



Village of Westport

Draft Official Plan

June 2023

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Land Acknowledgement

The Council of the Village of Westport acknowledges that the Village is situated land that has been inhabited by Indigenous peoples from the beginning. Long before today, there have been indigenous peoples who have been the stewards of this place. In particular we acknowledge the traditional territory of the Anishnabek, Huron-Wendat, and Haudenosaunee peoples.

1 INTRODUCTION

1.1 Background

The Village of Westport is a small municipally-serviced, waterfront community situated in two UNESCO World Heritage Sites - the Rideau Canal waterway and the Frontenac Biosphere Reserve. The Village straddles the western shore of Upper Rideau Lake, is bounded on all sides by the Township of Rideau Lakes and is steeped in heritage, with a walkable downtown supported by local shops and services and a thriving tourism industry.

In terms of size, both land-wise and population-wise, the Village is substantially smaller than its municipal counterparts in the Counties. As of the 2021 Census, the Village has a land area of approximately 2.2 square kilometres and a population of 634. This compares to an approximate land area of 125 square kilometres and a population of 2,595 in the Township of Front of Yonge, the second smallest municipality in the Counties. Though small in size and considered by many as being a rural community, the Village contains municipal water and wastewater facilities which provide full urban services to the majority of lands within the Village, and offers of a number of urban-oriented amenities that serve both the Village and wider surrounding rural area. The next closest urban center is the Town of Perth, located approximately 30 km east along County Road 10.

Westport is a long-standing community with a rich history that dates back to the early 1800's when the area first began attracting settlers and industries during the construction of the Rideau Canal from 1826 to 1832. The advent of flourishing industry and commerce in the Village is marked by the development of the first sawmill in 1828, which was quickly followed by additional sawmills and gristmills that served as the economic engine of the Village for decades to come. The Village was also home to manufacturing industries, such as furniture manufacturing, which constituted a major part of the community's industrial profile. The newly built Rideau Canal served an important role in Westport's economic growth by providing market access to Kingston, Ottawa and Montreal for the efficient movement of goods and people, which was further catalysed in 1864 with the arrival of steamboats. By 1888, Westport had grown to a population of approximately 700 people and had evolved into a center of economic activity, further stimulated by the agricultural prosperity of surrounding farmlands and the arrival of the Brockville, Westport & Sault Ste. Marie Railway between Westport and Brockville. The rail line moved goods, mail and people between the Village and the thriving St. Lawrence River corridor, and brought numerous tourists to the picturesque lake-side community, marking the beginning of Westport as a major tourist destination – a status which it holds to this day.

Like many cities in North America by the mid-20th century, the Village's industries and economy began to falter and experience rapid decline, despite experiencing prosperity that lasted well into the 1900's. Today, with its industrial might being a relic of the past, Westport is known as a charming and historic lake-side village with a small local population and tourism-centric economy. In addition to its beautiful natural setting, the vintage old-town character of Westport and its large stock of heritage buildings, such as the Post Office, Town Hall and Rideau District Museum, and notable church steeples that mark the skyline, continue to serve as major tourist attractions, particularly in the summertime. These century-spanning landmarks and the stunning natural heritage features that surround them are the defining elements of Westport and are thus inextricably tied to the policy direction of this Official Plan.

1.2 *Planning Act* Context

1. Pursuant to Section 17 of the *Planning Act*, R.S.O., 1990, Chapter P.13, as amended, Council is charged with responsibility for preparing and adopting an Official Plan for the Village of Westport. Pursuant to Section 26 of the *Planning Act*, Council is also required to review its Official Plan from time to time, but not less than once every ten years, to determine the need to revise it. This Plan, which replaces the 2006 Official Plan, has been prepared in response to these requirements.
2. Pursuant to Section 26 of the *Planning Act*, as amended, Council shall adopt an implementing Zoning By-law no later than three years after the approval of the Official Plan. Such Zoning By-law shall be adopted no later than three years after any comprehensive update to this Plan that comes into effect.
3. The *Planning Act* also provides that, where an Official Plan is in effect, no public work shall be undertaken and no By-law shall be passed for any purpose that does not conform to the Official Plan, with certain exceptions as provided by Section 24 of the *Planning Act*. This Plan will guide Council in its future decision making pursuant to this requirement.
4. In exercising its planning authority, Council shall have regard to matters of Provincial Interest set out in Section 2 of the *Planning Act*. From a policy perspective, this Plan contains policies and terminology which are intended to reflect matters of provincial planning interest as expressed in the Provincial Policy Statement issued under the authority of the *Planning Act*. Where any term used in this Plan is meant to address matters of provincial interest, the definition in the 2020 Provincial Policy Statement shall be consulted.
5. The *Planning Act* also provides that an Official Plan for a lower-tier municipality shall conform to the Official Plan for any upper-tier Municipality. This Plan contains policies which are intended to conform to the policies of the Official Plan for the United Counties of Leeds and Grenville. Since this Plan is focussed largely on policies tailored to the Village of Westport, the reader is also encouraged to refer to the Counties' Official Plan.
6. Section 17 of the *Planning Act* sets out required processes and procedures for amendments to Official Plans. Council shall be guided by these requirements in dealing with applications for Official Plan amendments from the public, as well as those amendments initiated by Council.

1.3 Development and Role of the Village Official Plan

This Plan applies to the entirety of the Village and shall be known as the *Village of Westport Official Plan*. The preparation of this Village Official Plan has been guided by community interests expressed through a resident survey undertaken as part of a community consultation process, direct input from residents to Council, and input from a Steering Committee made up of Council members and residents representing different sectors of the community.

1.3.1 Vision, Focus and Scope

The process of community consultation has resulted in a vision for the future of the Village. Accordingly, the role of this Official Plan is to guide the Village's decision-making regarding land development based on planning principles that are intended to:

1. Manage future growth and development in a logical and orderly manner in response to anticipated needs, having regard to economic, social, cultural, environmental and other considerations;

2. Protect the natural and cultural heritage resources of the Village from development-related impacts in recognition of the long-term environmental, economic and other values of these resources;
3. Address potential health, safety, environmental and property damage concerns by directing development away from areas associated with risks; and
4. Ensure the financial health of the Village through responsible land use and other public policy decisions.

This Official Plan contains policies which are intended to guide public and private interests in such a way as to ensure the best form of development under the most desirable conditions. In addition, the Official Plan sets out guidelines for the preparation of municipal regulations which implement the Plan, establishes policies to govern both the division and development of land and, finally, identifies public actions which need to be taken to support community development.

