitted a Gross Leasable Floor Area exceeding 9,290 m<sup>2</sup> [100,000 ft<sup>2</sup>]. No additional development of this nature at this scale is contemplated during the life of this Plan. New proposals for a single development site or a complex comprised of multiple retail units that would function as a shopping center, or expansion of development of this nature will require a market study and be limited to a maximum size of 4,645 m<sup>2</sup> [50,000 ft<sup>2</sup>]. Larger scale development exceeding this limit will only be considered by an amendment to this Plan.

#### 8.2.5.4 Site Specific Development and Design Criteria

(O. P. Amendment No. 8)

- a) On land described as Pt Park Lot 7 Lot 125, Lot 135, Lot 136, Plan 8828 and Pt Park Lot 7 Lot 133, Lot 134; S Elliott, Plan 8828, which are municipally known as 125 and 127 Wilson St W. and Lot 126 N; Welland, Plan 8828 municipally known as 22 Elliott St. development shall subject to the following requirements:
  1. Any zoning amendment to apply a Commercial Zone on this site shall include a holding provision until such time as the three existing lots have been legally merged into one parcel that is no longer separately conveyable.
  2. No commercial use of the lands subject to this amendment shall occur until a site plan approval process has been completed with the Town of Perth which ensures appropriate measures are taken to prevent traffic flowing through the site with respect to access to Welland Street.
  3. The lands subject to this amendment are limited in size and abut residential uses. Uses that require extensive areas of outdoor storage of materials and equipment should not be permitted and appropriate measures shall be taken through the zoning and site plan processes to ensure adjacent residential properties are adequately screened and buffered.

#### 8.2.5.5 County Road 43 – East Entrance

It is the intent of Council to recognize and zone existing commercial uses located at the east entrance to Perth on the southerly side of County Road 43. These uses may be expanded subject to site plan control (see also **Section 9.12.12 – Site Plan Control**).

#### 8.2.5.6 Beautification, Gateways and Corner Lots

- a) It is the intent of Council to develop gateway features at primary entry defining and way-finding locations to define the edges of the community, and create landmark introduction points to key areas within the Town that contribute to or help define Perth's sense of place. It is also Council's intent to support beautification programs that maintain the Town's practice

of enhancing the image of its heritage downtown or improve the attractiveness of the Town to visitors and residents. Such programs are intended to capture, respect and build on those elements which help to define and distinguish Perth from other places. These ideals will be achieved in a variety of ways including:

## **I. Gateways**

- A.** Gateways are a unique feature to urban design and are intended to serve several important functions for Perth. Gateways may be used to: define the Town's boundaries; provide an attractive and welcoming image to the community; act as a way finder into the heart of Perth; and help to showcase the Town's character and unique historical features. The intent of this Plan is to establish the policy framework for the design, installation and maintenance of gateways to Perth.
- B.** Visitors and residents alike feel a sense of pride and affinity for the community when gateways capture the sense of a well managed and progressive community that cares about its image. Perth intends to improve not only the gateways that identify the edges of the community but also to respond to the longstanding challenge of directing traffic from the Dufferin Street (Highway 7) corridor into heart of historic Perth. The redesign and reconstruction of Wilson Street (2010) and ongoing streetscape improvements will enhance its role as a ceremonial route and a crucial link between a gateway at Wilson and Dufferin Streets and Perth's Downtown.
- C.** Gateways will be designed as attractive and well landscaped/treed sites and structures that identify key entry points to the community as well as significant intersections and transition points into specific parts of the Town. Gateways will portray a welcoming image, act as way finders and will showcase the heritage theme of Perth. Gateways will be installed at the two entry points to Perth on Dufferin Street as well as at the intersection of Dufferin and Wilson Street. The purpose of the latter gateway will be to invite travelers to enter the ceremonial route along Wilson Street into downtown Perth.
- D.** Minor gateway features may be considered at: the Craig Street-Gore Street intersection as the southerly entry point to the historic downtown; the Gore Street-South Street intersection (a key way-finding location); and the Town boundary near Algonquin College on Craig Street.
- E.** Criteria to be used in the design, installation and maintenance of gateways are as follows:

  - i.* Landscaping materials should be durable, vandal-proof and planting materials should be drought-resistant. Tree, shrub and ground cover species that are native to the Perth region will be preferred and salt-tolerant species will be planted in appropriate locations.
  - ii.* Signage should be at a scale and properly illuminated to be easily read by the passer-by. Signs may include icons to represent service clubs and other organizations, and should be attractively arranged to avoid a sense of clutter. Signs may include way finding information but should not create a safety hazard to passing traffic.

- iii. Gateways should be themed to provide a consistent image depicting the heritage symbology of the Town.
- iv. Gateways should be installed at all of the entrances or urban edges to the Town as well as at key intersections on Dufferin Street to invite and direct traffic from the Highway commercial corridor into downtown Perth to residential neighbourhoods.
- v. Gateways should be located where they do not conflict with other signage, physical or architectural features so as to present a clear, distinctive and singular image.
- vi. The Gateway Design Report and associated design panels for the intersection of Wilson Street and Dufferin Street, is the approved design for creation of the Wilson Street Gateway. Site plan and development approvals for adjacent lands shall be consistent with and will be expected to contribute to achieving this recommended design. The Town will coordinate and work with the Ministry of Transportation during any future process for reconstruction of the Dufferin Street (Hwy 7 corridor) to try and achieve the road design/ configuration recommended in the gateway report.

## **2. Beautification**

- A. - It is the intent of the Plan to recognize the role of beauty and aesthetics in helping to define the community's identity. Already, Perth is often noted by visitors and residents alike as a beautiful community due to its well planned residential areas, its historic architecture, its vibrant downtown, and its well designed and treed parks, public spaces and streetscapes which reflect its valued heritage.
- B. - While Perth has many positive attributes that are aesthetically beautiful, deliberately managed beautification involves recognizing further opportunities to enhance the aesthetic appeal of the Town, to enhance the sense of place and community pride amongst residents and to create unique public places within the community. This also involves engaging citizens and the business community to identify land uses that are aesthetically unappealing or inconsistent with the community's beautification objectives and trying to screen them or improve them through efforts to rehabilitate and/or reintegrate these spaces. This can be done through: attractive landscaping and plantings of flowers; recovering or creating heritage themed building exteriors; screening undesirable land uses with vegetative/treed buffers; using decorative street furniture and infrastructure (e.g., street lamps); and adding public art exhibits to appropriate locations throughout the Town.
- C. - The redesign of Wilson Street brings with it the opportunity to create a unique and dynamic visual entrance to enhance its role as a 'ceremonial route' into Perth. There is a significant opportunity for landscaping on each side of the street. There are also areas for parking and open space along Wilson Street which could benefit from appropriate landscaping and screenings, as well as displays of public art. Wilson Street's key function in directing traffic from Highway 7 into downtown Perth is acknowledged by this Plan and improving the aesthetic appeal of this corridor for all modes of travel will be a priority for the Town's beautification efforts.

- D.* - It is the intent of the Plan to support and encourage efforts to beautify and enhance or create public spaces throughout the Town through public policy, implementing By- laws, infrastructure programs, collaboration with other levels of government, and partnerships with local volunteer and business groups.
- E.* - It is also the intent of the Plan to support displays of public art in places that showcase the cultural and natural assets of Perth. Public art should celebrate Perth's history and culture and will contribute to the vibrancy of the Town and its economy. The Plan recognizes the role of public art in enriching daily experiences and attracting residents and newcomers.
- F.* - The beautification policy and program for enhancing the aesthetic appeal of Perth includes the following features:
- i. The Town will work with the community to identify current strengths, and areas in need of aesthetic improvement.
  - ii. Landscaping and beautification plans will be developed and implemented for the Wilson Street corridor and for new streets in the secondary plan area as well as other new residential areas. Landscaping materials should be durable, vandal- proof and planting materials should be drought-resistant. Tree, shrub and ground cover species that are native to the Perth region will be preferred and salt-tolerant species will be planted in appropriate locations.
  - iii. The Town will continue to support and facilitate floral displays in the Central Area District and will provide for an integrated street-scaping plan for Wilson, Foster and Gore Streets that incorporates heritage lighting, floral/horticultural displays, street furniture (i.e. benches, waste receptacles), bicycle racks, public places, public art, building fa9ades, directional signage and accessibility features.
  - iv. The Town will retain and/or provide for additional trees on all streets within the public right-of-way and will endeavour to maintain the landscaping of boulevards using indigenous plants and low maintenance ground cover vegetation.
  - v. The Town will maintain an annual tree planting program to retain the urban forest canopy within the community and will strive to establish an urban forest retention and enhancement policy to set a minimum tree cover target and ensure rapid canopy recovery when diseased or aged trees are replaced and use of "green" design to reduce the carbon foot print of new public facilities as sustainability measures.
  - vi. The Town may enact a tree cutting by-law as a means to conserving mature tree cover or ensuring its replacement on private property.
  - vii. The Town will encourage a high degree of maintenance of private properties, the retention or enhancement of natural and artificial landscaping, and the retention of mature trees. The Town may use the property standards by-law to ensure that properties are well maintained.
  - viii. The Town will permit and encourage the use of municipal property for public art displays, and will collaborate with residents, community volunteer and

business groups and artists to increase the variety of public art displays in the town (e.g. design competitions, establishing a public art trust, providing incentives to the development community to allocate funds to public art etc.).

Public art on municipal and other properties should be designed to reflect and celebrate the community's past, present and future, to create a sense, to create meeting places and to enhance the visual appeal of the Town. The Town may also work with residents to identify the most appropriate sites to locate public art, and to decide on appropriate themes for public art exhibits collaborate with local schools in the display of public art for key sites and provide opportunities for school art programs to contribute to public art.

- ix. The Town will continue to participate in provincial and national competitions (e.g. Communities in Bloom) in order to build community pride and participation, and to increase awareness of Perth.
- x. All development agreements should contain provision for landscaping, including maximum retention of mature, desirable trees and keeping hard-surfaced vegetation free spaces to the minimum necessary for the intended development.

### **3. Corner Lot Design**

Corner lots, particularly in commercial areas, gateway locations or entryways for transitions in land use, are high profile locations that should be developed with distinctive landmark buildings that:

- a. contribute to the distinctive identity of the intersection and architecturally reflect the area of the community for which they are forming an introduction;
- ii. incorporate prominent architectural elements such as: corner windows, wrap-around porches, corner oriented entries, and turrets, towers or partial upper stories that emphasize their important location;
- ii. have primary building facades oriented to both streets with the highest level of architectural detail, windows to the street and features that are distinctive while respecting the Town's identity with its heritage;
- iii. At gateway locations or at entry sites to the downtown core or heritage areas buildings should include form and design elements consistent with the Town's architectural heritage;
- iv. In new residential development corner lots should be modestly larger to reflect the need for appropriate street setbacks on two frontages.

#### **8.2.5.7 Zone Categories**

Commercial and other uses in the Highway Commercial District designation may be distinguished for their particular zoning standards by placing them in separate zone categories in the zoning by-law.

#### **8.2.5.8 Site Plan Control**

- a) Site plan control shall apply to new non-residential development in the Highway Commercial District. Site plan control shall also apply to changes, additions or alterations of non-residential buildings and all residential development over 10 units. (See also **Section 9.12.12 - Site Plan Control**.)

Reference shall also be made to the applicable provisions of Section 8.1.3.19 with respect to non-residential development.

## **8.3 Public Service And Institutional Facilities**

### **8.3.1 Scope**

Public service and institutional uses include programs and services delivered by a public utility or government authority, a public service or charitable agency and their associated land use. Examples include social services, recreational services, fire and police protection facilities, health care and educational services, and cultural services.

Perth is host to a variety of public service uses that provide services to both residents of the community as well as to residents of surrounding rural and small urban communities e.g. hospital, schools, recreation and cultural facilities. The intent of the Plan is to recognize Perth's role as a service center and to encourage further development of public service uses which meet the needs of residents living within a broad catchment area (including much of central and western Lanark County), and which prioritizes accessibility, diversity, inclusivity and environmental sustainability. Public service uses will be encouraged which are complementary or inter-related to key facilities e.g. health care and residential services related to the programs and services of the Perth and Smith Falls District Hospital and which serve to implement the hospital's strategic plan.

### **8.3.2 Objectives**

To sustain a level of public service and institutional services commensurate with the evolving needs of residents of Perth and the surrounding rural or small urban communities.

To recognize the significance and importance of public services and cultural facilities to users beyond the Town's municipal boundaries.

To ensure that Public Services and Institutional Facilities are located and designed to prepare for the impact of climate change.

To promote the co-location of public services facilities in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration.

### **8.3.3 Policies**

#### **8.3.3.1 Range of Permitted Uses**

Permitted uses shall include, for the purposes of this Plan, schools, hospital and health care facilities, medical clinics, nursery and day care facilities, homes for the aged and long term care homes, government offices, police stations, fire halls, public libraries, museums, places of worship, private and public education facilities, places of assembly and cultural facilities.



### 8.3.3.2 Evaluating Capacity

Council recognizes that most of the public service and institutional uses required to meet the needs of the community and surrounding areas over the life of the Plan are well established. Aside from evaluating capacity in response to new growth, it is Council's intent to sustain the level and quality of existing services in Perth through interfacing with agencies or playing a facilitating role between senior levels of government and service deliverers. This may include, for example, participating in strategic planning projects with health care agencies to evaluate programs and services for health care in the community and to facilitate the design and development of new residential, health care, recreational or cultural facilities which complement the objectives of the strategic plan or initiatives of public service delivery agencies.

In the review of growth-related development applications, it is the intent of Council to verify the capacity or adequacy of public service and institutional uses. To this end, Council will consult with service delivery agencies where appropriate, to determine if there is adequate capacity to accommodate new development e.g. circulating a subdivision application to school boards to determine capacity of schools for increased enrolment.

### 8.3.3.3 Locational Criteria

New public service and institutional uses may be permitted in the community in accordance with the locational criteria set out in the various land use designations of this Plan (**see Section 8.1.3.13. Neighbourhood-Serving Uses**). To promote cost effectiveness and service coordination, Council will encourage public service facilities to co-locate on the same site or adjacent sites and to integrate accessory, ancillary and support services.

In general, uses which generate large volumes of traffic at frequent intervals or which may have significant impacts may be directed to commercial areas or areas with direct access onto collector or arterial streets or Highway #7.

In all cases, new Public Services and Institutional Facilities shall be located and designed to prepare for the impacts of climate change.

### 8.3.3.4 Zoning and Site Plan Control

Public Service and institutional uses may be placed in a separate zone category in the implementing zoning by-law. Such uses will also be subject to site plan control. (**See also Section 9.12.12 - Site Plan Control.**)

### 8.3.3.5 Re-use of Institutional and Public Use Buildings

It is the intent of this plan to encourage the reuse of former institutional buildings such as places of worship, schools and places of assembly. New uses may not necessarily be institutional in nature, but shall respect the heritage, architecture and cultural qualities of the buildings and associated structures (inside and outside). Anticipated new uses of such buildings may include residential units, artisan studios, instructional arts, theatres, galleries, offices, medical clinics, community centres, libraries, museums, restaurants and small-scale retail. Other uses deemed by Council to be compatible with adjacent uses may be considered without an amendment to this

Plan; however, in the Residential Area designation any non-residential uses shall be limited to those permitted by the policies for the designation.

## **8.4 Industrial Area Designation**

### **8.4.1 Development Concept**

- a. Industrial uses are and will continue to be a significant component of the economic base of Perth. The intent of the Plan is to recognize existing industrial uses as well as to designate an adequate supply of land for future industrial development.
- b. Industrial areas recognized in this Plan include:
  1. The industrial park at the south end of Perth- extending along Rogers Road and Industrial Road from their intersections with South Street;
  2. The industrial area on the east side of Town along County Road 43 (Craig Street) easterly of Chetwynd;
  3. The older/historic industrial area abutting the CP Rail line and extending from the north-westerly side of North Street along Sherbrooke Street.
- c. The intent of the Plan is to encourage the development of light and medium industries classified as Class I and II in the MECP land use guidelines since these are the most compatible with the land use pattern of Perth. The scope of permitted uses will be sufficiently broad to enable the community to attract a variety of industrial types as well as to focus on more specialized types e.g. high tech. The Plan also encourages the intensification of existing industrial uses with large land holdings.
- d. Perth, like other communities, will continue to experience a transition of its land use pattern. This provides an opportunity to encourage incompatible industrial uses to relocate to designated industrial areas and this is a feature of the Plan. Some existing industrial uses which are non-intrusive and, in fact, are part of the community's heritage, will be recognized in their existing locations e.g. the Feed Mill  
**(see Section 8.2.4.7 -Redevelopment or Change of Use).**
- e. The intent of the Plan is to encourage industrial revitalization by setting out development criteria to ensure that new or redeveloped industrial sites are environmentally sound and are a visual asset to the Town.
- f. The intent of the Plan is to protect and preserve certain lands within the Industrial Area Designation as “employment areas” designed to support current and projected growth needs and which provide for a variety of current and future uses. For the purpose of this Plan, the following sites within the Industrial designation shall be deemed to be “employment areas” as defined in the PPS 2024:
  - Perth 3M
  - Central Wire
  - Albony
  - Eaton’s

- former Grenville Castings
- former Heritage Silversmith

Both the former Grenville Castings and Heritage Silversmith properties are identified as prime industrial redevelopment lands.