This Official Plan is intended to be of use to both private and public interests. It is intended that private interests will have a clearer understanding of Council's policies for future development and, hence, be able to plan accordingly. Public interests will benefit by possessing a documented policy framework by which to prepare comprehensive Zoning By-laws and other tools of implementation, make planning and land use decisions, as well as identify and program the delivery of needed services and facilities in a cost-effective way.

In this respect, this Official Plan is a policy document that does not, by itself, control or regulate the development of land by private interests. Rather, detailed control and regulation is accomplished primarily through various implementation tools such as comprehensive Zoning By-laws and Site Plan Control By-laws.

1.3.2 Planning Period

This Official Plan is intended to guide the future development of the Village to the year 2043. The reader is cautioned, however, that the Plan has been prepared on the basis of existing conditions and information available at the time of the Plan's preparation. An Official Plan should be viewed as a work in progress, and it is intended that as conditions change, as new information becomes available, and as understanding of issues and priorities changes, there will be a need to review various policies from time to time. Pursuant to Section 26 of the *Planning Act*, Council intends to hold a public meeting not less than once every ten years to determine the need to review the Plan.

1.4 How to Use the Official Plan

The Plan consists of eleven (11) Sections and two (2) Schedules:

Section 1	Introduction
Section 2	Growth Management Planning
Section 3	Infrastructure Planning
Section 4	Environmental Planning
Section 5	Public Health and Safety Planning
Section 6	Cultural Heritage and Archaeological Resources Planning
Section 7	Housing and Affordability
Section 8	General Development Policies
Section 9	Land Use Designations
Section 10	Implementation and Administration

Section 11	Interpretation
Schedules	A – Land Use and Transportation B – Development Constraints and Source Water Protection

Section 1 is informative in nature and primarily describes the context, general purpose and objectives of the Plan.

Section 2 sets out the growth management philosophy for the Village.

Section 3 sets out various policies relating to infrastructure planning, including policies dealing with water, wastewater, source water protection, stormwater management, roads, telecommunications infrastructure and waste management.

Section 4 sets out environmental planning policies including policies relating to energy and climate change mitigation as well as policies relating to natural heritage protection.

Section 5 sets out policies relating to public health and safety planning, including policies dealing with natural hazards and human-made hazards.

Section 6 sets out cultural heritage planning policies and includes policies relating to built heritage resources, heritage landscapes and archaeological resources.

Section 7 contains policies relating to housing and housing affordability.

Section 8 sets out various general policies which apply to development, regardless of the land use designation in which it is situated. Among other matters, a number of the policies in this section relate to considerations that must be addressed in undertaking development or site alteration due to the existence of various on-site or adjacent area features, constraints, existing uses or land use designations.

Section 9 contains policies for various land uses that are specific to the five land use designations shown on Schedule A.

Section 10 states the policies for the implementation and administration of the Plan. Among other matters, the section sets out the policies applicable to the division of land and other tools available under the *Planning Act*.

Section 11 provides guidance with respect to the interpretation of the Plan.

Schedule A set out the land use designations and various components relating to the transportation network referred to in the text of the Plan.

Schedule B identifies certain land use constraints referred to in the text of the Plan.

It is noted that lands near the Village boundary may also contain various features and development constraints that should be considered in the planning process. Accordingly, the reader is advised that when reviewing lands for the presence of development constraints, it may be necessary to screen for relevant features and development constraints on nearby lands in the Township of Rideau Lakes.

1.5 Basis and Objectives

1.5.1 General

The Village of Westport is a lower-tier municipality within the upper-tier United Counties of Leeds and Grenville, and as such, the Village is subject to the policies and strategic directions set out in the

Counties' Official Plan that was adopted in July 2015 and approved by the Ministry of Municipal Affairs and Housing with modifications in February 2016. It is the intent of this Official Plan to conform to the Counties' Official Plan policies, however readers of this Plan are cautioned that there may be a need to make reference to the Counties' Plan as well.

This Official Plan builds upon the planning policy foundations of the former Village Official Plan from 2006. The policies set out in this new Official Plan have largely been developed on the basis of the Village of Westport's historical development, current circumstances and evolving trends, as well as certain fundamental principles which informed earlier versions of the Village's Official Plan. In addition to upper-tier and Provincial policy requirements, to the extent possible, this Plan reflects community interests expressed through a resident survey undertaken as part of the community consultation and the input of a local Official Plan Steering Committee comprised of community stakeholders and Council representatives.

This Plan recognizes the opportunities and challenges faced by the Village and has been prepared with a view toward guiding the Village's decision-making with respect to land use planning. Accordingly, this Plan shall provide guidance to Council and its delegates in consideration of their responsibilities when decision-making on land use matters, as well as to provide direction and certainty to the Village's residents and businesses. Collectively, the foregoing activities form the foundations for the basis and objectives of this Official Plan.

Future development in the Village must proceed in a manner which is generally consistent with the policies of this Plan. However, it is recognized that from time to time there will be land use or development proposals which may not appear to be in full conformity with one or more policies of this Plan and that an Official Plan amendment may be necessary. On such occasions it will be necessary to ensure that decisions on such amendments, to either reject or accept the amendment, can be reconciled with the long-term vision and objectives of this Plan, as well as all of the other relevant policies.

1.5.2 Basis of the Plan

Since the late 1900's and into 2000's, Westport has experienced growth stagnation and population decline despite the continued, albeit modest, growth of the United Counties population over the same period. This trend is further reflected in the Village's development activity throughout the 2010's. The amount of lot creation and new dwellings constructed in the early to mid-2010's was negligible in large part due to servicing limitations, averaging only around three (3) new dwellings and one (1) new lot per year. In addition to population decline largely due to shrinking household size, demographic trends also indicate that the Village is aging, with a continued rise in the median age of residents and a young population that has failed to replace the shrinking middle-aged cohort.

Although the above indicators appear to suggest that the Village's shrinking population will continue to shrink further for the foreseeable future, the most recent census data (2021) and development activity suggests that, in actuality, the Village may be entering a period of renewed growth. This renewed growth is credited to the rise of the creative economy, work-from-home trends and lifestyle choices to live where there is ready-access to opportunities for outdoor pursuits in recreation-rich areas. With these social and demographic drivers in play, the Village population experienced notable growth between 2016 and 2021, with the creation of 20 new lots for single-detached dwellings in 2021 alone. This new subdivision development activity contrasts heavily with observed trends in the Village over recent decades, as the limited amount of residential development has historically occurred on an infill basis. As of adoption date of this Official Plan, planning and application processes for future phases of the subdivision are underway, indicating that the Village's housing stock and population is likely to continue growing in the near term, with new development occurring

largely in greenfield areas south of Concession Street, and to much lesser extent, on an infill basis in traditional neighbourhoods. Accordingly, the future character of Village will be defined by its contrasting historic core and newer growth areas south of Concession Street.