- g. The MECP D-6-3 Separation Distances between various classes of industrial uses and sensitive land uses will be encouraged.
- h. The Plan does recognize the continued use and potential redevelopment/expansion of existing Class III Industry sites (3M, Central Wire, Albony, Eaton's, former Grenville Castings, former Heritage Silversmith). It is also acknowledged that existing Class III industry may be located within 300 m of sensitive land uses or lands designated for development by sensitive land uses. The expansion and enlargement of Class III industry or the expansion and enlargement or establishment of new sensitive lands uses within the 300 m setback shall be required to undertake a land use compatibility assessment, to the satisfaction of the Town. Such a Study shall determine if the proposed land use is appropriate and how adverse impacts may be mitigated. New Class III Industry shall require an amendment to the Zoning By-law that ensures land use compatibility, servicing, parking and other site elements are appropriate.

#### **8.4.2 Goal**

To sustain a healthy economic base for Perth by maintaining and expanding the existing industries and providing an adequate supply of land suitable for new industrial development.

#### **8.4.3 Objectives**

- a. To mitigate *adverse effects* of industries on adjacent land uses.
- b. To increase the supply of serviced industrial lands.
- c. To encourage industrial development as a means of strengthening the economic base of the community.
- d. To encourage more intensive use of existing industrial lands.

#### **8.4.4 Range of Permitted Uses**

- a. Lands designated as Industrial Area on Schedule 'A' of this Plan, may be used for the following scope of permitted uses:
  - 1. Industrial uses that can generally be categorized as Class I (Light Industrial) and Class II (Medium Industrial) and comparable uses, including, but not limited to:
    - Manufacturing, assembling, fabricating and processing operations;
    - Warehousing, storage, self storage and wholesale trade;
    - Transportation depots, and commercial vehicle yards and repair service facilities;

- Contractor's yards, building renovation and home improvement services and installers;
  - telecommunications and utility facilities;
  - Automotive, truck and heavy equipment repair uses, including towing facilities;
  - Bulk fuel depots and storage;
  - Food storage, food warehousing and distribution;
  - Custom workshops; artisan workshops/studios; performing arts workshops/studios; physical fitness - training centres.
  - Institutional and training facilities oriented to building trades, technology skills development, and work place retraining.
  - Research and development facilities;
  - Renewable energy systems; and
  - Vehicle washing facilities.
2. Ancillary uses, which may include retailing or wholesaling of goods produced or manufactured on-site, , and renewable energy systems. The scale of ancillary uses should be relatively minor component of the primary industrial use and may be controlled through the Zoning By-law.

Residential uses, and other sensitive land uses shall not be permitted within the Industrial designation.

3. Non-sensitive Public service uses having similar characteristics and activities to Class I and II industrial uses, having similar spatial needs, and that generally do not provide services regularly drawing the public to the premises shall be permitted, including, but not limited to, fire, police and ambulance stations and public works facilities.

Algonquin College is permitted in the designated Industrial Area due to the nature of activities and orientation of the educational and training activities that occur on the premises and its location within a larger industrial area. The scope of uses associated with the college will include educational facilities and trades training shops, temporary building construction sites, a museum, ancillary commercial or industrial uses, and replicated or relocated buildings and structures. The expansion of buildings, facilities and activities on this campus are permitted by this Plan where such expansion is in keeping with the scope of uses associated with the college described above and where the additional buildings, facilities and activities are consistent with the function of the property(ies) as a post-secondary educational institution.

4. New industries which are consistent with the definition of Class III (heavy Industries) as per MOE land use planning guidelines are generally not contemplated by this Plan. An amendment to the Zoning By-law which demonstrates that the proposed industry will be compatible with the form, function and character of the Town will be required for a new Class III heavy industry. Uses will not be permitted which are considered to represent a significant health or safety risk to the residents of the Town of Perth or the environment

by reason of noise, vibration or light pollution, or by virtue of any other unacceptable adverse environmental impacts (Land Use Compatibility Study). Existing Class III industry shall be permitted to continue to exist and/or expand.

5. Existing commercial uses in the Industrial Area as well as their expansion and new commercial uses shall be permitted in transition or buffer areas adjacent to non-industrial designations provided they include no sensitive land uses and will not conflict with existing or potential industrial development. Such uses shall be subject to site plan control. Notwithstanding the above, on Industrial lands identified as “employment areas” no new commercial use shall be permitted.
6. Larger Scale renewable energy uses that are constructed at grade as the primary land use occupying significant portions of a property will generally be directed to lands not presently provided with municipal water and sanitary sewer services and/or lands for which extension of such services is clearly unviable or unlikely during the anticipated operational life of the proposed installation. In other circumstances such uses should be directed to roof-top installations on existing or proposed buildings and/or be ancillary to and part of the energy supply needs of another use. Installations on roof-tops in proximity to residential uses should generally be placed in a manner that is fully or largely screened from the residential uses.

#### 8.4.5 Development Criteria

- a. The following development criteria shall apply in considering the development or redevelopment of designated industrial areas:
  1. An ***Influence Area*** for Class I and Class II industrial uses consistent with guidelines or standards established by the MECP shall apply between industrial uses and sensitive uses (**reciprocally**). Influence areas may be determined through technical studies and the application the MOE Guideline D-6, "Compatibility between Industrial Facilities and Sensitive Land Uses" (as updated or replaced from time to time). New or expanding industrial uses or sensitive uses shall comply with the minimum separation distances prescribed in Guideline D-6. Prescribed minimum separation distances shall be set out in the zoning By-law and generally shall be measured from the nearest point of the property line of an industrial use to the nearest point of the property boundary of the sensitive land use.

New uses shall not be permitted within the influence area unless it is clearly demonstrated that any *adverse effects* (see definition in **Section 10.2**) are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the MECP. Reduction of the prescribed minimum separation distances, when demonstrated to be appropriate, may be achieved through minor variance or by site specific zoning.

Without the support of a Land Use Compatibility Assessment, the Plan will generally require a minimum 20 m (66 ft) separation between Class I industry and sensitive land uses. There will generally be a minimum 70 m (230 ft) separation between Class II industry and sensitive land uses. There will generally be a minimum 300 m (985 ft) separation between Class III industry and sensitive land

uses.

2. **Open storage** shall be appropriately screened from adjacent properties and any public street.
3. The **lot area** shall be sufficiently large to accommodate the intended use including parking, on-site maneuvering of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping.
4. **Building coverage** and **height control** standards will be set out in the implementing zoning by-law. Building height shall generally not exceed four storey's, and buildings and facilities shall be designed and sited to provide an appropriate scale and character to industrial areas, to orient front entrances to the public road, and to take into consideration existing natural features and constraints.
5. **Site plan control** shall apply in governing the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, landscaping for any new industry or for extensions to existing industries. Consideration shall be given to the applicable heritage policies of this Plan with respect to the conservation of heritage landscapes, conservation of archaeological resources and conservation of heritage buildings. (See also **Section 9.12.12 - Site Plan Control**.)
6. **Municipal services** shall be evaluated to determine if they are adequate to meet the requirements for industrial development e.g. sewer, water, waste management, fire protection and roads.
7. **Industrial traffic** shall be directed to and from industrial areas by designated arterial collector roads and the provincial highway. Wherever possible Industrial traffic, particularly shipping traffic, shall be excluded from streets that primarily serve residential areas and shall be segregated from residential and commercial traffic that is not associated with residential or commercial uses permitted in the Industrial Area or Business Park land use designations.
8. **Environmental Approvals** shall be obtained where required from the public authority having jurisdiction.
9. **Relocation:** Council shall support and encourage the relocation of older industrial uses from areas not designated as industrial areas where the uses are not compatible with surrounding land uses.
10. **Revitalization** of industrial areas shall be encouraged. Council may use the Property Standards By-Law as a means to provide for the upkeep and maintenance of the industrial building stock within the community.
11. **Intensification** of existing industrial uses e.g. expansion on large land holdings will be encouraged provided there are no **adverse effects** which can otherwise be mitigated and the **influence area** (minimum distance separation) requirements between the industrial use and sensitive land use can be met for the area of land on which any expansion occurs. Changes in processing or manufacturing techniques that result from intensification will be subject to the appropriate environmental approvals and **influence area** requirements.

#### **8.4.6 Zoning**

Industrial uses may be segregated according to the Class of industry into separate zoning categories in the implementing zoning by-law. The D-6-3 Separation Distances noted above shall be reflected in the Zoning By-law.

#### **8.4.7 Site Specific Policies**

- a. On land Described as the South Pt Lot 27 Part of the NE Half Lot 28, Concession 10 now in the Town Of Perth and encompassing Part 6 Plan 27 R-375 being n01therly 70 M (230 Ft) of land municipally known as 2021 Rogers Rd., in the Town of Perth a full range of automotive and motor vehicle service and repair uses, exclusive of a use that primarily involves the retailing of automobiles, is permitted in addition to other uses permitted in the Industrial Designation.  
(as per O.P. Amendment No. 6)

### **8.5 Business Park Designation**

#### **8.5.1 Development Concept**

- a. A business park, is intended to provide an alternate location for a mix of commercial, service-commercial, artisan, and a limited range of institutional and light industrial uses. The commercial uses are to be complementary and/or supplementary to commercial activities in the downtown core but by virtue of their spatial needs, or operational characteristics may not be readily accommodated in the core. The other uses anticipated may not be compatible with, or consistent in scale with, the forms of development permitted in the Industrial designation, particularly in the Town's industrial park. Residential uses shall not be permitted within the Business Park designation.
- b. Business Park development is intended to be pedestrian or bicycle accessible and to locate within walking distance of established or establishing residential areas to facilitate and promote a "walk or cycle to work and/or shop" type of environment.
- c. The lands designated as Business Park are intended to help fulfill the projected land supply needs for commercial/industrial lands during the planning period of this Plan.

#### **8.5.2 Goal**

To sustain and broaden the economic base of the Town by providing locations for business park type development in suitable locations for uses that by virtue of their size or character have larger spatial needs than can be accommodated in the commercial core, which are not consistent with the form of development intended in the industrial park and which may not be consistent in form or function with development in the highway commercial designation nor be dependent upon high traffic flows.

#### **8.5.3 Objectives**

- a. To facilitate mixed use non-residential development in areas of transition between industrial land uses and sensitive land uses and provide a buffer function for the sensitive land uses.
- b. To strengthen and enhance the flexibility of the economic base of the Town by providing opportunities for mixed use development forms.
- c. To provide an alternative development option for brown field sites.
- d. To enhance the employment land base of the Town by providing suitable development sites for uses that due to their character or scale are not appropriate for or cannot be readily accommodated in the core commercial area and for service commercial uses that are not dependent upon the traffic exposure typical of highway commercial uses but which are often compatible with light industrial operations.

#### **8.5.4 Range of Permitted Uses**

- a. Lands designated as "Business Park" on **Schedule 'A', Land Use Plan**, may, subject to the criteria in Section 8.6.5, be developed for the following scope of permitted uses:
  - 1. Commercial uses including: retail uses, service commercial uses as described in subsection 8.1.3.17 a) 9, restaurants, information technology services, and business and professional offices.
  - 2. Public service and public assembly uses that shall be limited to: offices of a public service agency, health and recreational services, private clubs, youth and cultural services, training services and places of worship and places of assembly.
  - 3. Artisan and crafting studios, sound or video or photography studios, custom workshops and small light industrial suites for light assembly, repackaging and product modification processes.
  - 4. A full range of light industry, recreational vehicle sales, automotive repair, service, parts and supply uses; building and lumber supply store or depot; Garden Centre or landscaping supply and service use and warehousing in a building or on a site where non-industrial uses are not permitted. An existing industry or use may be recognized through the implementing zoning by-law but shall be limited to the lot that exists on the day this section is adopted.
  - 6. Lodging uses for the travelling public may be permitted in transition areas where this designation abuts lands in either the Highway Commercial District designation or the Residential Area Designation. The scale of such uses shall be comparable with the adjacent uses and they should be minor component in the land use mix. Inns may be permitted in transition areas abutting the Residential Designation. Hotels and motels will be directed to areas adjacent to the Highway Commercial District designation or fronting on arterial roads. All lodging/ accommodation uses will be directed to locations that will not restrict or conflict with the use or development of the principal uses intended within the designation, particularly light industrial uses. Inns shall be subject to the policies Section 8.1.3.15 b. with necessary modifications.

#### **8.5.5 Development and Design Criteria**



- a. Lands within the Business Park designation shall have frontage on an arterial road, collector road or consist of lands in a plan of subdivision or condominium with a road network providing direct access to an arterial road or a collector road.
- b. commercial, business and professional office, and public service and public assembly uses, which are not accessory to another permitted use, shall be considered sensitive uses for the purposes of this designation.
- c. Where a site is rezoned for a mixed use development any use provided for under clauses 1 through 3 of Section 8.6.4 above shall be considered sensitive uses, and no use requiring or involving the bulk storage, processing, or high volume use in production, of toxic, highly flammable or hazardous materials or gasses stored under pressure shall be permitted in the same building.
- d. A shopping centre or small retail mall are not intended forms of development in this designation. On any site where the total floor area for all buildings is less than 1,860 m<sup>2</sup>, no more than 50 % of the floor area shall be used for retail purposes regardless of whether the retail space is for independent uses or is accessory to or affiliated with other non-retail uses on site. The maximum gross leasable floor area for independent retail suites or units on one site or within a proposal for new business park development shall be 828 m<sup>2</sup> unless a market study is completed to demonstrate that additional retail floor space can be supported within the market area for either the form/class of retail uses or the specific retail use proposed. For the purpose of this section, an independent retail use, suite or unit shall mean retail space not accessory to or affiliated with other non-retail uses on site. For the purposes of this section an affiliated retail use, suite or unit shall mean retail space that is associated with and/or primarily dedicated to the sale of the products and outputs of other non-retail uses on site or on adjacent sites within the business park development.
- e. Retail suites, which are independent of other uses within a building, shall be of a size that is complementary to, rather than competitive with, retail uses in the downtown core and generally should have a floor area of less than 65 m<sup>2</sup> (700ft.<sup>2</sup>) or greater than 186 m<sup>2</sup> (2,000 ft.<sup>2</sup>).
- f. The gross leasable floor area for all independent, professional or business office uses or suites on one site or within a proposal for new business park development shall not exceed a maximum of, or represent an expansion of an existing business within the Town by more than, 828 m<sup>2</sup> (8,912.8 ft.<sup>2</sup>) unless a market study is completed to demonstrate that additional office floor space can be supported in the market area. For the purpose of this section, an independent professional or business office use, suite or unit shall mean professional or business office space not accessory to other permitted uses on site.
- g. Food service facilities should be of a cafe format scaled to service the development on site and on immediately adjacent properties, however, one destination restaurant use may be permitted for each 4,000 m<sup>2</sup> (43,056 ft.<sup>2</sup>) of floor area in a business park development.
- h. Sensitive uses shall not be permitted in the same building with other permitted uses where they cannot be environmentally separated from uses that generate noise, dust, odour, vibrations or electro-magnetic interference that could have a negative impact on, or interfere with, the sensitive uses. Prior to permitting a mix of sensitive uses together with other uses, engineering and environmental reports acceptable to the Town shall be submitted and demonstrate that the impacts can be fully mitigated. A sound Transmission Class Rating of 55 or higher, as determined per the standards in the Ontario Building Code, will be

maintained between a residential use and any restaurant, public assembly or non-sensitive use.