Westport's ability to accommodate further development is primarily limited by its existing sewage treatment facility, which was upgraded with a new large subsurface sewage disposal system (LSSDS) in 2017 to improve system capacity for existing and new development. As of 2022, with population growth and development anticipated to continue for the foreseeable future, plans are currently underway to further increase sewage capacity. Aside from servicing constraints however, development is also limited by the finite amount of greenfield land in the Village, which collectively amounts to over 80 hectares of potentially developable lands. Although the Village's greenfield areas can accommodate future growth in the near term, it is possible that land availability may become an issue in the not-too-distant future.

Within this overall context, the major policy directions of this Plan are the following:

1. Development in the Village is expected to continue at its current accelerated pace in the near term. To reduce the public costs of servicing new growth areas and optimizing the use of the Village's public services, infrastructure and land, it is the intent of this Plan to prioritize growth and development in greenfield growth areas, and to a lesser extent, on vacant and/or underutilized lands within the existing developed area. In recognition of the contrasting historic and future growth areas, opportunities for social and physical connections between neighbourhoods and across the Village will be necessary.
2. To the extent possible, development is intended to take place on full municipal services and sufficient service infrastructure capacity is to be maintained in lockstep with growth and development.
3. It is anticipated that the Village's growing population will lead to an increased and more diversified demand for housing. To meet this anticipated demand, it is the intent of this Plan to set density targets for residential development and, overall, to grow the Village's housing stock with a range and mix of housing types.
4. Support the needs of the Village's aging population by improving accessibility throughout Westport in accordance with *Accessibility for Ontarians with Disability Act (AODA)* standards, and by promoting the development of more senior-friendly housing and long-term care homes.
5. Tourism and recreation are expected to continue being major sources of income and investment in Westport. This Plan intends to support and strengthen the existing tourism sector by facilitating employment growth and diversification of commercial establishments in the Village, particularly in the core and harbour district where tourist activity is concentrated.
6. Enhance public services and infrastructure to serve the needs of both permanent residents and visitors.
7. The natural environment and greenspace features within and surrounding Westport are important elements to the livability, beauty and tourism-oriented economy of the Village. It is the intent of this Plan to protect and enhance natural features and greenspace in and around the Village through environmental sustainability practices and expansion of the tree canopy and parks.
8. As the inventory of historic buildings in the Village is central to the identity and tourism-oriented economy of Westport, it is the intent of this Plan to support and protect historic landmarks such that their presence and character-defining attributes are maintained.

1.5.3 Objectives of the Plan

The objectives set forth in this Plan have evolved from the historical development and character of the Village's natural, economic, social and cultural environments. These objectives reflect Council's vision for the Village's development in the coming years and are intended to guide Council's decisions in working towards achieving the policies of this Plan.

General

1. To protect existing land uses from the impacts of incompatible development.
2. To establish flexible, yet detailed land use policies as the basis for evaluating development proposals, particularly in those instances where such proposals may be in keeping with one or more of the foregoing objectives, but which may conflict with others.

Economic Development

1. To encourage the orderly development of commercial activities through land use policies, the provision of suitably located land use designations and related policies for the various economic activities, including home-based businesses, and allow for the evolution of the optimum economic functions of the Village.
2. To foster steady, diversified and balanced growth of the Village's economic profile through land use policies that strengthen the existing tourism sector and support the creation of new employment opportunities for current and future residents.
3. To promote and ensure high-quality design for new development along the County Roads that serve as gateways to the Village.
4. To ensure the village core maintains an ability to accommodate a growing business community through policies that support and promote the provision of commercial space for new and expanding businesses.
5. To create a more dynamic and harmonized interface between the village core and waterfront through land use policies that enable greater interaction between commercial waterfront properties and Upper Rideau Lake.

Housing

1. To ensure that an adequate supply of both market-based and affordable housing accommodation by type and tenure exists, in relation to the needs and demands of both present and future inhabitants of the Village.
2. To provide for the rehabilitation and renewal of existing housing stock in a manner which reinforces and retains the heritage character of the Village.
3. To encourage the conservation of sites of historical significance and buildings of architectural or historical significance which enhance the cultural heritage qualities of the Village.
4. To attract a developer to build senior's assisted living housing and / or a long term care home necessary to support an aging demographic in the Village.

Natural and Cultural Heritage

1. To protect the natural resources and natural heritage features of the Village, such as ground and surface water quality, sensitive waterfront areas, wetlands, and other features which have contributed to the natural character of the Village.
2. To promote environmentally sound development.

3. To protect, conserve, restore, maintain and enhance cultural heritage resources including, but not limited to, buildings, structures, archaeological sites, cultural landscapes and areas of historical interest and value.
4. To conserve the historical character of Westport, particularly in the older sectors of the Village.
5. To maintain and enhance the overall tree canopy and ensure ecological diversity of tree canopy throughout the Village.
6. To promote the planting of native plant species throughout the Village to support local ecosystems and their diversity and ecological functions.

Natural and Human-made Hazards

1. To establish a pattern of development that supports public health and safety by avoiding natural and human made hazards, and that is resilient to climate change.

Municipal Services

1. To conduct planning with an open public consultation process that will produce policies which are fair in their distribution of benefits and influences.
2. To promote a cohesive urban framework by the phasing of new development as a contiguous extension of the existing urban area and thereby ensure the efficient use of the existing municipal infrastructure.
3. To develop a servicing strategy for the Village which will provide a cost-efficient means of servicing development.
4. To provide needed recreational and community facilities, as well as active transportation options for a walkable community that support healthy active lifestyles for all residents. This includes pursuing opportunities for public land acquisition, trail development and providing new and improved access to waterfront and other open space areas.
5. To promote the development and maintenance of the infrastructure needed to support growth in the Village, now and into the future. This includes resolving inflow and infiltration to municipal infrastructure, increasing public awareness, and pursuing access to any provincial and federal funding opportunities for this purpose.
6. To enhance harbour and waterfront facilities for improved public access and use, including increasing harbour docking facilities and visitor parking facilities in the core.

2 GROWTH MANAGEMENT PLANNING

2.1 Population Projection

Population forecasts constitute a fundamental element in the guidance of long-term planning decisions, strategies and objectives. Growth forecasts included within United Counties of Leeds and Grenville Official Plan projected a minor growth of 35 persons for the Village between 2011 and 2021, increasing from 645 to 680, and projected an additional growth of 30 persons by 2031, increasing to 710. Comparatively, Census data indicate that Westport's population decreased from 628 to 590 between 2011 and 2016, and subsequently grew to 634 by 2021.