- i. Where sensitive uses are permitted established, then a use with potential to generate impacts as described in clause "8." above, shall not be permitted in a location where the effect would be to potentially have negative impacts upon or interfere with a sensitive use. The Town will require the submission of engineering and environmental impact reports to demonstrate potential impacts can be mitigated as specified in clause "h." prior to granting approval for such development.
- j. With respect to any lands within a flood plain, a grading and emergency access plan shall be submitted which clearly demonstrates a safe access route to the building whereby vehicles (including emergency vehicles) and people will have a way of safely entering and exiting the area during times of flooding and other emergencies and that this access can be provided without significant impacts with regard to flood storage or flood flow. The drainage and emergency access plan must meet the established standards of practice and be acceptable to the Town of Perth and to the conservation authority having jurisdiction.
- k. Automotive service uses which include a fuel retailing component shall have frontage on an arterial road or collector road and shall not be located within 30 m of a property which is used for or zoned to permit residential uses.
- l. Where new or expanding uses are proposed, MECP Guideline D-6, *Compatibility Between Industrial Facilities and Sensitive Land Uses*, shall be used to establish an appropriate distance separation between an industrial use and a sensitive land use and to evaluate potential impacts or adverse effects within the influence area surrounding an existing land use.
- m. Notwithstanding the limitation of shopping centre uses as per subsection 8.5.5 d. above, a limited amount of shopping center development may be permitted in the Business Park Designation as it applies to lands northerly of Dufferin Street subject to the following criteria: (14)
  - The market study to justify retail or office development in excess of 828 m<sup>2</sup> shall also demonstrate that the retail or office floor space to be located in the proposed shopping centre development cannot otherwise be met through existing lands designated and available for commercial development elsewhere in the Municipality;
  - The land holdings for shopping centre use shall not exceed 25% of the total land area of the Business Park Designation north of Dufferin St.;
  - The proposed commercial uses are compatible with any existing industrial uses on adjacent lands and would not conflict with any applicable provincial standards or guidelines for minimum separation distances between land uses."
  - The Commercial site has direct frontage on County Rd 511.
  - Any Design Guidelines for development along Dufferin Street, as adopted or approved by Council from time to time, shall apply.
  - For development adjacent to lands designated or zoned for residential use the transitional buffer area, as per Section 8.2.5.3 a) 12 shall apply.

- n. A portion of Blueberry Creek crosses the north-west corner of the Business Park Designation north of Dufferin Street and east of County Road 511. Development and Site Alterations shall not be permitted in or adjacent to the fish habitat associated with Blueberry Creek, except in accordance with provincial and federal requirements.
- o. Proposed uses with large storage areas or notably lower lot coverage will need to be supported by a Municipal water and sanitary sewer financial sustainability report.
- p. In addition to the automotive and recreational vehicle repair uses permitted as per Section 8.6.4, automotive sales and/or recreational vehicle sales will be permitted in the Business Park Designation as it applies to lands northerly of Dufferin Street subject to the locational provisions of subsection 8.6.51. above.
- q. Places of worship and places of assembly shall locate on sites:
  - With frontage on a Collector Road or an Arterial Road;
  - That are adequately sized to accommodate the assembly use and related activities such as parking, and passive and active outdoor use areas and storm water management;
  - Which can accommodate adequate buffers or separation between the use and any adjacent residential uses and/or commercial and industrial activities; and
  - In the Business Park Designation which are located at the boundaries of the business park area or in transitional areas adjacent the Residential designation and avoid sites that would result in conflict with existing or compromise future industrial uses; particularly in consideration of provincial land use separation guidelines.

## **8.5.6 Site Specific Policies**

- a. On lands described as Pt Lt 4, Concession 1, Part 12, RP 27R-1742 and municipally known as 8 Craig St. the uses permitted shall include: Community uses, as defined pursuant to Ontario Regulation 153/04 under the Environmental Protection Act, including a Place of Worship; neighbourhood serving commercial uses; professional, business and administrative offices; and Entertainment uses such as a theatre or cinema. These uses may occur on the basis of full services being provided and construction being slab on grade. No residential use, as defined pursuant to Ontario Regulation 153/04, and no long term care facility, or any use involving over-night accommodation or residential habitation space, shall be permitted.(per OPA #9 as approved, relocated from Section 8.1.3.21 a. 4)
- b. The lands described as Pt Lot 4 Con 1 now in Perth, Part 11 RP 27R-1742; Part 1 RP 27R-430, locally known as 6 Craig Street, and Part 12 RP 27R-1742, locally known as 8 Craig Street are adjacent to lands in the Industrial Designation occupied by industrial plants operated by 3M Canada Inc. Accordingly, a residential use, as defined per Ontario Regulation 153/04, a long term care facility, a day care facility, and any use involving over-night accommodation or residential habitation space, shall not be permitted. Further, any sensitive use that would not comply with the separation required per subsection 8.5.5 paragraph m of this Plan and any use that would conflict with, or impede expansion of an

adjacent industrial use is not permitted.

## **8.6 Environmental Protection Area Designation- Natural Heritage Features**

### **8.6.1 General Scope**

Natural heritage features and areas are those areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual natural heritage features and areas within a given planning area form a natural heritage system.

In addition to significant natural heritage features, the Natural Heritage System shown on Schedule “C” also contains linkages and corridors. These linkages and corridors mostly follow watercourses and wetlands and are intended to function as connections between significant features. For the purpose of this Plan, linkage and corridors will be considered to be wildlife habitat with a corresponding 30 m setback.

For the purposes of this Plan, the Natural Heritage System, is presented in Schedule “C”. That said, lands which are deemed to be provincially significant wetlands are identified as a specific land use on Schedule “A”. Reference should also be made to **Section 7 - Public Health and Safety** of this Plan for other policies applying to the Environmental Protection Area Designation.

The application of the policies for the natural heritage system are designed to conserve the ecological values of existing significant natural heritage features and to enhance the biodiversity, habitat restoration and integrity of natural heritage attributes such as wildlife corridors and connectivity through land use planning decisions. The impact of policies will be to strengthen the natural heritage system as an integral component of the Town's land use pattern.

### **8.6.2 Goal**

To sustain natural heritage features and system present within the Town of Perth by maintaining the ecological health of the natural heritage system within the Town or ensuring compensating natural areas are protected in advance of development approval.

### **8.6.3 Objectives**

- a. To avoid or minimize *adverse effects* on natural heritage features/system from development on adjacent lands.
- b. To identify and protect lands encompassing natural heritage features/system through the appropriate classification of such features and appropriate setbacks for development.
- c. To ensure appropriate impact assessment is undertaken and mitigating measures are implemented.
- d. To encourage restoration of previously disturbed lands and the establishment of adequate buffering of sensitive natural heritage features/systems.

### **8.6.4 Natural Heritage Features Policies**

- a. The location and identification of Natural Heritage Features is primarily based on information provided by the Ministry of Natural Resources and Forestry and the Rideau Valley Conservation Authority. These features are intended to be protected over the long term as a legacy to future generations. This intent shall be given due consideration in the development, redevelopment and alternation of land within and adjacent to identified areas. The delineation of these areas may be determined or refined through preparation of a detailed Environmental Impact Study (EIS). Natural Heritage Features which have been designated and that are intended to be addressed when development is proposed in Perth include: (1)
1. The Blue Berry Creek Wetland, Grant's Creek Wetland and the Perth Long Swamp Wetland which are recognized as Provincially Significant Wetlands.
  2. A large wildlife habitat area in the Perth Long Swamp which is home to white tailed deer and other flora and fauna.
  3. Fish habitat areas including the Tay River/Canal, Blue Berry Creek and Grant's Creek main channel and tributaries.
  4. The habitat of endangered species and threatened species is considered sensitive information; consequently the exact location of habitat is not illustrated on the Land Use Schedule. Where the potential for habitat is identified for species on the Species at Risk in Ontario (SARO) list through a planning application review, the policies for endangered species and threatened species in this Section (8.5.4) will apply.
  5. The Tay Marsh is not within the Town's boundaries but is an Area of Natural and Scientific Interest downstream of the Town that could be negatively impacted by changes to the water quality of the Tay River.

From time-to-time, other natural heritage features and areas may be identified which are not identified on the Schedules to this Plan. Such features will nonetheless be subject to the policies of this Section (8.5.4).

b. Provincially Significant Wetlands and Wildlife Habitat

1. Council recognizes and respects *Provincially Significant wetlands* as ecosystems which are important as habitat for a variety of plant and animal species, for water quality, flood control and water storage and recharge areas and for their value for passive recreation.
2. *Development and site alteration* shall not be permitted in the Perth Long Swamp, the Blue Berry Creek Wetland, and the Grant's Creek Wetland. *Development and site alteration* shall not be permitted on *adjacent lands* to these significant wetlands unless it has been demonstrated, through the preparation of an Environmental Impact Study (EIS) as required in Section 8.5.4 e. EIS of this Plan, that there will be no negative impacts on the natural features or on the *ecological functions* for which a specific wetland area is identified. This shall include impacts on the *wildlife habitat* which exists in these wetlands.

*Development and site alteration* shall not be permitted in *significant wildlife habitat*. *Development and site alteration* shall not be permitted on *adjacent lands* to these natural heritage features unless it has been demonstrated through the preparation of an EIS as required in Section 8.5.4 e. ~ EIS of this Plan, that there will be no negative

impacts on the natural features or on their *ecological functions*.

3. Significant *Wetlands* and *significant wildlife habitat* are designated on Schedule 'A', and delineated on Schedule "C", Natural Heritage System. For the purposes of this policy, *adjacent lands* to significant *wetlands*, habitat of *endangered species* and *threatened species*, and *significant wildlife habitat* include an area extending 120 m (394 ft.) from the identified wetlands or habitats and may be shown on Schedule 'A', Land Use Plan or Scheduled C. In addition to satisfying Section 8.5.4 e., EIS any new *development* or *site alteration* proposed on *adjacent lands* shall also satisfy the land use policies of the underlying land use designation as shown on Schedule 'A', Land Use Plan.

c. Fish Habitat

1. The main channel and tributaries of the Tay River/Canal, Grant's Creek, and Blue Berry Creek watersheds within the Town are recognized, and shall be protected to retain their *fish habitat* values. *Development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with provincial and federal requirements. *Development* and *site alteration* shall not be permitted on adjacent lands (120 m) to fish habitat unless it has been demonstrated through the preparation of an Impact Assessment as required in Section 8.5.4 e. EIS of this Plan, that there will be no *negative impacts* on the natural features or on their *ecological functions*
2. In undertaking and approving development the Town will provide for a net gain of productive capacity wherever possible. More specifically, *development* and *site alteration* in and adjacent to *fish habitat* shall not result in:
  - a net loss of fish habitat
  - the harmful alteration, disruption, degradation or destruction of fish habitat
  - restriction of fish passage
3. For the purposes of this policy, *adjacent lands* to *fish habitat* include a distance of 120 m (394 ft.) from the shoreline abutting the Tay River/Canal, Blue Berry Creek, and Grant's Creek respectively. *Fish habitat* areas are shown with the symbol 'FH' on Schedule 'A', Land Use Plan.
4. Prior to permitting any *development* or *site alteration*, as defined, the proponent, (or a governmental authority where the governmental agency is the proponent), shall undertake an Impact Assessment as described in Section 8.5.4 e. below.

d. Shoreline Alteration, Buildings and Structures and Fill

1. Along the shoreline of the Tay River/Canal natural vegetation will be maintained, enhanced or improved. Where alterations are proposed in shoreline areas they shall be carried out with professional advice and shall meet the requirements of the Conservation Authority and MNR. "Also refer to policy 6.8.6 re Marine Archaeological Resources" This may include the need for an EIS whether associated with development (per Section 8.5.4 c. above), or not. Although providing public access to the Tay River/Canal is a priority of the Plan, such access points must be established and maintained in a sustainable manner with the appropriate supporting studies and approvals.

2. Development, in general, along the Tay River/Canal is subject Ontario Regulation #319/09 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) under the *Conservation Authorities Act*, as administered by the Conservation Authority.

The Tay Canal is also part of the Rideau Canal National Heritage Site/ World Heritage Site and is administered by Parks Canada. Prior to undertaking in-water or shoreline works or related activities a shoreline work permit must be approved by Parks Canada, (usually issued through the Rideau Canal Office). Trails, tow paths or similar works should be planned and designed in consultation with Parks Canada.

Permits or permission shall be obtained from the Conservation Authority where required for:

- the construction, reconstruction, erection or placing of a building or structure of any kind;
- any change of use to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- site grading, or
- the temporary or permanent placing, dumping, or removal of any material, originating on the site or elsewhere.
- Alteration or interference with any shoreline wetland area.

Also refer to policy 6.8.6 re Marine Archaeological Resources

e. Significant Woodlands

1. Significant Woodlands are areas which serve an important ecological function in the broader landscape because of their location, extent of forest cover, tree age and long-standing forest function, species composition and their potential as wildlife habitat.
2. Potentially Significant Woodlands as illustrated on **Appendix 11** to this Plan shall be subject to the policies of the land use designation applied on Schedule 'A' to this Plan.
3. Where a potentially Significant Woodland feature corresponds to an area within the Environmental Protection designation on Schedule 'A' of this Plan then development or site alteration shall not be permitted unless an EIS is completed and demonstrates either that the identified feature is not a significant woodland or, where a Woodland is confirmed as significant, there will be no negative impacts to natural features or their ecological functions.
4. Where a potentially Significant Woodland, as identified on Appendix 11 to this Plan extends over an area exceeding 5 ha, then development and site alteration shall not be permitted on adjacent land until an EIS is completed and demonstrates either that the identified feature is not a significant woodland or, where a Woodland is confirmed as significant, there will be no negative impacts to natural features or their ecological functions.

5. Where a potentially Significant Woodland, as identified on Appendix 11 to this Plan extends over an area greater than 1ha but less than 5 ha., then development and site alteration shall not be permitted on land within 30 m of the woodland feature until an EIS is completed and demonstrates either that the identified feature is not a significant woodland or, where a Woodland is confirmed as significant, there will be no negative impacts to natural features or their ecological functions.
6. Where a potentially Significant Woodland, as identified on Appendix 11 to this Plan extends over an area of 1ha or less, then a 15 m buffer shall be provided between the woodland and development and site alteration on adjacent land unless an EIS is completed and demonstrates either that the identified feature is not a significant woodland or a lesser buffer will protect the natural features or the ecological functions of the woodland.
7. The preceding policies shall not apply to the area identified on Appendix 11 to this Plan as being a **Woodland Exception Area**. This area has been designated for development under the Official Plan since its initial adoption in 1999. It has subsequently been identified under the Servicing Master Plan for the area north of Highway #7 and the preceding Secondary Plan and Official Plan Amendment #10 as being intended for development, including parkland, storm-water infrastructure, and sanitary system infrastructure and is within the Residential Designation on Schedule 'A' of this Plan. Development and site alteration may be permitted subject to an EcoSA [see paragraph g) below] determining whether any threatened or endangered species are present that require protective measures and subject to a tree preservation plan to protect any significant (larger, older, healthy and/or rare) tree specimens to the greatest extent practical given the intended use of the land and to ensure replacement of vegetation specimens that will be impacted by development. The Woodland Exception Area will also remain subject to other policies of this Plan which provide for the conservation of existing vegetation or the reintroduction of native vegetation through sustainable urban design and best conservation practices.

f Significant Valleylands

1. Valleys are important components of watershed drainage systems. Significant Valleylands are natural areas occupying a valley or comparable landform depression that has water flowing through it or has standing water for some period of the year. They are an appropriate context for planning for water associated ecosystems, biological resources and natural migration corridors. Valleylands have not been identified in the Town of Perth but may be associated with the Tay River or its tributaries and protection may already be established through the policies protecting flood plains and sensitive wildlife habitats.
2. Significant Valleylands will be determined by the Town in consultation with the MNR and shall be subject to the policies of the land use designation established on Schedule 'A' of this Plan. Where Significant Valleylands are identified through consultation with the MNR or by an EIS undertaken to address another policy of this Plan, the Valley land will be subject to the policies of this Subsection and will be added to the mapping in Appendix XX at the time of the next 5 year review.
3. Where Significant Valleyland is identified, development or site alteration shall not be permitted until an EIS has been completed and demonstrates there will be no net negative



impacts on the natural features or the ecologic function.

g. Habitat of Threatened and Endangered Species

1. In order to ensure protection of sensitive habitat and wildlife resources from disturbance, the Significant Habitat of Endangered and Threatened Species (ETS) is not identified on the Schedules of this Plan. The Significant Habitat of ETS shall be defined based on the Endangered Species Act and the Species at Risk in Ontario (SARO) list. Appendix 10 to this Plan provides a list of species known to be present in the Perth area.
2. The Town will rely on a screening map prepared by the Ontario Ministry of Environment, Conservation and Parks (MECP) indicating areas of potential habitat of ETS as provided to the Town for reference purposes from time to time. Where the Province's screening map indicates the potential habitat of ETS, an Ecological Site Assessment (EcoSA) shall be required in support of a planning application proposing new development and/or site alteration. An EcoSA shall determine if significant habitat is present, and delineate the extent of significant habitat present within or adjacent to the area proposed for development or site alteration. Where an Environmental Impact Study is required in support of a planning application an EcoSA undertaken by a qualified consultant may be included in the EIS. The Ontario Ministry of Environment, Conservation and Parks (MECP) is the authority responsible for approval of the delineation of Significant Habitat of Endangered and/or Threatened Species as presented in an EcoSA.
3. New development and site alteration shall not be approved within the confirmed Significant Habitat of ETS without the express consent and concurrence of the province as specified in accordance with a Permit under the *Endangered Species Act*. More specifically, *development* and *site alteration* shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
4. On land adjacent to the Significant Habitat of ETS (i.e. within 120 m) development and site alteration shall not be approved unless an EIS by a qualified consultant is completed and evaluates the ecological function of the adjacent land and demonstrates that there will be no negative impacts on their ecological function with respect to the identified significant habitat. Where an EIS indicates Significant Habitat of ETS may be present, the province shall be consulted to obtain further technical advice with regard to confirming and delineating the Significant Habitat of ETS.
5. Where new development or site alteration will result in the removal of trees from a site, an inventory for the presence of the endangered butternut tree species shall be undertaken by a qualified arborist prior to removal of trees. When any disturbance, cutting or removal of a butternut specimen is proposed an evaluation of the health of the specimen shall be undertaken by a qualified Butternut Health Assessor is required. Where the specimen is determined to be "not retainable" the tree can be removed or harmed once a certificate is issued by the Assessor. If the specimen is found to be "retainable" then the tree will not be harmed or removed without a permit from the MECP under the *Endangered Species Act*."

h. Linkages, Corridors and Wetlands

1. The Town's natural heritage system connects significant natural heritage features through linkages and corridors. For the most part, these linkages and corridors follow watercourses, unevaluated wetlands, and tree lines. Natural Heritage System linkages and corridors shall be considered as wildlife habitat and include a 30 m setback, the same as a watercourse setback.
2. The Town recognizes that the Rideau Valley Conservation Authorities have a provincial mandate to regulate unevaluated wetlands. The RVCA regulations establish a 30 m setback from unevaluated wetlands, the same as a watercourse setback.
3. Development and site alteration within the habitat area or on adjacent lands that are within 30 metres (98 feet) of these areas may be permitted provided that such development will not negatively affect the natural features or ecological functions of the habitat area. An Environmental Impact Statement shall be required in order to assess the impact of the development and site alteration.
4. Notwithstanding the above policy, minor expansions to existing buildings and structures and new accessory structures may be permitted on adjacent lands without an Environmental Impact Statement.

i. Environmental Impact Study

1. Council will require an Environmental Impact Study (EIS) for *development* and *site alteration* proposed in designated Natural Heritage Features and *adjacent lands*, except where *development* and *site alterations* are not permitted by policy. An 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*. Where the impact of the *development* and/or *site alteration* cannot be mitigated, it will not be permitted.
2. EIS is intended to provide for an assessment of the potential impact of a proposed *development* or *site alteration* on a particular natural heritage feature 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 *development* and/or *site alteration*. The Town will require proponents to pre-consult with the municipality with respect to the requirements and scope of an EIS.
3. The components of the EIS shall be tailored to the scale of development and may range from a simplified assessment (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, major commercial or industrial development, golf course etc. will require a full site assessment. Council may consult with the Conservation Authority in determining information requirements and the type and content of an EIS. The following is intended to provide a guideline on the potential scope of an EIS
  - i. Providing background information for the proposed development that describes the planning aspects (i.e., description/purpose of proposal, draft site and grading/drainage plan, features of full build-out), and the existing environmental conditions (i.e., surface and subsurface soils, local landform types, catchment boundaries of surface water features, infiltration capabilities of the site).
  - ii. Identifying and describing the natural heritage feature(s) and area(s) affected by the

- development proposal (i.e., mapping of the feature, describing the significance, habitat requirements, relationship between features, linkages to off-site features, methodology used for field studies).
- iii. Analyzing the ecological functions of the feature(s) affected by the development proposal on the site and adjacent property(ies) including: examination of the features and functions present and their ecological sensitivity; explanation of the methods used to determine the effects of the proposed development; information to demonstrate that proposed mitigation measures intended to protect key features or functions are measurable and outcomes are predictable or manageable; assessment of habitat changes; identification of indicator, keystone or flagship species that could be considered in assessing habitat conditions; identification of features or functions, including existing or new movement linkages or habitat corridors that contribute significantly to the integrity or function of the natural heritage system).
  - iv. Identifying the diversity and connectivity that supports the natural heritage system by recording existing habitats and lists of existing species, and evaluating aquatic, riparian and terrestrial linkages where they exist or can be enhanced, particularly through enabling natural succession processes (*based on S.R. Aug 2013 re MMAH comments*) and *S.R. Mar 2014*
  - v. Outlining potential impacts of the development proposal on natural heritage features and their ecological functions and potential mitigation measures.
  - vi. Assessing the potential negative impacts both direct and indirect in quantitative and qualitative terms.
  - vii. Identifying mitigation measures and residual impacts with a preference at avoiding impacts. Residual impacts must be assessed as to whether they are negative impacts, their significance, severity and longevity.
  - viii. Identifying monitoring needs, a monitoring program and a contingency plan in the event that the results indicate that there are negative impacts.
  - ix. Recommendations resulting from the assessment that will assist the Town in making a decision on whether the application should be approved modified, refused and what measures may or should be required for mitigation and monitoring.
4. Proponents are expected to utilize the *Natural Heritage Reference Manual, MNR, Second Edition, March 2010* (and any subsequent editions) in undertaking the preparation of an EIS. An EIS must be undertaken by a qualified professional. The cost of an EIS and any peer review shall be borne by the proponent of the development. Council may consult with a public authority, such as the Conservation Authority, to assist with the technical review and findings of an EIS or may engage a qualified, independent professional to undertake a peer review.
  5. The Algonquins of Ontario shall be consulted on any Environmental Impact Studies related to proposed developments where areas of Algonquin interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

**j. Implementation Measures**

The Town may use a variety of planning and other tools to implement the findings of the EIS including site plan control, zoning, and development agreements as well as the authority of the *Municipal Act* (site alteration controls, tree cutting by-laws). Where an EIS is required in association with an official plan or zoning by-law amendment or a plan of subdivision, the applications shall not be deemed to be complete until the EIS has been submitted.

**k. Shoreline Management**

The Tay River and its' tributaries, the Blue Berry Creek and Grant's Creek, are natural heritage resources that serve an important ecological function within the watershed as well as an aesthetic enhancement to residents and visitors to the Town of Perth. Urban land uses and urban activities have compromised the ecological function of the riparian zone of the Tay and to a lesser extent its' tributaries. The intent of the Plan is to provide for the restoration and rehabilitation of the shoreline of the Tay River and protection of shoreline areas through an integrated management approach which consists of the following measures:

- a. Collaborate with the Federal and Provincial governments and the Rideau Valley Conservation Authority to rehabilitate and/or enhance the two dams upstream to Stewart Park;
- b. support the recovery and restoration of the ecological function of the riparian zone of all shoreline areas in the Town through public education, cooperation with programs of the Rideau Valley Conservation Authority and through site plan approvals that support the reinstatement of aquatic and wildlife habitat and linkages;
- c. The establishment of a "30 metre setback" from water and the "15 metre vegetated buffer" along shorelines as the key planning tools to minimize negative development impacts on waterfronts. Commonly referred to as a "ribbon of life", this 30 m setback area is intended to be a strip of unaltered, naturalized land abutting the shoreline, with provisions for a modest shoreline access path through this area. Within the 30 m setback, the first 15 m abutting the shoreline is to be a natural, vegetative buffer of land. Generally, this Plan strives to limit expanded development within the 30 m setback and 15 metre buffer areas, particularly where other preferred development options may exist on the property. Expansions of development within the 30 m setback will require the approval of the Committee of Adjustment or Council depending on the nature of the encroachment. New or expanded development should not further expand into the 30 m setback.
- d. Shoreline areas in Stewart Park and the Last Dul Park should be naturalized to the greatest extent that is practical while retaining accessibility for the current level of passive and active recreational use and upholding the valued aesthetic appeal of Stewart Park. This will be achieved through a phased program of replanting using native riparian plant species; particularly when projects for restoring or rehabilitating eroded and degraded shoreline areas provide opportunity to replace artificial shoreline stabilization measures with lower maintenance, self-perpetuating, vegetation based solutions;
  - i. The Town will cooperate with other levels of government, and the private sector to upgrade drainage and storm-water management systems to reduce contaminant and

other discharges into the Tay River and its tributaries with priority given to discharge locations where water quality impacts are identified or the best water quality improvement outcomes can be achieved;

- ii. reduce or replace hard surfaces adjacent to the shoreline which lead to uncontrolled runoff into the river;
- iii. require increased setbacks from the shoreline for new buildings;
- iv. require proponents of construction projects to prepare and implement erosion and sediment control plans as a condition of development approval;
- v. apply best storm-water management practices and require compliance with the storm- water management policies of this Plan;
- vi. encourage best management practices or regulate the storage and use of herbicides, pesticides, chemicals and fossil fuels in and adjacent to shorelines;
- vii. implement the source protection policies in accordance with Section 5.10;(OPA 15)
- viii. work with neighbouring municipalities, stewardship organizations and the public to raise public awareness of the value of shoreline management, and to implement the recommendations of the Tay River Watershed Management Plan and subsequent and related documents.

## **8.7 Parks And Open Space Designation**

### **8.7.1 General Scope**

The Parks and Open Space designation encompasses areas within the Town that have established significance as part of the heritage cultural land scape, are regional, recreational parks, or sites that feature, or are intended for, parkland and infrastructure services. These are public and privately held areas that are critical elements of the Town's open space and outdoor recreational system. The policies of Section 8.1.3.20 will also to apply to lands in this designation but the policies of this designation shall prevail in the event of a conflict.

### **8.7.2 Goal**

To recognize and sustain key components of the Town's recreational and open space system, particularly sites that are or encompass cultural heritage landscapes, active recreational spaces, informal recreational spaces, and areas critical to infrastructure needs.

### **8.7.3 Objectives**

- a. To recognize and sustain sites encompassing cultural heritage features.
- b. To recognize sites with existing or intended use for active and informal outdoor recreational facilities.
- c. To recognize, retain and protect existing and potential parkland and passive recreational spaces that encompass lands with known flood constraints .
- d. To recognize and protect areas intended for recreational space, buffer areas, public access to water, or locations for municipal infrastructure.

- e. To plan for the construction of a new multi-use recreation facility in collaboration with neighbouring municipalities.
- f. To advance the concepts of universal accessibility and equitable access and distribution of public lands.

#### **8.7.4 Range of Permitted Uses**

Lands designated as Industrial Area on Schedule 'A' of this Plan, may be used for the following scope of permitted uses:

- Public or private parks, Botanical Gardens or Community Gardens, including barrier free opportunities
  - Campgrounds;
  - Cemeteries;
  - Conservation uses;
  - Sports fields, sports, recreation, or community facilities, golfing facilities and associated or ancillary uses including but not limited to sporting goods sales, service and repair shops, administrative offices, snack bars, dining and banquet facilities; and maintenance equipment storage, servicing and repair buildings;
  - Outdoor spaces for community events or temporary places of assembly;
  - Public Service facilities such as: storm-water storage installations, sanitary pump stations, water service pump stations or elevated storage facilities, seasonal storage uses, extension of existing waste management facilities.
  - Informal recreational spaces, community gardens, cool down trees/features; Recreational pedestrian and cycling trails;
- \*\* Except as permitted in accordance with applicable regulations as established by the Province or a Conservation Authority, no new buildings or structures will be permitted on lands within this designation that are within a flood plain.**

#### **8.7.5 Parkland and Open Space Policies**

- a. To retain and enhance existing parks and cultural heritage landscapes within the Parks and Open Space designation, including the provision of accessible park features
- b. To support and encourage the provision of active sports and outdoor recreational spaces and informal recreational opportunities on lands suitable for such use in locations that are readily accessible to residents and visitors.
- c. To ensure that existing green spaces, treed areas and wildlife corridors not intended for development are retained;
- d. To accommodate and improve the Town's pedestrian and cycling trail network by recognize lands with existing trails or potential to connect or extend the trail network in the Town of Perth as set out in Schedule B to this Plan. When reviewing development proposals in areas where there is an opportunity to connect or extend the trail system, provide public access to water, particularly in a waterfront setting or on lands adjacent existing natural areas, the

Town may require that access be provided. The nature and configuration of any conveyance or easement for access purposes will be determined on a site specific basis.

- e. Where this designation is applied to privately owned land there is no intent, and it shall not imply, that the lands are, or will be, open to or accessible by the general public. There is also no intent that they be acquired for public use. There shall be no obligation for the Town of Perth or any other public agency to purchase the land.
- f. As recommended by the Town's Recreation Master Plan, the Town will promote:
  - The installation of bike racks and other cycling supportive infrastructure at all public indoor facilities;
  - Where food is served (e.g. vending machines, canteens), consideration will be made for the provision of healthy and safe food options;
  - When designing new facilities or renovating existing facilities, consideration will be made for the inclusion of an inspected kitchen, allowing for food skills education and community building food preparation activities.

As recommended by the Town's Recreation Master Plan, the Town will promote health by providing sufficient shade structures (e.g., trees, built structures), seating, bicycle parking, public bathrooms, and a source of free potable water at all outdoor facilities. The Town will also strive to provide information to the public on where to find free potable water.

## 8.7.6 New Parkland and Parkland Classification System

As recommended in the Recreation Master Plan, the Town of Perth has adopted the following parkland classification system. Parkland shall be placed in one of these three classifications:

- i) Community Parks – generally sized at 0.84 ha per 1,000 residents
- ii) Waterfront Parks – generally sized at 1.37 ha per 1,000 residents
- iii) Neighbourhood Parks – generally sized at 0.25 ha per 1,000 residents.

The characteristics of each type of park is detailed below.

Typology	Purpose/ Function	Service Area	Optimal Size / Provision Standard	Optimal Location	Potential Facilities
<b>Community Parks</b>  <i>Includes: Stewart Park, Daines Park, Central Perth Playground, Code-Haggart</i>	Active / passive recreation.  Community focal points.	Serves local community / surrounding area. May also serve entire municipality and region.	0.5 to 3 ha in size, except for some existing locations.  Perth: 0.84 ha per 1,000 population.	May be co-located with indoor recreation facilities and/or adjacent to secondary schools.	Sports fields, play structures, open space, pathways/trail linkages, community gardens, bike racks, etc.

				Highly visible with frontage on major roads.	
<b>Neighbourhood Parks</b>  <i>Includes: Scott Park, Perthmore Park, Ecoforest Park, Arnold Carson Park, O'Neil Park, John Miller Park</i>	Active / passive recreation.  Neighbourhood focal points.	Local neighbourhood, 400m to 800m (5 - 10 minute walk).	0.1 to 0.5 ha, except for some existing locations.  Perth: 0.25 ha per 1,000 population.	Centrally located within service area.  Prominent local street intersections with frontage.  May be located adjacent to schools, natural areas or environmental features.	Informal sports field(s), play structures, open space, pathways, etc.
<b>Waterfront Parks</b>  <i>Includes: Last Duel, River Park, Robertson Lake Park, Centennial Park</i>	Active / passive recreation, water access.	Varies	Size varies.  Perth: 1.37 ha per 1,000 population.	Riverside lands, lakefront areas, natural corridors.	Passive open space, trails, interpretive signage, benches, conservation.