Despite experiencing considerable population loss in the first half of the 2010's, the 2021 Census suggests that Westport may be entering a period of renewed growth, having increased in population by 7.5% since 2016. Other growth indicators such as lot creation and residential development activity over the same period further point to an emerging growth pattern in the Village, the magnitude of which is unprecedented in Westport's modern era. Consequently, the growth management policies of this Plan are based on the expectation that the Village's population will increase considerably in the near-term and continue to grow at a modest pace over the planning horizon, exceeding the Counties' forecast of 710 persons by 2031.

Despite the foregoing, in combination with limited infill opportunities, it is considered that sufficient supply of designated, undeveloped land in the Village exists to accommodate additional population growth over the planning period of this Plan.

However, it is recognized that while there is currently considerable undeveloped land within the Village boundary to accommodate growth over the growth planning period of this Plan, the Village is cognizant of the fact that rural growth in Rideau Lakes Township, immediately beyond the Village boundary, may inhibit future outward urban expansion opportunity. To this end, the Village will endeavor to monitor growth near the Village periphery and work cooperatively with the Township in a coordinated manner regarding jurisdictional and municipal boundary interests.

2.2 Hierarchy of Development

1. New development shall occur within and directly adjacent to the Village's existing built-up area in accordance with **Water and Wastewater Services** section of this Plan.
2. Greenfield development which does not result in the contiguous expansion of the Village's built-up area shall be discouraged, except in the case of interim land uses such as conservation, forestry, open space and similar uses which will not preclude the long-term goal of achieving orderly, fully-serviced development. Development within lands designated Rural shall occur in accordance with the relevant policies of this Plan.
3. The Village will endeavor to achieve balanced residential growth occurring within the existing built-up area and greenfield areas.
4. Infill development and minor rounding out of existing development within partially-serviced or non-serviced areas of the Village may be permitted in accordance with the **Water and Wastewater Services** section of this Plan.

2.3 Infill and Intensification

Residential intensification is an efficient and cost-effective form of development that optimizes the use of existing infrastructure and land, and which reduces the need to extend municipal services and

development into surrounding greenfield areas. It also contributes to the diversification of housing options within the Village to help meet the needs of current and future residents. Residential intensification can be achieved through various land use applications, built forms, scales and densities, and it is the intent of this Plan to encourage intensification that is compatible with the existing character of the Village.

In consideration of the foregoing, the following policies have been established to regulate and guide residential intensification within the Village:

1. Council shall encourage the provision of a broad range of housing types to meet the needs of current and future residents, including special needs housing.
2. Multiple residential and mixed-use commercial/residential developments are encouraged to locate in the Village Core and Harbour designation area in a manner which is compatible with the existing neighbourhood character.
3. A limited amount of residential infill and intensification will be permitted in areas where municipal services are not present. This includes the privately-serviced and partially-serviced areas located in the northwest corner of the Village, as well as a select few properties along Upper Rideau Lake at the northeast and southeast sections of the Village as shown on Schedule A.
4. Council shall encourage the re-subdivision of undeveloped land within the built-up and serviced areas of the Village in order to create new and more efficiently configured lots and blocks for residential development.
5. The Zoning By-law shall include provisions to permit additional residential units on lands that are serviced by municipal services in accordance with the **Additional Residential Units** section of this Plan.
6. The Village may consider alternative design standards in the development of new subdivisions to accommodate affordable housing, a variety of dwelling types, and more efficient land use patterns.
7. Council shall encourage, where feasible, infill and housing intensification within existing built-up areas of the Village in accordance with the policies of this Plan.
8. Council may consider preparing a Municipal Housing Statement in order to more precisely plan for the Village's housing needs. This should have regard for the United Counties of Leeds and Grenville Housing and Homelessness Plan.
9. Council may consider the preparation of Urban Design Guidelines, in consultation with stakeholders and the public, that are appropriate for the Village, and which could be used as a tool in the implementation of infill and intensification policies and for determining compatibility with the existing character of the neighbourhood.

3 INFRASTRUCTURE PLANNING

3.1 Water and Wastewater Services

The Village is mainly serviced by municipal water and municipal sewage infrastructure, while some areas near the peripheries of the Village are serviced with partial services (municipal water only) and some with private services (individual on-site water services and individual on-site sewage services). These areas are shown on Schedule A.

It is the intent of this Plan that generally all new development in the Village will proceed on the basis of municipal water and sewage services, subject to the policies as set out below:

1. Development shall generally be directed to areas where municipal water services and municipal sewage services exist and/or can be reasonably extended. Development will be discouraged where such development would result in, or could lead to, unplanned expansions to existing municipal water and municipal sewage infrastructure. Intensification and redevelopment on existing municipal water and municipal sewage services is promoted, subject to the availability of servicing capacity.
2. New development shall only be permitted where it is confirmed that there is sufficient reserve capacity in the municipal water and sewage services in accordance with Ministry of Environment, Conservation and Parks guidelines. Prior to granting approval of a plan of subdivision or plan of condominium, or zoning amendment to accommodate multiple residential or commercial uses on an existing lot of record, confirmation that there is sufficient reserve capacity in the existing water and wastewater system shall be provided.
3. Generally, new development which is located at or near the periphery of existing water and sewer services is to be connected to municipal services. New development in areas serviced with partial services shall only be permitted where they are necessary to address failed individual on-site water services and individual on-site sewage services in existing development, or to allow for infilling and minor rounding out of existing development, provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
4. A limited amount of existing residential development at the northwest corner of the Village, as well as a select few properties along Upper Rideau Lake at the northeast and southeast sections of the Village are privately serviced. New development on private services in these areas is generally discouraged. In considering whether to allow new development on private services, Council shall determine whether the proposed development is premature and should be postponed until municipal services are available.
5. Where individual on-site water services and individual on-site sewage services are proposed, the determination of site suitability for proposed sewage disposal systems and the environmental sustainability of development (i.e., long term protection of ground water and surface water) are important considerations in development. Servicing reports such as hydrogeological investigations, terrain analyses, impact assessments or servicing options reports may be required. Where required, these reports shall be provided to the satisfaction of the relevant approval authority.
6. The Village will encourage the regular maintenance of individual on-site sewage disposal systems and the upgrading or replacement of substandard systems. Where the upgrading or replacement of an existing system cannot reasonably be undertaken in compliance with the policies of this Plan with respect to water setbacks due to site-specific constraints, such sewage system improvements may be permitted with reduced setbacks, subject to meeting the

requirements of the *Building Code Act*. The Village may also consider the establishment of a septic system re-inspection program and/or septic system education and awareness program in areas of the Village served by on-site sewage disposal systems.

7. Generally, private communal systems will not be permitted unless they are designed for future connection to the municipal sanitary sewer system once additional sewage capacity is available in the Village.
8. Council may consider the use of decentralized municipal water and wastewater systems to accommodate new development where municipal services are not available. The establishment of new municipal water and municipal sewage services shall be subject to the requirements of the Ministry of Environment, Conservation and Parks.
9. As part of its ongoing capital works planning, Council will seek ways to increase the capacity of the sewage treatment system by such methods as further eliminating infiltration and ensuring that there are no stormwater connections to the sanitary sewers. In addition, Council will seek ways to extend watermains and sewer services to all existing development and to identify funding sources including local improvement charges, special servicing levies and/or grants that may become available from senior levels of government.
10. Large water users that place heavier demand on water and sewage services, will generally not be permitted. In addition, uses with significant potential to contaminate ground water sources should be discouraged, particularly where they would be adjacent to privately-serviced residential areas, other sensitive land uses and natural features.
11. The Village supports initiatives of both public and private interests to encourage the efficient and sustainable use of water resources, including water conservation practices.

3.2 Source Water Protection

Westport's source of potable water for municipal servicing purposes is groundwater, which is accessed directly from beneath the Village via two (2) wells. As the principal source of drinking water for Village residents, it is essential that the Village's water supply is protected such that it will continue to provide a reliable and adequate source of safe drinking water. As such, it is the policy of this Plan to ensure that the quality and quantity of the Village's water source is appropriately sustained through the protection, conservation and careful management of groundwater resources.

As water contamination is extremely difficult, costly and sometimes impossible to rectify, prevention of contamination is the most appropriate strategy. Groundwater sources shall be protected from the full range of threats to drinking water.

Source water protection policies in this Plan are consistent with the intent of policies included in the Mississippi-Rideau Source Protection Plan (2015) made under the *Clean Water Act*, 2006. As an implementation body identified in the Source Protection Plan, the Village will comply with significant drinking water threat land use planning policies, have regard for all other land use planning policies and provide due consideration for other non-binding recommendations in the Source Protection Plan, as applicable, to realize source water protection. The Village will undertake monitoring and reporting consistent with requirements and/or recommendations in the Source Protection Plan and in a format specified by the Source Protection Authority and the Province.

Source Water Protection Plans are intended to protect vulnerable areas, including wellhead protection areas, around municipal drinking water supplies, as well as significant groundwater recharges areas and highly vulnerable aquifers from activities identified as drinking water threats, per the *Clean Water Act*,

2006. In the event of conflict between long-term protection of drinking water sources and other considerations, drinking water shall take priority.

3.2.1 Vulnerable Areas

The Provincial Policy Statement addresses municipal drinking water supplies and designated vulnerable areas. Accordingly, the Village will adapt municipal operations, consider program development, and work in partnership with the Source Protection Authority and others to comply with or support source water protection within vulnerable areas, as per the details and timeframes included in the Source Protection Plan.

The *Clean Water Act*, 2006, defines a vulnerable area as a wellhead protection area, intake protection zone, significant groundwater recharge area, or highly vulnerable aquifer. In Westport, there are three distinct wellhead protection areas (WHPAs), identified as WHPA-A, WHPA-B and WHPA-C on Schedule B, all of which are associated with the municipal drinking water supply system of the Village. The entire Village is also considered to be situated above a highly vulnerable aquifer, as well as within a significant groundwater recharge area which generally encompasses the entirety of the Village.

Particular activities that have the potential to contaminate sources of drinking water are called “drinking water threats”. The policies of this Plan take into account drinking water threats that must or should be considered if they are to become established, particularly within vulnerable areas like wellhead protection areas. Depending on the type of activities, their scale, and their proximity to the source of drinking water, drinking water threats are ranked as significant, moderate and low.

The following policies shall apply throughout the Village.

1. Any new or expanding land use or activity that, in its location relative to a vulnerable area, would constitute a potential drinking water threat may be subject to risk management measures to protect groundwater or be prohibited altogether. As per the Source Protection Plan, the following land uses and activities could pose potential drinking water threats in the Village’s vulnerable areas:
 - Waste Disposal, including the storage, treatment and/or discharge of untreated septage, mine tailings, petroleum refining waste, liquid industrial waste, polychlorinated biphenyl (PCB) waste, and hazardous, municipal and/or solid non-hazardous industrial or commercial landfill waste.
 - Sewage, including private or public infrastructure and facilities related to the storage, treatment and/or discharge of untreated stormwater, sanitary wastewater, and/or industrial effluent.
 - Snow and Road Salt Management, including the storage of snow and road salt, as well as the application of road salt.
 - Management of Potential Contaminants, including the storage, handling and/or application of dense non-aqueous phase liquids (DNAPLs), organic solvents, liquid fuels, heating oils, commercial fertilizer, pesticides and aircraft de-icing materials.
 - Agricultural Operations, including the use of land as livestock grazing or pasturing land, as well as the management, handling, storage and/or application of agricultural source material (ASM), such as manure, and non-agricultural source material (ASM). For the purposes of this Official Plan and pursuant to the policies of the Source Protection Plan, activities governed by Nutrient Management Plans developed under the *Nutrient Management Act*, residential use of ASM, as well as small, non-intensive farms where the number of farm animals is not sufficient to generate five or more nutrient units of manure

annually and the concentration is less than one nutrient unit per acre of cropland do not constitute drinking water threats.

Major development applications within the Village will demonstrate that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved, or restored. Mitigation measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features or sensitive ground water features, and their hydrological functions.

2. All new non-residential development within the wellhead protection areas will be screened by the Village or the Risk Management Official prior to acceptance of the application as a complete application. A Risk Management Plan is required to be completed to the satisfaction of the Village in relation to all new non-residential development where there is a risk to groundwater contamination. A risk management plan may be waived if a hydrogeological sensitivity study, prepared by a qualified professional, demonstrates that the subject lands do not exhibit the characteristics of a highly vulnerable aquifer or a significant groundwater recharge area.
3. New non-residential development and/or expansions to existing non-residential development located within vulnerable areas may be subject to Site Plan Control. The site plan approval conditions may include the above noted Risk Management Plan.
4. The Zoning By-law shall prohibit or restrict certain land uses, as applicable, in wellhead protection areas.