- a) The Town shall strive to establish playgrounds within 800 m of most residential neighbourhoods.
- b) The Town shall strive to maintain the current provision of 2.5 ha of parkland per 1,000 people. Based on growth projections, the Town may require an additional 1.9 ha of parkland to meet future population targets.
- c) The Town shall acquire additional parkland through the parkland dedication system established for all new subdivisions and lot creation. The Town may also acquire additional parkland through donation of land, accessing grants, land trusts, conservation easements, land exchange, partnership agreements and/or direct purchase, should it be deemed that parkland through subdivisions is not sufficient to meet the above noted targets.
- d) The Town has established a "Parkland Dedication and Cash-in-lieu of Parkland Dedication By-law: to guide future acquisitions of new parkland as well as the design and development of existing park facilities. This By-law outlines the circumstances where conveyance of land will not be accepted and where cash-in-lieu of parkland will be considered including but not limited to:
  - Where land is insufficient in size or configuration (e.g. no opportunity for land



- assembly to create new parks);
  - Where there is no land that is either usable or functional on the site for parkland or recreational purposes; and/or
  - Where the area being developed or redeveloped is already well served by parkland.
- e) The Town shall pursue the acquisition of natural areas, particularly land adjacent to the Tay River, through the development process and other means of securement to provide opportunities for enhanced conservation, compatible public access and linkages to parks, trails, open spaces and water. Improved / additional water access points shall be a priority of the Town.
  - f) The Town shall ensure that new parks are designed with the user's comfort, safety, and accessibility in mind, through use of CPTED (or similar) principles as well as adhering to AODA Design Standards.
  - g) When designing new parks, the Town shall consider the potential operational impacts and assess the future resource implications of each aspect / amenity.
  - h) The Town shall encourage and facilitate the community's participation in park design, development, and renewal projects by obtaining public input during the planning and design process, fostering partnerships and collaboration in park development/renewal, and promoting awareness of park projects and initiatives through effective public communications.
  - i) The Town shall consider the creation of community gardens in local parks.
  - j) The Town shall consider establishing the dedication of land for pedestrian and bicycle pathways as a condition of the subdivision of land.
  - k) The Town shall require the identification and provision of walkways and other means of pedestrian access and accessibility, as well as bicycle parking facilities and other sustainable design elements on municipal streets, as may be required for planning approvals and developments.
  - l) If land is proposed for redevelopment and part of the land meets sustainability criteria set out in this Plan, the Council shall reduce the amount of any cash-in-lieu of parkland payment by the value of that part.

## 9.0 THE TOOLS OF IMPLEMENTATION

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### **9.1 Introduction**

There are many 'tools' at the disposal of a planning authority in implementing an Official Plan. This Section of the Plan lists those tools required to implement this Plan. Reference is made to a number of different provincial statutes and/or Ontario Regulations. The list does not include all of the enabling authority of all legislation, particularly, those Acts and Regulations which are administered by the federal or provincial government but the list is intended to be reasonably comprehensive.

Over time, amendments are made to legislation which may change the numbering of sections of various Acts or Regulations. These changes should not affect the integrity of the following list nor limit the authority of the municipality to exercise certain controls, unless the legislation is repealed. The Acts etc. are listed alphabetically for convenience.

Procedures associated with the Tools of Implementation are included in Appendix 2 for the information and assistance to the reader and do not form part of this Plan. These sections are cross referenced to assist the reader.

### **9.2 Accessibility For Ontarians With Disabilities Act**

- A) The *Accessibility for Ontarians with Disabilities Act* is intended to make Ontario an accessible province for people with disabilities by 2025. The Act requires the removal of barriers to access and opportunity for people with disabilities. Under the Act, municipalities must prepare an accessibility plan to identify barriers and ways to remove them each year. An accessibility plan must include:
1. A report on the steps the municipality has taken to identify, remove and prevent barriers to accessibility;
  2. How the municipality assesses its proposals for by-laws, policies, programs, practices and services;
  3. A list of by-laws the municipality will review each year to identify barriers;
  4. How the municipality intends to identify remove and prevent barriers in the coming year; and
  5. All other information required by regulation.
- B) A Standards Development Committee is also developing an Accessible Built Environment Standard. This will require all new construction to comply with the Act within 24 months that the Standard becomes law. It will also require that extensive renovations and changes in use of a built environment comply with the Act within 24 months.
- C) The Town of Perth has established an Accessibility Plan and undertaken programs to ensure

its implementation. These efforts will continue during the life of this Plan

### **9.3 Building Code Act (See Also Appendix 2)**

#### **9.3.1 Property Standards**

It is a policy of Council to enforce the Property Standards By-law as provided for under the Act with the objective of maintaining buildings, structures and properties in the municipality in a good state of repair.

The by-law may be reviewed from time-to-time with respect to the standards for maintenance of buildings and without limiting the foregoing, shall include consideration for:

- the maintenance of yards and accessory buildings
- the maintenance of residential and non-residential buildings and structures
- occupancy standards
- notices and orders
- administration and enforcement measures

### **9.4 Condominium Act (See Appendix 2)**

(See also Section 9.12.15 - Subdivisions)

### **9.5 Development Charges Act, 1997**

#### **9.5.1 Statement of Intent**

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works as described specifically or in general terms in this Plan and which may be the subject of a development charge.

### **9.6 Environmental Assessment Act (See Appendix 2)**

### **9.7 Environmental Protection Act (See Appendix 2)**

### **9.8 Gasoline Handling Act And Code (See Appendix 2)**

### **9.9 (Reserved - See Local Improvement Per Municipal Act)**

## **9.10 Municipal Act (See Appendix 2)**

## **9.11 Ontario Heritage Act (See Also Appendix 2)**

### **9.11.1 Requirement for Archeological Assessment**

To implement the requirements of **Section 6.0 - Heritage** of this Plan, the review of a planning application (e.g. zoning amendment, subdivision or consent) may require a review of the archeological potential of a site.

An archaeological assessment (prepared by a licensed archaeologist) shall generally be required for all new development located in areas of suspected archaeological potential as identified through the application of the provincial archaeological screening tool. Areas of archaeological potential are determined through the use of provincial screening criteria set out in Section 6.8.1 of this Plan, or criteria which are based on the known archaeological record within the Town and developed by a licensed archaeologist. An archaeological assessment shall identify the characteristics and significance of the archaeological resource(s), the development impacts and the measures or options for the conservation, mitigation or removal/rescue of the resource.

## **9.12 Planning Act (See Also Appendix 2)**

The procedures for applications and other matters are dealt with in sequence by section.

### **9.12.1 Amendments to the Official Plan -**

This Plan provides a long range development framework to guide the future growth of Perth. It is the policy of Council that amendments to the Plan shall only be required where major changes to the broad land use pattern and development policies become necessary as a result of changing circumstances. In determining whether or not an amendment to the Plan is required, special regard shall be had to the general development policies of Section 2, and the definitions and policies of each land use category under Section 8. While it is not the intent of Council to limit the rights of any person under the *Planning Act* to apply for an amendment, any proponent of development is encouraged to discuss the need for an amendment with the Municipality prior to making an application. The Municipality encourages a spirit of pre-consultation in making this determination as well as in the review of any application for an amendment filed with the Municipality prior to a public meeting or decision. Applicants will be required to pre-consult with the Municipality prior to the filing of an application for an amendment to this Official Plan.

Applications for an official plan amendment shall be reviewed for completeness. The Town/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. These studies or information include, but are not limited to those identified in Table 2 in subsection 9.12.19.

### **9.12.2 Public Works - Section 24**

Council shall not undertake any public work and no by-law shall be passed that does not conform with the Official Plan. Council may pass a by-law which does not conform with the Official Plan where they have adopted an amendment to this Plan and where the public work will comply with the amendment, once the amendment is approved.

### **9.12.3 Acquisition of Land - Section 25**

Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

### **9.12.4 Five Year Review of the Plan - Section 26**

Council shall not less frequently than every five years after the Plan comes into effect as an Official Plan revise the plan to ensure that it:

- Conforms with provincial plans or does not conflict with them;
- Has regard to the matters of provincial interest listed in Section 2 (of the *Planning Act*); and
- Is consistent with policy statements issued under the *Planning Act*.

Council will hold a special meeting in compliance with the requirements of Section 26 of the Planning Act to seek public input.

### **9.12.5 Community Improvement - Section 28**

Council is committed to the encouragement of, and participation in, community improvement. Community improvement encompasses all activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment. The following are the goals for community improvement:

#### **9.12.5.1 Goal Statement for Community Improvement**

The general goal of the community improvement policies is to continue to encourage the process of maintenance, revitalization and rehabilitation of the residential, commercial and industrial areas of the Town.

#### **9.12.5.2 Objectives for Community Improvement**

The Town of Perth shall:

1. Establish and maintain the physical infrastructure required to support and improve residential, commercial and industrial activity.
2. Ensure the maintenance of the existing building stock, and encourage rehabilitation, renovation and repair of older buildings.
3. Encourage the provision of ownership and rental housing that meets the needs of the community. To support and encourage the creation or improvement of upper storey

dwelling units in the Central Area District.

4. Where feasible, improve and maintain the existing residential, commercial and industrial street scape and/or aesthetic quality in the community.
5. Provide a traffic/transportation circulation pattern that addresses the needs of residents and visitors to the community, and establishes specific routes for heavy trucks.
6. Provide and maintain adequate social, recreational and cultural facilities and services.
7. Where feasible, reduce existing land use conflicts.
8. Encourage the development/reuse of vacant lands or buildings to accommodate activities of value or benefit to the community.
9. Encourage and support where feasible the preservation, restoration, and rehabilitation or reuse of heritage features in Perth including buildings and properties of cultural heritage value or interest.
10. Support the maintenance and expansion of a healthy economic base in the community.
11. Provide a safe and healthy community for both residents and visitors.
12. Employ to maximum advantage, the natural benefits and heritage associations provided by the presence of the Tay River.
13. To expand or improve the inventory of affordable housing units.
14. Enhance and improve accessibility, and work towards universal access to businesses in the Central Area District for people with disabilities.
15. To redevelop *brownfield sites* as a means to optimize the use of existing *infrastructure*, provide an incentive for economic development and improve the image of the community. This may include the repair, restoration or redevelopment of brownfield sites, environmental site assessment, environmental remediation, development and redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for improving energy efficiency, buildings, structures, works, improvements and facilities.

#### 9.12.5.3 Community Improvement Areas

Community improvement areas shall be selected on the basis of deficiencies related to the following criteria:

1. Deficiencies in hard services including roads, sidewalks, curbs, gutters, storm and sanitary sewers and water supply and distribution.
2. Deficiencies in public services such as fire protection, lighting, hydro or other utilities;
3. The presence of building stock that fails to meet the municipality's Property

Standards By-Law;

4. The opportunity to expand the housing stock (including rental and affordable housing) (IP#1) through the redevelopment, conversion, infill or intensification of underutilized residential lands/ buildings or non-residential buildings;
5. The presence of vacant lands/buildings that could be developed, redeveloped, or converted to another use;
6. A need to upgrade the street scape or aesthetics of an area;
7. To implement or to support programs for heritage conservation and policies for a heritage conservation district;
8. A need to upgrade elements of the transportation system;
9. A need to provide/improve recreational and cultural facilities and public open space;
10. Where appropriate to the Town's mandate, a need to further expand or upgrade social facilities;
11. To mitigate the presence of incompatible land uses;
12. The presence of hazard lands (lands susceptible to flooding) which have an impact on the Town's pattern of development;
13. The presence of older industrial lands and/or buildings that exhibit deficiencies such as a limited opportunity for expansion, servicing capacity, accessibility, negative impacts nearby residential areas;
14. The restriction of future growth opportunities due to the absence of raw land for expansion.

#### 9.12.5.4 Selection of Community Improvement Areas

Community improvement areas shall be selected on the basis of the opportunities for enhancement of:

1. Heritage resources including buildings and lands with cultural heritage value or interest that would benefit the community through restoration, conservation or structural improvement;
2. Development on vacant or underutilized lands, or brownfield sites and to support the creation of affordable, infill, or sustainable housing types;
3. The potential to further utilize and develop the Tay River corridor as a green belt area providing for active/passive recreational pursuits for residents and visitors;
4. The opportunity to promote and encourage tourism within the Town, with particular emphasis on the 'day-tripper';
5. The opportunity to intensify and broaden use of the municipal lands known as the Tay Basin property as a community and cultural events hub, thereby strengthening the role of the downtown (Central Area District) as a major

- shopping/business/cultural area within the region;
6. The opportunity to facilitate communications among the various community/business groups that are active within the Town, in order to support heritage conservation and to ensure co-ordination of promotional activities and in the provision of services.

#### 9.12.5.5 Designation of Community Improvement Areas

Based on the application of the above criteria the Community Improvement Areas designated for the purposes of this Plan coincide with the boundaries of the Town of Perth as illustrated on **Schedule 'A', Land Use Plan**.

#### 9.12.5.6 Selection of Community Improvement Project Areas

The following considerations shall be taken into account in the selection of Community Improvement Project Areas:

1. The improvement, which will most substantially resolve the identified deficiencies and/or implement the opportunities for enhancement identified above and which, in general terms, increase the safety, stability and aesthetic quality of the community, shall be undertaken as a first priority;
2. In determining the importance of the projects areas, Council shall take into account the comments received from the landowners/residents at advertised public meetings;
3. The disruptions to the community shall be limited, wherever possible; and
4. Prior to undertaking any improvements, Council shall be satisfied that it can reasonably finance and afford the Town's share of costs associated with the required improvements.

#### 9.12.5.7 Implementation

The methods Council may consider to achieve community improvement goals and objectives include:

1. The designation of Community Improvement Project Areas by by-law and the preparation of Community Improvement plans for one or more project area;
2. Scheduling community improvement projects in accordance with municipal budgets;
3. Enforcement of the Property Standards By-Law;
4. Enforcement of the Sign By-law;
5. Utilizing senior government funding programs and/or partnering or soliciting financial support or contributions in kind from the public or private sector;
6. Support, through the development of land use and design criteria, proposals for conversion, infill, redevelopment or intensification where community improvement objectives are met;



7. Pursuant to the *Planning Act*, Council may acquire and clear land for the purposes of implementing a program of community improvement.
8. Encourage through the development of appropriate policies and guidelines, street scape improvements in residential, commercial and industrial areas where the actions take full advantage of the unique qualities of the built environment.
9. Review and evaluate existing traffic and transportation systems within the Town. The identification of truck routes should also be undertaken.
10. Provide or encourage buffering techniques to reduce the impact of incompatible land uses using mechanisms such as site plan control and development permits.
11. Encourage the continued liaison with various government agencies and interest groups that are involved with the use of the lands along the Tay River/Canal corridor.
12. Where industrial uses in older areas are desirable, the Town should seek to support businesses located in these areas by whatever reasonable means are available within the Town's mandate.
13. Continue to support the HPAP and heritage conservation as set out in the heritage policies of this Plan.
14. Continue to support the Business Improvement Area Association in its endeavors to promote and generate business within the downtown (Central Area District).
15. Subject to the *Planning Act*, Council may make grants or loans towards the cost of rehabilitation of lands and buildings in conformity with the community improvement plan and may use financial incentives as provided for under the *Municipal Act*. This shall include the authority for Lanark County Council making grants or loans to the Council of the Town of Perth, and the Council of the Town of Perth making grants and loans to the Lanark County Council for the purposes of carrying out a community improvement plan that has come into effect, on such terms as to security and otherwise as the Council considers appropriate.
16. A Community Improvement Plan encompassing all or part of the Central Area District will provide financial incentives for development and redevelopment within the Community Improvement Project Area. The Incentives may include direct grants and loans or tax relief grants for:
  - the creation or improvement of upper storey dwelling units;
  - the improvement or restoration of building facades and signage, particularly with respect to the repair, rehabilitation or reinstatement of heritage features;
  - the improvement of accessibility, energy efficiency or application of current building standards in a manner which does not result in the loss of heritage building components, heritage values, or architectural value; and
  - enhancements to landscaping or streetscape elements.
17. Within a Community Improvement Project Area, Council may undertake or

provide for one or more projects through the preparation of a Community Improvement Project Area Plan. This may include the identification, repair, restoration or redevelopment of brownfield sites, environmental site assessment, environmental remediation, development and redevelopment, construction and reconstruction of lands and buildings for rehabilitation purpose or for improving energy efficiency, buildings, structures, works improvements or facilities.

18. In the preparation of a Community Improvement Plan, Council shall consult with land owners within the Community Improvement Project area, the public, the appropriate approval authority and other agencies that may be affected by or are likely to be involved in implementation of the Community Improvement Plan.

#### **9.12.6 Zoning By-Laws - Section 34**

- a. The Zoning By-Law for Perth shall reflect the principles, policies and land use descriptions in this Plan. The by-law shall zone land and establish regulations to control the use of land and the character, location and use of buildings and structures in accordance with this Plan. In updates of the zoning by-law, standards will be reviewed as a means to facilitate cost-effective, energy efficient and compact land development (e.g. lot areas, frontages, setbacks, densities, parking etc.) for all land uses and in particular for the design and development of residential, large format commercial, and mixed land uses.
- b. Council may use the powers provided by Section 34 to regulate the use of all land, buildings and structures within the Town of Perth as well as to govern other matters such as to prohibit land uses and development in sites containing a variety of natural heritage features, as well as sites containing an identified significant archeological feature. Council may establish any number of zones to classify and control land uses to implement this Plan.
- c. Applicants will be required to pre-consult with the Municipality prior to the filing of an application for an amendment to the zoning by-law. Applications for development for a zoning by-law amendment shall be reviewed for completeness. The Town will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. The list of studies or other information required includes but is not limited to those identified in Table 2 in subsection 9.12.19. Specific reference to Section 5.5.1 of this Plan is required for development within the control of MTO.
- d. The Zoning By-law may incorporate provisions for zoning with conditions at such time that an Ontario regulation is passed containing the prescribed conditions to permit the use of conditional zoning by municipalities.
- e. Subject to Section 39.2 of the *Planning Act*, Council may, by by-law delegate the authority to pass by-laws under Section 34 of the *Planning Act* that are minor in nature to a committee of Council or an individual who is an officer, employee or agent of the Town. By-laws passed under Section 34 of the *Planning Act* that are minor in nature may include by-laws to remove a holding symbol and a by-law to authorize the temporary use of land buildings or structures.

## 9.12.7 Holding Zone - Section 36

In order to show a future zoning designation while retaining control of the timing of development, a "holding" designation may be used, in the form of a symbol "H" as a suffix to the zone designation. As long as the "H" is retained, the use of the land shall be limited to the existing uses.

### 9.12.7.1 Rationale for the Use of Holding By-Laws

Holding by-laws may be used where the principle of development has been established through scrutiny under the *Planning Act*. A Holding By-Law may be used under the following circumstances:

1. To hold land from development until municipal water and sanitary sewer or other required infrastructure (utility services) are provided, or, studies have been undertaken to prove that appropriate utility servicing is possible on the site and that such servicing has been included in the Municipal budget or provided for through a Subdivision Agreement with a developer or other means acceptable to Council and other infrastructure delivery agencies;
2. To hold land that is designated in the Official Plan, but, as yet is undeveloped until a proposal is submitted to develop the land for the use/uses intended in the Official Plan;
3. To hold land from development until other environmental or physical improvements to the site are made. For example, road improvements or infill on a site may be required prior to development of the site;
4. To prevent or limit the use of land in order to achieve rational, orderly-and environmentally responsible development consistent with the growth management objectives of the Town;
5. To hold land until a Community Improvement Policy Area program is in place;
6. To allow for the implementation of special design features in specific locations of developments (residential or commercial design);
7. To ensure that all conditions of development including financial requirements and agreements in accordance with the provisions of this Plan and/or the *Planning Act*, have been complied with;
8. Contaminated sites may be placed in a Holding Zone in the municipality's zoning by-law. Where a holding zone is used, the "H" symbol 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 of a MECP acknowledged Record of Site Condition to Council.

### 9.12.7.2 Conditions to be met for Removal of the Holding Symbol

The Holding “h” may be removed by by-law when the above circumstances have been satisfied and the following conditions met:

1. Approval of required utility servicing for the site /area is given or servicing of adequate standards is provided on the site;
2. A proposal is submitted for a site that conforms to the policies of the Official Plan;
3. A phasing or comprehensive development plan and appropriate studies are completed and submitted;
4. A Community Improvement Policy Area is developed;
5. Architectural or design drawings and studies, where applicable, are submitted showing the required features;
6. Financial securities have been submitted;
7. With respect to contaminated sites, the “H” may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a MECP acknowledged Record of Site Condition has been achieved.

#### **9.12.8 Interim Control By-laws - Section 38**

In utilizing this authority, it is Council's policy that an interim control by-law shall be preceded by a By-law or resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study.

When an Interim Control By-Law expires, the prior zoning shall automatically apply, unless a new Zoning By-Law is passed.

#### **9.12.9 Temporary Use By-laws - Section 39**

- a. In certain circumstances, it may be desirable to pass a Temporary Use By-Law to implement the Development Strategy or Economic Development policies of this Plan or to implement measures for economic growth and prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis despite the fact the temporary uses are not permitted within a specific designation of the Official Plan). It may also be beneficial to temporarily zone lands for new industrial or commercial uses that will serve as a temporary incubator location for a use which is not permitted within a specific designation of the Official Plan. To qualify for consideration as a temporary use, the scale, character or potential impact of the use should not trigger a traffic impact study, a noise impact study or conflict with minimum distance separation standards.
- b. A Temporary Use By-Law may also be passed to permit a garden suite as set out in Section 8.0, Community Development of this Plan.
- c. Council may, therefore, in a by-law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to twenty years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a

Temporary Use By-Law shall be given in the same manner as that of a Zoning By-Law under Section 34 of the *Planning Act*.

- d. As a condition of the passing of a Temporary Use By-Law for a garden suite, Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the Municipal Act.
- e. Any use introduced under such a Temporary Use By-Law does not acquire the status of a legal non-conforming use at the expiration of the by-law(s) and at that time must therefore cease.
- f. It is not the intent of the Official Plan that Temporary Use By-Laws be used to permit a new use while an amendment to the Official Plan and/or Zoning By-Law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-Law while any required amendments are passed.

#### **9.12.10 Cash-in-Lieu of Parking - Section 40**

It is Council's policy to utilize Section 40 of the *Planning Act* to increase the amount of available off-street parking in the Central Area District; particularly to accommodate business expansion, intensification or in the event peak parking demand exceeds or results in occupancy of public parking facilities regularly exceeding 75%.

#### **9.12.11 Site Plan Control - Section 41**

##### **9.12.11.1 Policies - Site Plan Control Applications**

- a) Under the authority of Section 41 of the *Planning Act*, Council may by by-law designate specific areas or land uses within the municipality which shall be known as site plan control areas. For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control, unless otherwise exempt by Council in accordance with 41(13) of the *Planning Act*.:
  - any industrial, commercial or institutional land use or zone in the Zoning By-law, including a commercial parking lot, and any redevelopment, conversion or expansion of these land uses.;
  - any multiple residential use consisting of ~~ten~~(10) or more dwelling units, including residential uses which expand from less than ten units to more than ten units.;
  - any park or property designated as Parks and Open Space;
  - the placement of portable classrooms on a school site which existed prior to January 1, 2007.
  - all land uses within 120 m of a watercourse, wetland or waterbody;all land uses within 300 m railway line/corridor.

- b) Council may by by-law designate one or more areas as Site Plan Control Areas. Council may require the submission of plans and drawings, by qualified professionals, for all development proposals within the Site Plan Control area. Council may require the implementation of design guidelines as they are adopted and approved for different areas of Town from time to time.
- c) Council shall appoint an officer, employee or agent of the municipality as the person authorized to review and approve site plan control applications, plans, reports, drawings and related agreements.
- d) The Town shall permit and strongly encourage the proponent of a site plan control application to preconsult with municipal staff to assist, among other things, in determining required information and supporting studies to deem the site plan application complete. It is understood that the prescribed time lines set out in the Planning Act for site plan control applications does not start until the application has been deemed complete under Section 41(3.5) of the Planning Act.
- e) No person shall undertake any land use identified in clause a) above until the Town has approved the following:
  - i) Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works, including facilities designed to have regard for accessibility for persons with disabilities.
  - ii) Drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units, which drawings are sufficient to display,
    - the massing and conceptual design of the proposed building;
    - the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;
    - the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
    - matters relating to building construction required under a by-law referred to in section 97.1 of the *Municipal Act, 2001*,
    - matters relating to exterior access to each building that will contain affordable housing units or to any part of such building, but only to the extent that it is a matter of exterior design,
    - the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
    - facilities designed to have regard for accessibility for persons with disabilities.
- f) This Plan recognizes that the following matters are not subject to site plan control:
  - i. The appearance of the elements, facilities and works on the land or any adjoining highway under a municipality's jurisdiction is not subject to site plan control, except to the extent that the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands

- ii. Interior design.
  - iii. Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building.
  - iv. The layout of interior areas, excluding interior walkways, stairs, elevators and escalators.
  - v. The manner of construction and standards for construction.
- g) Despite clause e)ii) above, Council shall require drawings mentioned therein for a building to be used for residential purposes containing fewer than 25 dwelling units if the proposed building is located within a Heritage Conservation District established by Council.

#### 9.12.11.2 Street Widening - under Site Plan Control

Council may, as a condition of site plan approval, require the dedication of land for the widening of any road right of way, including those under the jurisdiction of the Province and Lanark County, to the width set out in **Section 5.5 – Transportation** policies of this Plan for roads as specified by the classification. The conveyance to the municipality shall not exceed more than one-half of the deficiency of the width, except where unequal widening may be required where factors, such as topography, historic building locations, protected heritage properties, natural heritage features, grade separation, existing development, shoreline erosion or flood susceptibility; or unique conditions make the dedication of equal widening infeasible. The conveyance shall apply to the full frontage of the property wherever the deficiency exists. In addition, Council may require the dedication of land for the widening of Wilson Street or Drummond St at their intersections with Dufferin Street to facilitate the development of the gateways in Perth Gateway District in accordance with gateway designs as they are adopted by Council. In particular, within 30m of an existing intersection, the Town will take sufficient road widening to ensure that 3m wide medians in the middle of the road allowance can be accomplished; i.e. create road corridors a minimum of 24m to 30m wide and shall encourage landscaping oriented to the intersection that is consistent with gateway designs as they are adopted by the Town. The Town will coordinate land acquisition efforts with the Ministry of Transportation and Lanark County to ensure sufficient land is obtained for roadway and gateway features. Where provincial highways are affected by municipal road widening, pre-consultation with the Ministry of Transportation is required.

Further, the Town may require additional road widening dedications, in addition to the above circumstances without the need for an amendment to this Plan for purposes such as the following:

- i. Additional site triangles at intersections and entranceways necessary for traffic operational design purposes;
- ii. Turning lanes at intersections or to provide suitable access to major traffic generator developments
- iii. Future grade separation or intersection realignments with railway lines and other roads
- iv. Sites for traffic control devices and transit facilities;
- v. Cut and fill requirement for road construction; and
- vi. For other improvements to address safety and maintenance reasons.

#### 9.12.11.3 Site Plan Control - elements and agreements

- a) Council shall require each applicant submitting an application for site plan control to enter into an agreement with the Municipality as a condition to the approval of the site plan. Where a site plan is deemed to be minor nature, some or all of the points listed below may be waived in the agreement. The agreement may include conditions on the following facilities and matters.
1. The construction or reconstruction of the access or egress onto all major roads or highways, road widening, access ramps and curbing and traffic direction signs and any upgrading of the roads, necessary to manage or address increased traffic caused by the development;
  2. The number and location of all off-street loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways;
  3. The number, location and construction of all walkways and walkway ramps and including the surfacing thereof, and all other means of pedestrian access to and from the site;
  4. Facilities designed to provide accessibility for persons with disabilities.
  5. The location, number and power demand, and photometric/illumination area of any facilities for the lighting, including floodlighting of the land or of any buildings or structures (such as signs) thereon, including the requirement to submit an illumination plan as noted in Appendix 5.;
  6. The designs and methods that are to be used on the site for landscaping of the property or the protection of adjoining lands, water bodies or natural heritage features, including the installation of walls, fences, berms or swales, hedges, trees, shrubs and groundcover or other type of vegetation placement (e.g. planting boxes) or decorative landscaping elements and identification of the existing (native) vegetation which is to be preserved.
  7. The location, , number and size of all residential units to be erected on the site and the method by which the development will be staged;
  8. The location, , and type of all other buildings located in the proposal;
  9. The location and type of any vaults, central storage and collection areas and any other facilities and enclosures for the storage of garbage and other waste materials;
  10. The location and extent of any easements or other covenants on the land to be conveyed to the municipality or a local board or other agency for the construction, maintenance or improvements of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities.
  11. Grading or alteration in elevation or contour of the land and the provision for the disposal of storm, surface drainage and waste water from the land and from any buildings or structures thereon.
  - 13 The provision of interior walkways, stairs, elevators and escalators to which the public have access from streets, open spaces and interior walkways in adjacent



buildings.

15. Matters relating to massing and conceptual design of proposed buildings, sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities
  16. The ongoing maintenance of all facilities, including matters related to snow removal and storage.
  17. The Town is within a Highly Vulnerable Aquifer and will encourage the extent of impervious surface areas that attract or result in the application salt to maintain safe walking and driving conditions to be minimized, particularly in areas where applied salt would be a potential threat to drinking water supplies. Within the IPZ areas identified on Schedule 'A1' the Town may require developments proposing impervious areas exceeding 5,000 m<sup>2</sup> to prepare and implement a salt management plan through a site plan agreement.
- b) In the review of Site Plan Applications, the Town may circulate to municipal departments and outside agencies who are considered to have a vested interest for their comments prior to the approval of any site plan or site plan agreement.
  - c) Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof, including default provisions, and for the registration of such agreements against title to the land to which they apply.
  - d) The required site plan agreement may include provisions regarding the lapsing of the approval of the site plan in accordance with the provisions of the Planning Act.

## **9.12.12 Parkland Dedication or Cash-in-Lieu - Section 42**

It is Council's policy to require the conveyance of parkland or the cash-in-lieu equivalent for residential and non-residential development as a means to implementing the policies for parks and open space areas of this Plan.

## **9.12.13 Committee of Adjustment**

### **9.12.13.1 Status of Legal Non-conforming uses**

It is the intention of this Plan that non-conforming uses should eventually cease to exist. The owner/applicant in submitting an application for an expansion, enlargement or change of a non-conforming use shall demonstrate that all three of the following conditions are met in qualifying a use as a non-conforming use:

1. That the use was legally established prior to the passing of the Zoning By-Law on October 12, 1976;
2. That the use has continued without interruption from the date of its establishment of the use, or in the case of an interruption, that there has been a reasonable attempt to continue the use during the period of discontinuance; and

3. That the use is deemed to have existed and continued only if there was in fact, an actual user directly involved with the use.

#### **9.12.13.2 Enlargement of Expansion or Change to a Non-Conforming Use**

It may be desirable, however, to permit the extension, enlargement or change of a non- conforming use to a similar or more compatible use subject to the following criteria:

1. The extension or enlargement does not aggravate the non-conforming situation for neighboring uses;
2. The extension or enlargement is in reasonable proportion to the existing use and to the land on which it is to be located;
3. The proposed extension or enlargement will not create undue noise, vibration, fumes, smoke, dust, odors, glare from lights nor environmental hazards;
4. Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;
5. Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;
6. Infrastructure and public services such as water and sewer, storm drainage, roads, school bussing etc. are adequate or can be made adequate.

### **9.12.14 Subdivisions, Consents and Part-Lot Control - Sections 50-53**

#### **9.12.14.1 Plans of Subdivision**

- a) Land development shall take place primarily by plan of subdivision in Perth. Consents may be granted when it is clearly not necessary in the public interest that a plan of subdivision be registered. A plan of subdivision shall generally be required for, but not limited to:
  1. Those applications for land division where three or more lots or blocks are proposed;
  2. Where in the public interest Municipal monies would be required for matters such as the extension of municipal services for water and sewer, new road construction or road maintenance;
  3. Where the scale and proposed development, in the opinion of Council, may have a negative impact on the surrounding area; or

4. Where large blocks of vacant land within existing plans of subdivision or in other areas are re-divided.
- b) Applicants will be required to pre-consult with the Municipality prior to the filing of an application for a plan of subdivision. Applications for development of a plan of subdivision shall be reviewed for completeness. The Town will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. The list of studies or other information required as set out in Table 2 in 9.12.19 shall also apply to a plan of subdivision.
- c) An application for a plan of subdivision shall be in accordance with the requirements of the *Planning Act*. Additional information may be required in assessing the appropriateness and the location of the subdivision. Regard shall be given to the requirements for an impact assessment for subdivisions proposed in the vicinity of a provincial highway, identified natural heritage features (designated wetlands), archeological or cultural heritage resources or natural or human-made hazards (contaminated sites or waste disposal facilities). (See **Section 7.0 - Public Health and Safety**). Reference shall also be made to the servicing policies of this Plan. The proponent shall provide an updated calculation of the uncommitted reserve capacity for water and sewer (see **Section 5.2 - Sewage and Water**).
- d) An application for development of a plan of subdivision will only be supported when: The subdivision design, the density of development proposed and the supporting documentation demonstrate that the proposed subdivision will comply with the policies of this plan; and
- There are adequate municipal services and utilities available to support the proposed development, and more specifically, but without limiting the preceding, the Town has adequate residual sanitary sewage treatment, sanitary sewage collection and water supply capacity available to dedicate to the full extent of development proposed.