3.3 Storm Water Management

1. Storm water management is an important part of the Village's broader interest in protecting water quality. Storm water management is also important for flood control, maintaining baseflow in watercourses, water temperature regulation, erosion and sediment control, limiting nutrient and bacteria loading, maintaining fish habitat, providing groundwater recharge and preventing groundwater contamination. Due to the fact that development affects the quality and quantity of storm run-off, the Village will ensure that adequate consideration is given to storm water management, including off-site impacts.
2. The Village supports the work of the Rideau Valley Conservation Authority and will have regard to any watershed plan or sub-watershed plan that may be prepared.
3. Prior to recommending plans of subdivision for draft approval, the Village shall request that conceptual storm water management plans be prepared for review by the Village and other approval authorities, as applicable. The conceptual plan will include a statement of the design objectives to be applied and a description of the storm water management practices to be applied, in accordance with the relevant Provincial policies. Applicants are encouraged to consult with the approval authority and the Village prior to submitting a draft plan of subdivision.
4. Prior to final approval of plans of subdivision, detailed storm water management plans will be required. Such plans will be prepared in accordance with the requirements of the Village and other approval authorities, as applicable. Design criteria will be based upon methods and procedures contained in the relevant Provincial planning and design manuals used by these agencies.
5. The Village will promote approaches to low impact development when considering development and redevelopment proposals to support the control and treatment of precipitation where it falls, facilitate groundwater recharge, and minimize dependence on end-of-pipe solutions.

6. The Village will evaluate site plans according to an approved storm water management plan, or where no such plan exists, may request the following:
 1. A design for the provision of storm water drainage facilities;
 2. A determination of the impact of the development on the receiving watercourse or storm water management facility, both during and after construction, in respect of flooding, pollution, erosion, and sedimentation; and
 3. Measures for mitigating any adverse impacts if such are likely to result from the proposed development.
7. Development applications having potential impacts on the storm drainage system along County Roads shall be circulated to the County Public Works Department.
8. The Village shall encourage storm water management practices that:
 1. Minimize or, where possible, prevent increases in contaminant loads;
 2. Minimize changes in water balance and erosion;
 3. Do not increase risk to human health and safety and property damage;
 4. Maximize the extent and function of vegetative and pervious surfaces; and
 5. Promote storm water management best practices, including storm water attenuation and re-use, and low impact development.

3.4 Transportation

3.4.1 County Roads

County Road 10, 12, 36 and 42 serve as gateways to the community and represent the main transportation arteries in the Village. County Road 10 is of particular interest to the Village as it travels through the Village core. County Road 42 (Concession Street) is a major corridor through the Village albeit does not lead to the inner core.

All County road corridors are under the jurisdiction of the Counties. Where development is proposed adjacent to a County road, approval for an entrance must be obtained from the United Counties of Leeds and Grenville in accordance with the Counties requirements and policies of this Plan. These requirements and policies shall also be used in determining building setbacks from County roads.

The minimum right-of-way for County Road 42 (Concession Street) should be 30.5 metres, and in other cases, the minimum right-of-way width should be 26.2 metres. In consultation with the Counties, circumstances may necessitate an alternative road widening requirement or an encroachment agreement, particularly along County Road 10 through the Village core where there is insufficient land to obtain the widening and where existing buildings may encroach within the desired width of the road allowance.

3.4.2 Local Roads

Local roads are those that are owned and maintained by the Village. Traffic volume on local roads will generally be low and the traffic will have its origin or destination on the road. Through traffic will be discouraged. Where development is proposed adjacent to a local road, access shall only be permitted in locations that can accommodate traffic in a safe manner, and approval for an entrance must be obtained from the Village.

The minimum right-of-way width for local roads will generally be 20 metres, however, an 18-metre right-of-way may be considered for new residential development. A 16-metre right-of-way may be considered in exceptional circumstances. All new local roads shall be constructed to Village standards.

For policy purposes, the Village considers unmaintained or unopened Village rights-of-way to be private roads.

3.4.3 Private Roads

Private roads are those rights-of-way which provide legal access to two or more properties but which have not been assumed by the Village for maintenance purposes. Some private roads have been established as registered rights-of-way and are precisely defined on legal plans while others are not clearly defined with respect to their location. The Village shall not assume any liability for any private road regardless of its status.

There are two private roads in the Village which provide access to privately-serviced waterfront areas. If an existing private road that abuts an existing local road is reconstructed to a standard acceptable to the Village at no expense to the Village, the Village may consider ownership and assumption of the private road by by-law. Prior to undertaking any such reconstruction for the purpose of allowing Village assumption, landowners of property served by a private road must obtain approval of the Village. The work shall be undertaken to the standards of, and supervised by, the Village.

The creation of a new private road shall only be permitted where such road is within a plan of condominium pursuant to the *Condominium Act*, as amended, and where it connects directly to an existing public road.

3.4.4 Road Widening

The Village and Counties, where applicable, may require land to be conveyed at no cost for the purpose of widening the existing public road allowance as a condition of consent, subdivision or site plan approval. Land for the widening of the existing public road allowance shall generally be sought equally from both sides of the public road allowance, however, in certain situations site-specific conditions may necessitate taking widening on an unequal basis.

3.4.5 Road Allowance Abutting Waterbodies

The Village values all road allowances that abut waterbodies for their ability to provide both physical and visual access to the water. Where road allowances abut the shores of Upper Rideau Lake and the Westport Pond, the Village generally intends to retain ownership of such road allowances. Where such public access would not be appropriate for reasons such as physical unsuitability or land use incompatibility, such road allowances may be closed by the Village and disposed of in accordance with the procedures as set out in the *Municipal Act*.

3.4.6 Active Transportation

The Village supports the development of an active transportation network. Pedestrian and bicycle pathways are an integral component of the active transportation infrastructure, and the Village will endeavour to maintain, repair, replace, and expand its municipal infrastructure as part of its long-term commitment to supporting and creating new opportunities for active transportation and a walkable community. The provision of sidewalks and the implementation of a local municipal trails strategy, including plans for new trails, and connectivity with other local and regional trail systems, is seen as a key element of developing and maintaining active transportation infrastructure in the Village.

3.5 Utility and Communication Facilities

Council recognizes the importance of utility and communications infrastructure to the continued diversification of the Village as a place to live and work. Public utilities such as road, water and wastewater services, hydro, natural gas, telephone and telecommunications infrastructure shall be permitted in all land use designations in accordance with the **Public and Institutional Uses** section of this Plan.

3.6 Waste Management and Disposal

The Village does not own and operate a waste disposal site. Village residential waste is collected and delivered to a regional waste transfer site through an agreement between the Village and a waste collection contractor.

The Village will support waste reduction, re-use, recycling and recovery of waste materials. To the extent possible, the Village will initiate public education and awareness programs and work towards a long-term sustainable waste management strategy.

In reviewing development proposals, the Village will ensure adequate waste disposal, recycling and composting facilities are provided so as to not adversely affect public health and impact to the environment.

4 ENVIRONMENTAL PLANNING

4.1 Energy, Air Quality and Climate Change Adaptation

1. The Village recognizes the many environmental and health benefits derived from individual trees and stands of urban woodlands and wetlands. The Village will promote the protection and enhancement of tree canopies and natural areas in recognition of the benefits that trees provide in relation to energy conservation, air quality improvement, and efforts towards managing climate change.
2. When reviewing planning applications such as site plans, plans of subdivision and municipal infrastructure or building upgrades, Council shall encourage the development of plans that support energy conservation and efficiency through techniques such as green building design and orientation, lot orientation, and the use of vegetation, as well as techniques which address potential impacts of climate change, including extreme and unpredictable weather events.
3. The Village will consider LEED (Leadership in Energy and Environmental Design) certification for all new municipal buildings and for major renovations/expansions to existing municipal buildings.
4. This Plan supports and encourages alternative and renewable energy systems. The use of alternative energy systems that reduce harmful emissions, as well as renewable energy systems, shall be supported, provided that such systems comply with all applicable governmental requirements.
5. The Village may undertake tree planting, landscaping and naturalization initiatives, where appropriate, on municipal property to improve air quality among other environmentally sustainable objectives.
6. The Village will promote the use of low impact development approaches when considering new development, redevelopment proposals, and municipally-initiated projects.

4.2 Natural Heritage

4.2.1 Woodland and Wetland Conservation

1. Ecological functions of woodlands and wetlands include contributions to water quality and quantity by decreasing stormwater runoff, soil erosion, flooding, removing sediments and toxins. Woodlands and wetlands also provide important habitat that is essential to the survival of many species of flora and fauna, including certain endangered or threatened species, as well as contributing to improved fish habitat. To this end, this Plan recognizes the importance of the diversity and connectivity of natural features within the Village and contains policies to maintain, restore, or where possible, improve the diversity and connectivity between natural features, surface water features, and ground water features.
2. There are no mapped significant woodlands within the Village limits but sites containing woodland areas in excess of 2 hectares shall be considered potentially significant woodlands, and site assessments will be an integral part of environmental impact assessments to confirm the presence of significant woodlands when considering development proposals. The determination of significant woodlands shall be undertaken by a qualified professional using the criteria and methodology found in the Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement.

3. Where woodland areas have been confirmed as significant woodlands, development or site alteration such as filling, grading and excavating shall not be permitted unless it has been demonstrated that there will be no negative impacts on the woodland's natural features or their ecological functions. In addition, development and site alteration such as filling, grading and excavating on land adjacent to significant woodlands shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the woodland's natural features or their ecological functions. An environmental impact assessment, in accordance with the requirements of the **Environmental Impact Assessment** section of this Plan will be required. For the purpose of this Plan, adjacent lands are those lands lying within 120 metres of any woodland identified as being significant.
4. There are no provincially significant wetlands within the Village limits, however, on the basis of mapping provided by the Province, Schedule B identifies areas of locally significant wetlands around the perimeter of Westport Pond. These mapped wetland areas are generally not suitable for development and represent an integral component of the Village's natural heritage system.
5. Development and site alteration such as filling, grading and excavating on lands within and adjacent to locally significant wetlands shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the wetland's natural features or their ecological functions. An environmental impact assessment, in accordance with the requirements of the **Environmental Impact Assessment** section of this Plan will be required. For the purpose of this Plan, adjacent lands are those lands lying within 50 metres of any locally significant wetland.
6. The preparation of a tree conservation plan for the protection and preservation of existing vegetation, and in particular, mature trees, may be a condition of approval of any land division and/or site plan approval. Similarly, the preparation of landscape plans and the plantings of vegetation buffers and riparian strips along waterbodies may also be a condition of approval.
7. Landscape plans, appropriate to the scale of development, shall be required for all site plan and subdivision application approvals, and shall incorporate, to the extent possible, native species.

4.2.2 Endangered and Threatened Species Habitat

1. Endangered species are those species listed as such in the Species at Risk in Ontario list under the *Endangered Species Act*. The purpose of the Act is to identify species at risk, to protect such species and their habitats, to promote species recovery, and to foster stewardship activities to assist in the protection and recovery of species at risk.
2. This Plan recognizes that endangered and threatened species may exist throughout the Village, and particularly in areas that are undeveloped or near natural environment areas. The Village encourages property owners to consult the *Endangered Species Act* and related Ministry regulations prior to undertaking development or site alteration and may require property owners to screen for the presence of endangered or threatened species and their habitat as part of a development application.
3. Where endangered and threatened species habitat is identified through a screening process or environmental impact assessment process, development and site alteration shall not be permitted except in accordance with Provincial and Federal requirements.

4.2.3 Fish Habitat and Adjacent Lands

1. The spawning grounds and nursery, rearing, food supply, and migration on which fish depend directly or indirectly in order to carry out their life processes constitute fish habitat. The Village

has considerable interest in protecting fish habitat from harmful alteration, disruption and destruction. All waterbodies surrounding the Village are considered potential fish habitat.

2. It is recognized that stormwater management and drainage measures, although frequently located some distance from fish habitat, have significant potential to affect it. When evaluating stormwater management and drainage activities, consideration shall be given to potential impacts on fish habitat.
3. Where development or site alteration may potentially affect fish habitat, the Department of Fisheries and Oceans or the Conservation Authority, as applicable, shall be consulted and required approvals obtained.
4. All applications for development or site alteration such as filling, grading, and excavating adjacent to any water body will be screened for the presence of fish habitat and no development or site alteration shall be permitted, except in accordance with provincial or federal requirements. An environmental impact assessment, in accordance with the requirements of the **Environmental Impact Assessment** section of this Plan will be required, to identify the appropriate measures to be undertaken and to ensure that there will be no negative impacts on the natural features or the ecological functions of the habitat they support.