#### 9.12.14.2 Consents

- a) Provisions relating to the granting of consents are set out in Sections 51 and 53 of *The Planning Act*. Applicants will be required to pre-consult with the Municipality prior to the filing of an application for a consent. [information note - the County of Lanark is currently the consent approval authority] The following consent policy checklist is intended to be used by Council in the review of consent applications. Failure of the application to meet these criteria will lead to Council recommending that the consent be refused:
1. The consent application shall be complete and shall include a sketch and the prescribed application fee and shall comply with the requirements of the *Planning Act* and associated *Ontario Regulation* for the filing, review, notice and decision procedures;

2. The sketch shall show the lands to be severed and the lands to be retained, existing and proposed lot dimensions, lot areas and buildings, natural physical features (water bodies, slopes, tree cover) and sufficient information to be able to easily locate the land;
3. The proposed use of the severed lot shall be a use permitted in the land use designation e.g. refer to Official Plan Land Uses Plan Schedules to determine designation and then refer to corresponding list of permitted uses for that designation in the text of this Plan;
4. The lot(s) to be severed and to be retained must meet the requirements of the Zoning By-law e.g.:
  - lot size for buildings, accessory uses, parking, snow storage;
  - lot frontage and depth;
  - setbacks from roads, water bodies;
  - sufficient land area to allow development where constraints exist such as topography;
  - soils (organic), rock, slope, wetland.
5. The lot must meet the minimum distance separations, where required, and have regard to influence area or special setback requirements (waste disposal or industrial uses) where the intended use of the lot is for a sensitive land use e.g. a dwelling, daycare facility, educational facility or health care facility, church, campground.

Reference should be made to the following Sections of this Plan for further explanation:

- 8.4.4 - Industrial Area Designation - Development Criteria
- 5.4 - Waste Management Facility
- 8.5 - Environmental Protection Area - Natural Heritage Features
- 7.4.2 - Flood Plains
- 7.6 - Noise and Vibration

(Note: special setbacks may apply to other land uses as well.)

6. The application shall be supported by studies or other information which may be required to determine whether the application will comply with the policies of this Plan, or to permit the reduction of required setbacks; Reference should be made to the above listing (**subsection 5**) for requirements. Where the potential for a cultural heritage site or archaeological site has been identified, an archaeological assessment or a *heritage impact assessment* undertaken by qualified individuals may be required per Subsection 6.6.3 paragraph a. item 11. The list of studies or other information required, as set out in Table 2 in 9.12.19], will also apply to a consent. In the absence of appropriate mitigation, the application may be refused.

7. The creation of individual parcels of land by way of consent are subject to the approvals from the Ministry of Transportation for properties that fall within its controlled areas. Applications must satisfy the Ministry's pre-severance requirements. The Ministry will not grant direct access onto Controlled Access Highways or provincial highways where an alternative access is available. Ministry approvals on consent applications are required prior to municipal approvals.
8. Consents will not be supported when:
  - i. It is clear that a subdivision or condominium application would be appropriate in order to ensure the appropriate extension of roads, water, sanitary or storm-water management systems.
  - ii. The proposed lot is not consistent with the existing development pattern or may compromise a more efficient use of the land by a more comprehensive design for the entire land holding.
  - iii. The effect of the consent is to limit access to the retained parcel for future development.
  - iv. The consent would create a land-locked parcel with no access to a public road.
  - v. The consent would result in the loss of a viable building lot that other-wise could be developed in compliance with the applicable zoning and will not facilitate more intensive development on the benefitting lot(s).
  - vi. The consent would create a privately owned severed or retained parcel that would not qualify as a building lot by virtue of the applicable zoning, lack of access to municipal water and sanitary sewer services or flood hazard or natural heritage constraints.
9. Despite the criteria outlined in '1' to '8' above, consents may be granted for the following purposes:
  - to correct lot boundaries consistent with existing development;
  - to convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used (retained lot);
  - to clarify title to the land;
  - to permit an easement;
  - power of sale.
10. Conditions may be imposed by Council in the granting of severances which may include but not be limited to the following:
  - i. a zoning amendment under the zoning by-law or a Committee of Adjustment decision under Section 45 of the *Planning Act*;
  - ii. site plan control;
  - iii. the dedication of land or cash-in-lieu of parkland, or parking;

- iv. the conveyance of land or conveyance for easements for utilities, access control or drainage;
- v. the conveyance of land for road widening;
- vi. the construction or upgrading of roads or the installation of drainage facilities and culverts;
- vii. the establishment of buffer strips and landscaping;
- viii. flood proofing structures;
- ix. the entering into of a consent agreement including provisions of financial guarantees;
- x. demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;
- xi. implementation of the recommendations of studies supporting the application or mitigation measures intended to ensure compatibility amongst land uses;

#### **9.12.14.3 Part Lot Control and Deeming By-laws and Lot Amalgamations:**

- a) Part Lot Control By-laws per Subsection 50(7) of the Planning Act will be considered by Council primarily to facilitate the further division of land developed through the plan of subdivision process, such as the separation of townhouse units into single ownerships or to enable the further division of larger lots or blocks to facilitate a more efficient lot pattern.
- b) Part Lot Control will not be supported when the intent is to merge or create over-sized lots that are out of character with the existing lot pattern or the construction of residential units that would be substantively larger or otherwise out of character with the existing development along the street or in the neighbourhood, particularly if the effect is to reduce the inventory of building lots.
- c) Deeming By-laws will be considered by Council to merge lots that have a lot area substantively below the zoning standard, or are otherwise not viable building lots, particularly when the effect is to improve the utility or development potential of adjacent properties. Deeming By-laws will also be supported when the intent is to merge lots to facilitate infill development, intensification, or implement the intent of the applicable zoning. Deeming By-laws will not be supported where the effect would be to reduce the inventory of building lots and results in a net reduction in the number of existing or potential dwellings.
- d) Where existing lots of record are amalgamated by way of purchase, and common ownership, minor variances for increased building potential will not be supported where the proposed structure will not be consistent with the existing character of development along the street or in the neighbourhood.

### **9.12.15 Tariff of Fees - Section 69 (see Appendix 2)**

### **9.12.16 Alternative Notice Procedures**

#### 9.12.16.1 Introduction

Participation by the public in the planning process is important in facilitating a successful municipal planning system in the Town of Perth. It is the intent of this Plan to provide a process of public participation that allows individuals and organizations reasonably affected by planning matters to be made aware of the issues and to be provided an opportunity to express their views to decision makers.

#### 9.12.16.2 Measures for Obtaining the Views of the Public

The Town will utilize various forms of consultation to provide information to the public and to receive comments from the public at various stages of the planning process. Methods of engaging the public include, but are not limited to: informal and formal public meetings, open houses, workshops and charrettes; newspaper advertisements and news releases; sign boards and mailed notices; committee presentations; and utilization of the Town's website [www.town.perth.on.ca](http://www.town.perth.on.ca) for advertisement and feedback.

#### 9.12.16.3 Notice Procedures for Non-Substantive Amendments

- a) It is an objective of Council to provide high-quality and cost effective service in the municipal planning process. Council may pass motions declaring, that public notice and/or public meetings are unwarranted with regard to amendments to this Plan pursuant to Section 17 (19.3) of the *Planning Act*; and/or amendments to the Zoning By-law pursuant to Sections 34 (14.3) and (14.6) of the *Act*; and/or amendments to any Community Improvement Plan pursuant to Sections 28 (4) and (5) of the *Act*; provided that any amendments or changes will not affect the policies or intent of this Plan or a Community Improvement Plan or the provisions of the Zoning By-law.
- b) Such amendments or changes may be made with respect to the following matters:
  - i. Altering the format of the document;
  - ii. Altering the numbering or arrangement of any policy or provision;
  - iii. Correcting grammatical, clerical, typographical or dimensional errors;
  - iv. Altering punctuation or language to obtain a uniform mode of expression;
  - v. Changing sentence structure or wording sequence to assist in interpretation and clarity where there is clearly no change in meaning or intent of the policy;
  - vi. Amending reference to a public or government ministry, department, board, committee, utility or other such agency or organization due to change in authority, jurisdiction or name;
  - vii. Correcting or updating the name of an Act or Regulation to ensure correct legislative reference;
  - viii. Adding technical information to schedules or appendices (e.g. updating lot fabric or data on list provided solely as information);
  - ix. Inserting historical footnotes or similar annotations to indicate the origin and/or approval of a given section or provision

- x. Consolidating Official Plan, Community Improvement Plan and Zoning By-law amendments into an office consolidation and/or consolidating amendments to the Land Use Plan and Zoning Schedule(s).
- c) When a meeting to consider amendments for any of the above matters is necessary, notice shall be given by the municipality to all affected parties required by the *Planning Act* of Council's intent to adopt or pass such an amendment no earlier than fourteen (14) days before the amendment is adopted or passed.
- d) Despite the above, a Ministry or public agency that files a written request to the Town of Perth for notification of any amendments to this Plan, the Zoning By-law and/or any Community Improvement Plan shall be provided with notification of any public meeting and/or any intent to amend the Plan or Zoning By-law, in accordance with the *Planning Act*.

#### 9.12.16.4 Notice Procedures for Additional or Deferred Meetings

When a statutory public meeting has been formally convened, and said meeting is to reconvened at a later date or when a second or subsequent public meeting is held to consider an amendment to the Official Plan or Zoning By-law, the notification period may be reduced (from 20 days) to 10 days from the date the notice is advertised in the newspaper and/or mailed by first class mail. For all prescribed agencies requiring notification, the notice may be sent by facsimile or email.

#### 9.12.16.5 Notice of a Decision

Requirements of the *Planning Act* for advertising the passing of an amendment to this Plan, the Zoning By-law or a Community Improvement Plan shall continue to be complied with.

### **9.12.17 Development Permits (This Section is reserved)**

### **9.12.18 Consultation and Complete Applications**

Prior to filing any *Planning Act* application (OPA, ZBA, Committee of Adjustment, Consent, Subdivision, Condominium, site plan), the applicant shall be required to meet with the Town staff for preconsultation to ascertain the requirements for the submission of applications (e.g. required studies and information, fees, peer review, agency, approval process, and public consultation, etc.).

Studies or information which may be required in support of an application will depend on the type of application and the circumstances. The Town/approval authority will not consider an application complete or may refuse an application where studies or other information required by this Plan or the *Planning Act* are not submitted as part of the application. Studies or information may include, but are not limited to the list set out in Table 2 List of Required Studies or Information for Complete Application below. The Town may specify what constitutes a qualified professional in preparation of



any of the required studies/information during the preconsultation stage of the development proposal. In addition to a Planning Rationale Report which is required for all Planning Act applications, the proponent may be required to provide the Town with any of the following:

<b>Table '2' - List of Required Studies or Information for Complete Application</b>	
<b>Study or Information</b>	
Affordable Housing Market Evaluation	
Archaeological Assessment or Heritage Impact Assessment	
Building Compatibility Evaluation/Study	
Contaminated Land: <ul style="list-style-type: none"> <li>• Phase 1 Environmental Site Assessment (ESA)</li> <li>• Phase 2 Environmental Site Assessment (ESA)</li> <li>• Record of Site Condition</li> </ul>	
Drainage and/or Stormwater Management Report for any development	
Employment Area Conversion Study/Comprehensive Review	
Flood Plain/Flood Proofing/access plans	
Geotechnical/Land Stability Studies	
Heritage and Architecture Preservation Report	
Environmental Impact Study for Natural Heritage Features and Areas	
Species at Risk Assessment	
Land Use Compatibility Study/Air Quality	
Marine Archaeological Assessment	
Market Study	
Municipal Financial Impact/Sustainability Report and/ or Water and Sanitary Sewer Financial Sustainability Report	
Planning Justification/Rational Report	
Municipal Services Capacity Study (Sewage, Water)	
Site Evaluation Report	
Sustainable Design Report	

Sun Shadow Study	
Neighbourhood Characterization Study	
Servicing Feasibility Assessment	
Landscape Plan, Tree Conservation/Plan	
Photometric Plan (i.e. lighting plan)	
Fire Master Plan	
Emergency Management Plan	
Fire Break Plan	
Neighbourhood-Serving Use Study	
Noise and/or Vibration Study	
Public Service Use Capacity Study	
Risk Management Report	
Source Water Protection Information	
Traffic Impact Study	
Waste Management - Environmental Impact Statement	

The requirements for a complete application does not limit the Municipality's authority to seek a peer review of any study submitted or to request clarification or additional studies or information needed to make a decision for the purposes of the *Planning Act*. These studies may be in addition to other requirements set out in Ontario Regulations 543/06, 544/06, 545/06 or 547/06.

## 9.12.19 Abandoned Applications

Council may deem an application to be abandoned pursuant to the following procedures, whereafter a new application will be required:

1. The application has been filed under the requirements of the *Planning Act* and the required application fee has not been paid; and/or
2. The appeal period(s) for the processing of application(s) under the *Planning Act* has/ have elapsed; and/or
3. The applicant has not undertaken to conduct any work on the application for 90

days; and/or

4. The Town has not received a response within 30 days of sending a written request to the applicant or agent by registered mail following the 90 days or the applicant or agent has responded to indicate no further interest in proceeding with the application.

## 10.0 INTERPRETATION

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### **10.1 General**

- A) Within the exception of the items noted below, any change or deviation from a statement of intent, either in Sections 2 through 8 or on the Land Use Schedule attached to these parts will necessitate an amendment to the Official Plan.
- B) The following items may be changed or deviated from, to the extent stated, without an amendment. Where minor deviations to the Plan are made, in accordance with the rules outlined below, these deviations shall be indicated when a planning applications is made to amend the Official Plan in order to show the up-to-date situation:
  - 1. In the areas that are presently undeveloped, land use district boundaries which 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 Official Plan is maintained.
  - 2. In undeveloped areas, school sites, parks and neighborhood commercial areas may be incorporated into subdivision designs in the manner most suitable to the physical features or limitations of the area provided that the general intent of the Plan is maintained.
  - 3. In the Plan, figures, quantities, densities and distances are not intended to be exact or rigid, except where they are mandated through provincial policies, legislation or regulations. It is intended that reasonable latitude will be available to Council in the interpretation and application of these numbers and policies when actually establishing or approving the size, exact location or nature of proposed development where it is deemed by Council to be necessary for the desirable development of the Planning Area provided that the general intent of the Official Plan is maintained and provincial policies, legislation or regulations are complied with. In this context, most of the suggested planning standards have been included as guidelines for Council to follow, and should be periodically reviewed as to their adequacy or appropriateness in meeting changing circumstances.
  - 4. The boundaries between land uses designated on the Land Use Schedules are approximate only except where the boundaries coincide with major roads, lakes or other clearly defined physical features. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not necessitate an amendment to this plan.

5. In the northerly part of town where the boundary between the Business Park Designation and the Residential Area designation runs more or less parallel to County Rd 511, the location of the boundary between the designations is intended to be flexible to the extent that the boundary may be interpreted as facilitating the zoning of land for Business Park purposes or the zoning of land for Residential use to extend beyond the designation boundary line, as indicated on Schedule 'A' to the Plan, by the width of one typical residential block, (approximately 80m) provided that the extension of the zoning boundary is at the scale of an entire block extending between the two streets. The intent is that such extension will be to zone land exclusively for the uses of one designation or the other and not a blending of the two.
6. This Plan utilizes words or terms defined consistent with the Provincial Policy Statement of March 2014. The definitions may appear in *bold italicized script* and shall apply in the application of the policies of this Plan to development proposals and planning applications.

## **10.2 Definitions**

**For the purposes of this Plan the following definitions shall apply:**

**Access Standard** means a method or procedure to ensure safe vehicular and pedestrian movement and access for the maintenance and repair of protection works during times of flooding, erosion and/or other water related hazards.

**Adjacent Lands** means:

- a. with respect to transportation and infrastructure corridors, lands contiguous to existing facilities or planned corridors where proposed development is of a scale or features sensitive elements that would have a negative impact on the facility or corridor. The extent of adjacent lands may be further determined through provincial guidelines or comparable municipal standards as established from time to time and any such guideline or standard should be addressed in submissions supporting planning applications.
- b. With respect to a specific natural heritage feature or area, contiguous or adjacent lands where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives and generally, at a minimum, shall encompass all land within 120m of the feature or area except where a lesser range of potential impact is clearly demonstrated by a qualified professional.
- c. With regard to mineral aggregate deposits, those lands contiguous to known deposits where development is likely to constrain future access and development of the resource. The full extent of adjacent lands may be

recommended or determined by the Province through the development of regulations or guidelines from time to time.

- d. With regard to heritage preservation, those lands contiguous to a protected heritage property, an established heritage conservation district, or a site with cultural heritage value, or lands of sufficient proximity as to have potential to negatively impact such a property district or site as determined by a heritage impact assessment.;

**Adverse Effects**, in accordance with the Environmental Protection Act, means one or more of:

- a. impairment of the quality of the natural environment for any use that can be made of it;
- b. injury or damage to property or plant or animal life;
- c. harm or material discomfort to any person;
- d. an adverse effect on the health of any person;
- e. impairment of the safety of any person;
- f. rendering any property or plant or animal life unfit for human use;
- i. loss of enjoyment of normal use of property; and
- ii. interference with normal conduct of business.

**Affordable:** means

- a) in the case of ownership housing, the least expensive of:
  - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
  - 2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) in the case of rental housing, the least expensive of:
  - 1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
  - 2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

**Alternative energy system:** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Archaeological Resources:** includes artifacts, archaeological sites and marine archaeological sites as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based on archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

**Areas of Archeological Potential** means areas with the likelihood to contain

archeological resources. Criteria for determining archaeological potential are established by the Province, but approaches which achieve the same objectives may also be accepted by the municipality. Archeological potential is to be confirmed through archeological fieldwork undertaken by a licensed archaeologist in accordance with the Ontario Heritage Act.

**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Automobile-Oriented Land uses** means uses which generate, attract, and are designed to facilitate, high volumes and/or regular movement of motor vehicle traffic; are largely dependent on such traffic; and have relatively limited volume or provide little service to walk-in or non-vehicle based clientele. Such uses include but are not limited to: gas bars; commercial uses with drive-through-facilities; drive-in restaurants; and motor vehicle service uses.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built Heritage Resources:** means one or more buildings, structures, monuments, installations, or remains, or any manufactured remnant that contributes to a property's cultural heritage value or interest and identified as being important to a community, including an Aboriginal community. These resources may be identified by being located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or being subject to a heritage conservation easement under the Ontario Heritage Act; or by being listed by local, provincial or federal registers; or as identified in a heritage impact assessment.

**Class I Industry -Light Industrial:** means a place of business for the small scale processing, assembly, packaging or storage of a product, within a self-contained plant or wholly enclosed building, which is contained or shipped in a package and has a low probability of fugitive emissions. Outputs are infrequent, and the operation would not be a point source of fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks; no outside storage of raw materials and limited or infrequent outside storage of parts or finished goods. Examples include, but are not limited to: small scale assembly, electronics or equipment manufacturing and repair services, high technology industries, furniture repair and refinishing, beverage bottling, automotive parts supply, packaging and crafting services, distribution of dairy products, and laundry and linen supply.

**Class II Industry -Medium Industrial:** means a place of business for medium scale processing, product assembly, and/or manufacturing which may require outdoor storage of wastes or raw production materials (i.e. it has an open process), or finished product and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours.

Examples include industrial printing establishments, paint spray booths, welding shops, electrical production manufacturing, manufacturing of dairy products, dry cleaning services, feed packing plant, raw product storage (lumber, aggregates), bulk fuel storage and transport services.

**Conserved** means identification, protection, use and/or management of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their heritage values, attributes and integrity (inclusive of original or like materials) are retained. This may be addressed through implementing the recommendations of a conservation plan, an archeological assessment or heritage impact assessment. Mitigation measures and/or alternative approaches can be set out in such plans and assessments.

**Cultural Heritage Landscapes:** means a defined geographical area that may have been modified by human activities and is identified as having cultural heritage value or interest by a community, including an aboriginal community. The area may involve heritage features such as structures, spaces, archaeological sites and/ or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, transportation or natural corridors, and industrial complexes and areas recognized by federal or international designation authorities such as a National Historic Site or a UNESCO World Heritage Site.

**Designated and available:** means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be designated and available for the purposes of this definition.

**Designated growth areas:** means lands within settlement areas designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses.

**Development** means the creation of a new lot, a change in land use, or the construction of buildings and structures, or the alteration of land requiring approval under the Planning Act; but does not include:

- a. activities that create or maintain infrastructure authorized under an environmental assessment process; or
- b. works subject to the Drainage Act.

**Ecological Functions** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment area:** means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and



associated retail and ancillary facilities.

**Endangered Species** means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources and Forestry' official species at risk list, as updated and amended from time to time.

**Erosion hazard:** means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Essential emergency service:** means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

**Fish** means any species defined as a "fish" in the Federal Fisheries Act or any legislation or regulation of the Province of Ontario and includes all fish, shellfish, crustaceans, and marine or aquatic animals at all stages of their life cycles. (IP#16)

**Fish Habitat** means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes and includes any habitat defined under the Fisheries Act.

**Flood Plain** means the area, usually low lands adjoining a water course which has been or may be subject to flooding hazards.

**Flooding Hazard** means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water and along river, river, stream and small inland lake systems, the flooding hazard limit is the greater of:

- a. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
- b. the one hundred year flood; and
- c. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

The exception to the above will be locations where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed.

**Flood Proofing Standard** means the combination of measures incorporated into the basic design and/or construction of buildings, structures or properties to reduce or eliminate flooding, wave uprush and other water related hazards along the shorelines of river and stream systems.

**Floodway** means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

**Green Infrastructure** means natural and human-made elements that provide ecological and hydrological functions and processes and may contribute to improved local climate conditions with respect to air quality or energy demand and can include components such as natural heritage features and systems, parklands, innovative storm-water manage systems, street trees, urban forests, natural channels, permeable surfaces, low-water demand landscapes, and green roofs.

**Ground Water Feature** means a water-related feature in the earth's subsurface, including any recharge/discharge area, water table, aquifer and unsaturated zone that can be defined by surface and subsurface hydrogeologic investigations.

**Habitat of endangered and threatened species** means habitat as defined in the Provincial Policy Statement as being habitat for species identified on the Species at Risk in Ontario List or identified in a regulation under the Endangered Species Act, 2007, as such documents are amended or established from time to time, and includes areas or sites used by identified species for dens, nests, hibernacula, or other residences.

**Hazardous forest types for wildland fire** means forest types assessed as being associated with the risk of high to extreme wildland fire based on risk assessment tool as established by the Ministry of Natural Resources and Forestry from time to time.

**Hazardous Lands** means: property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

**Hazardous substance** means any substances which individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological either in their normal state or when decomposing or degrading.

**Heritage Attributes** means the principal features, that contribute to, or are the basis of, the cultural heritage value or interest of a protected heritage property or that would qualify a property as appropriate for protection and may include the built or manufactured elements on a property as well as natural land forms, vegetation, water features and its visual setting, including significant views or vistas to or from a heritage property, National Historic site or UNESCO site.

**Housing Options** means a range of housing types such as, but not limited to single- detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, multi- residential buildings. The term can also refer to a variety of housing arrangements and forms such as, but not limited to life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, affordable housing, housing for people with special needs, and housing related to employment, institutional or educational uses.

**Hydrologic Function** means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Impacts of a changing climate:** means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

**Infrastructure** means the physical elements (structures, facilities and corridors) that form the foundation for the delivery of services that support development and includes systems and corridors for: water distribution and treatment, sanitary sewage collection and treatment, storm water management and treatment, garbage and waste management, electrical generation, transmission and distribution, telecommunications, all modes of transportation, and oil and gas lines for delivery and supply to the Town.

**Intensification:** means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings

**Low and moderate income households:** means

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

**Major Facilities** means lands, buildings or structures occupied by uses that by virtue of their capacity to generate off-site emissions, generate traffic, or scale and potential visual impact, warrant or require separation, buffering or other measures to mitigate their impact on sensitive land uses and include, but are not limited to: inter- community transportation (road and rail), utility and energy pipeline corridors and facilities; waste management facilities; sewage treatment facilities; industrial uses; large scale electrical generation and transmission facilities and sites hosting resource extraction activities.

**Multimodal Transportation System** means a comprehensive system providing for several forms of transportation (such as personal and commercial motor vehicles, bus and other multi-person transit systems, freight delivery, air and marine facilities) which are, or are intended to be, operated and managed in a coordinated, mutually supportive and integrated whole.

**Municipal Water and Sanitary Sewer Financial Sustainability Report** means an evaluation by a qualified professional that demonstrates a project will generate sufficient water and sewer rate revenue for the maintenance and capital replacement of the supporting public water supply and sanitary sewer services internal and external to the site and will not render the extension of such services to other lands intended to receive such services either cost prohibitive to install or unsustainable in the long term.

**Municipal sewage services:** means a sewageworks within the meaning of section 1 of the Ontario Water Resources Act that is owned or operated by a municipality, including centralized and decentralized systems.

**Municipal water services:** means a municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002, including centralized and decentralized systems.

**Natural Heritage Features and Areas:** means significant or unique terrain or geographic features and ecologically critical areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, and critical connecting or linking corridors which are important for their environmental and social values, or for their function in sustaining, a legacy of the natural landscapes of an area (for policies covering natural heritage features and areas, see **Section 8.5** of this Plan).

**Natural Heritage System:** means a system made up of natural heritage features and areas, linked by natural corridors which provide, or are intended to provide, connectivity at the regional, local, or site level and support natural processes necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include: natural heritage features and areas, conservation areas or reserves, passive parkland and protected shoreline areas, lands that have been restored and areas with the potential to be restored to a natural state, areas that support or are critical to hydrologic functions and modified landscapes that enable existing ecological functions to continue. Provincially recommended approaches to identifying natural systems or approaches that achieve the same objective will be implemented when development applications are being considered.

**Negative Impacts:** means

- a. In regard to water quality means degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
- b. in regard to fish habitat, any permanent alteration, disruption or destruction of fish habitat, except where it has been authorized under the Fisheries Act. Any alteration, disruption or destruction proposal extending over more than one breeding season will be considered to be permanent and the municipality will apply the guiding principle of no net loss of productive capacity;
- c. in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

**One Hundred Year Flood** means that flood, based on an analysis of precipitation, snow

melt, or a combination thereof, having a return period of 100 years on average, or having a 1 % chance of occurring or being exceeded in any given year.

**Parcel of Urban Residential Land** means a parcel of land that is within an area of settlement on which residential use, other than ancillary residential use, is permitted by by-law and that is served by,

(a)sewage works within the meaning of the *Ontario Water Resources Act* that are owned by,

- i. a municipality,
- ii. a municipal service board established under the *Municipal Act, 2001*,
- iii. a city board established under the *City of Toronto Act, 2006*,
- iv. a corporation established under sections 9, 10 and 11 of the *Municipal Act, 2001* in accordance with section 203 of that Act, or
- v. a corporation established under sections 7 and 8 of the *City of Toronto Act, 2006* in accordance with sections 148 and 154 of that Act, and

(b)a municipal drinking water system within the meaning of the *Safe Drinking Water Act, 2002*;

**Protected Heritage Property:** means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation and UNESCO World Heritage Sites and may include property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving, and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

**Protection Works Standards** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

**Public Use or Public Service Facility** means any land, building or structure, or any part thereof, used for the provision of programs or services by, or subsidized by, a government, an agency under contractual obligation to a government, or another, generally charitable or non-profit agency, which has a primary purpose to provide or deliver: social assistance/poverty reduction, recreation, health and educational programs; cultural services; police, fire and emergency response services; and government administrative functions; but does not include infrastructure

**Quality and Quantity of Water** means water quality and quantity as measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Rail facilities:** means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and

associated uses, including designated lands for future rail facilities.

**Recreation:** means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

**Regional market area:** refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the regional market area. However, where a regional market area extends significantly beyond these boundaries, then the regional market area may be based on the larger market area. Where regional market areas are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

**Renewable or Sustainable Energy System** means a constructed facility or design element that generates electricity, or provides a heating or cooling function from an energy source renewed or sustainable by natural processes including: wind, solar, geothermal, biomass, biogas, biofuel, water and tidal forces.

**Reserve sewage system capacity:** means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. For the purposes of policy 1.6.6.6, reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the Nutrient Management Act, or disposed of at sites approved under the Environmental Protection Act or the Ontario Water Resources Act, but not by land-applying untreated, hauled sewage.

**Reserve water system capacity:** means design or planned capacity in a centralized water treatment facility which is not yet committed to existing or approved development.

**Residential Intensification** means the development or physical alteration of a property, building, site or area which results in a net increase in residential units or residential accommodation spaces and includes:

- a. Redevelopment, including brownfield sites;
- b. The further subdivision of, or increasing the density of residential units on existing vacant lots;
- c. Infill development such as the division of larger lots or the addition of buildings or units on underutilized lots in a previously developed area;
- d. The conversion or expansion of all or parts of existing commercial, institutional or industrial buildings or sites for residential use; and
- e. The conversion or expansion of existing residential buildings to create new residential units or residential accommodation spaces such as: accessory apartments, second dwelling units and rooming house suites.

**River, Stream and Small Inland Lake Systems** means all watercourses, rivers, streams, and small inland lakes or water-bodies that have a measurable or predictable response to a

single runoff event.

**Sensitive Land Uses** means buildings, amenity areas or outdoor use spaces located within a built or natural area occupied by uses that would, or could be anticipated to, experience one or more adverse effects from emissions or contaminant discharges from a nearby major facility when the sensitive land use is engaged in routine or normal activities occurring at regular and reasonably expected times. Such uses include, but are not limited to: residential occupancies, day care and elderly care centers, education and health care facilities, sports fields and playgrounds.

**Sensitive Surface or Ground Water Feature** means surface water or ground water areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Settlement areas:** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:

- a) built-up areas where development is concentrated and which have a mix of landuses; and
- b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

**Significant** means:

- a. in regard to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources and Forestry using evaluation procedures established by the province, as amended from time to time.
- b. in regard to woodlands, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history and will be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c. in regard to other natural heritage features, ecologically important in terms of features, functions, representation or amount and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Criteria for determining significance may be recommended by the Province but alternative approaches that competent professionals demonstrate will achieve or exceed the same objective may be used.
- d. in regard to built heritage, cultural heritage landscapes and archaeology, resources that have been determined to have value or interest to a community, including an Aboriginal community for the important contribution a given resource or element makes or provides to the understanding of the history of a place, the character of its architecture, a specific event or time period, or a people.

Criteria for determining the significance of resources in the preceding paragraphs

will be identified or specified by the Province from time to time. The municipality will accept approaches that are demonstrated to achieve or exceed provincial benchmarks, guidelines, or objectives.

**Site Alteration** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**Shoreline Standard Elevation** means a summer time average elevation of a water-body or the controlled/ regulated normal water elevation of a water-body, as determined in consultation with the Conservation Authority and any Provincial or Federal agency with jurisdiction, whichever elevation is higher.

**Special Heritage Policy Area Plan** means a specifically defined or described area which is subject to policies intended to identify, protect, conserve, or support rehabilitation of, built heritage resources or cultural heritage landscapes and can be in the form of a secondary plan, policies applicable to a specific area identified on a schedule to this plan, a Heritage Conservation District Plan, or a Community Improvement Plan which includes provisions supporting retention, rehabilitation, or reinstatement of heritage resources.

**Special needs:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

**Surface Water Feature** means a water-related feature on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Threatened Species** means species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources and Forestry official species at risk list, as updated and amended from time to time.

**Valleylands** means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Waste Management System** means sites and facilities used, or designed to accommodate, solid waste generated within the municipality and includes composting and recycling facilities, transfer stations and processing sites.

**Watershed** means an area that is drained by river, its tributaries and any associated drainage courses.

**Wave Uprush** means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

**Wetlands** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the



dominance of either hydrophilic plants or water tolerant plants. The four major wetlands are swamps, marshes, bogs and fens.

**Wildland Fire Assessment and Mitigation Standards** means the combination of risk management assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be included in the design, construction and/or modification of buildings, structures, properties and/ or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

**Wildlife Habitat** means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable in their annual life cycle; and areas which are important migratory or non-migratory species.

**Woodlands** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands may be delineated in accordance with the Forestry Act or the definition for "forest" as per the Province's Ecological Land Classification System.