4.2.4 Watercourses and Waterbodies

1. The Village has considerable interest in the protection of surface water and shoreline areas in Upper Rideau Lake, Westport Pond, and Westport Sand Lake, as well as in the creeks and tributaries that drain to these waterbodies. Accordingly, this Plan recognizes that an adequate water setback serves an important function in relation to the protection of the natural and cultural heritage characteristics and water quality of the lakes and tributaries to these lakes.
2. The intent of a water setback is to prevent the disturbance of the shoreline area as a result of the placement of buildings and structures, including sewage systems where applicable, or the removal of the soil mantle and natural vegetation. In addition to preserving the natural aesthetic qualities of the shoreline as viewed from the water, an appropriate water setback can reduce phosphorus and other nutrient loads to the lake and, in combination with vegetation, prevent erosion and sedimentation.
3. This Plan acknowledges that many of the shoreline areas of Westport have developed as either waterfront residential, and to a lesser extent as in the case of in the village core, as commercial and mixed use. Notwithstanding the importance of an appropriate water setback as a means to protect water quality, this Plan recognizes the contextual differences between these waterfront areas in the Village, and accordingly, the following policies shall apply in relation to development near or adjacent to waterbodies:
 1. Except in the case of development in the Village Core and Harbourfront designation, development or site alteration such as filling, grading and excavating shall generally occur a minimum distance of 30 metres from the normal high water mark of any water body with minimal disturbance of the native soils and very limited removal of shoreline vegetation. There shall be no water setback requirement in relation to development in the Village Core and Harbourfront designation, however other measures such as site plan control, shall be employed to protect water quality where development occurs within 30 metres from the normal highwater mark.
 2. The quantitative element of these setback requirements shall be implemented through the comprehensive Zoning By-law.

3. Where site-specific conditions suggest that it would be appropriate, the minimum water setback may be increased. Examples of the latter would include sites with steep slopes, limited soil depth, sub-optimal (i.e., very high or very low) soil percolation rates, large inland presence of the 1:100 year flood plain, or limited vegetative cover.
 4. Development or site alteration may be permitted less than 30 metres from a water body in situations where existing lots or existing developments preclude the reasonable possibility of achieving the setback. In such cases, proponents will be required to achieve the greatest possible/feasible setback for all development and site alteration, including septic systems (where applicable), given existing site constraints such as lot size, lot shape and terrain. Extensions and enlargements to existing structures within the 30-metre water setback will be regulated through the Zoning By-law and shall not have the effect of further reducing a deficient waterbody setback. Any proposal for development or site alteration proposed to occur less than 30 metres from a water body shall be subject to the policies of the **Fish Habitat and Adjacent Lands** and **Environmental Impact Assessment** sections of this Plan.
 5. In order to achieve the greatest setback possible, proponents will be encouraged to seek variances to reduce minimum yards not adjacent to water rather than reducing existing water setbacks. Consideration shall also be given to maximizing the setback through building design and orientation and the siting of the septic system, where applicable.
 6. New lots outside the village core shall be capable of accommodating the 30-metre water setback for all new development, including septic systems, except for those proposed lots where the presence of an existing building means that the 30-metre setback cannot be achieved. In these instances, the policies of this Plan shall apply to ensure that any subsequent development does not further reduce the deficient setback and that the greatest possible setback is achieved. The creation of a new lot with an existing dwelling should be large enough, where possible, to accommodate redevelopment of the lot at a location that achieves the 30-metre setback.
4. It is the intention of this Plan to encourage increased water setbacks for replacement septic systems, where they are less than 30 metres from a water body.
 5. Water setback requirements shall not apply to permitted encroachments, docks, boathouses, pump houses and other marine facilities accessory to permitted uses. Depending upon their location in relation to the water, such structures may require permits from approval authorities such as Parks Canada, the Ministry of Natural Resources and Forestry and the Conservation Authority, in addition to, or instead of, approvals from the Village.
 6. It is the policy of this Plan to encourage the protection of existing natural vegetation from disturbance and the revegetation or naturalization of altered or disturbed shoreline areas through the development approval process. Among other tools, tree cutting by-laws, site alteration by-laws and Site Plan Control may be utilized by the Village for this purpose.
 7. Through the mechanism of Site Plan Control, the Village shall attempt to ensure that a buffer of substantially undisturbed and naturally-vegetated area abutting the length of the shoreline on waterfront properties, interrupted only by required water-related structures such as docks, pump houses and boathouses. This buffer will contribute to protecting the riparian and littoral zones and their associated habitat, prevent erosion, siltation and nutrient migration, and assist in maintaining the natural appearance of the shoreline area. This buffer will form part of the 30-metre minimum water setback required pursuant to this section and is intended to ensure the protection of the most environmentally-sensitive portion of the setback area.

4.3 Environmental Impact Assessment

1. An environmental impact assessment may be required, in accordance with the relevant policies of this Plan, for any site alteration or development proposal which requires the approval of a planning application under the *Planning Act*. Where required, the environmental impact assessment shall be undertaken by a qualified professional and must demonstrate that the proposal will not have a negative impact on the relevant natural heritage features, areas or their ecological functions.
2. An environmental impact assessment may be scoped, in consultation with the Village, while taking into account the type and scale of the proposal and the nature and sensitivity of the natural heritage features that may be impacted. Notwithstanding the forgoing, depending on the nature of the development and site alteration, and in circumstances where there is a known low likelihood of negative impact on the natural heritage features(s), the Village may waive the requirement for an environmental impact assessment. In such cases, special zoning provisions and/or other approval conditions may be implemented to mitigate known potential impacts.
3. A full environmental impact assessment will be required where it is determined to be necessary based on the type and scale of the proposal and the nature and sensitivity of the natural heritage features that may be impacted. In such circumstances, the developer shall be responsible for implementing all of the recommendations of the environmental impact assessment as a condition of development approval.
4. Where a full environmental impact assessment is required, the assessment shall:
 1. Research, identify and map the natural heritage feature(s), values and functions that are potentially affected and describe the existing site conditions;
 2. Describe and map the proposed development activities, including building location, excavations, site grading, landscaping, drainage works, roadway construction, paving, and sewer and water services in relation to natural features;
 3. Predict the effects of the proposed development on the various components of the environment on the site such as wildlife, fish, vegetation, soil, surface water, groundwater, air and any other relevant factors, taking into consideration effects during and after site alteration;
 4. Evaluate the significance of all predicted negative and positive effects on the various environmental considerations;
 5. Itemize and recommend all measures that can be taken to reduce or mitigate the predicted negative effects, including a timetable for implementation;
 6. Evaluate the cumulative effect that the project may have following implementation of any mitigation measures on the natural resource values and functions which make the natural features significant; and
 7. Conclude with a professional opinion on whether negative effects will occur, the significance of such effects, and whether ongoing monitoring is required.
5. The Village may retain a qualified professional to undertake an independent peer review of the assessment, at the expense of the applicant. Council may also consult with the relevant public agencies prior to accepting the findings of the assessment.

5 PUBLIC HEALTH AND SAFETY PLANNING

5.1 General

The policies of this Plan seek to protect Village residents and their properties from natural and human-made hazards which may represent a risk to public health and safety or which may pose constraints to development. Hazards may include flood and erosion susceptibility, unstable soils and/or bedrock, or potential hazards associated with potentially contaminated lands, former abandoned mine operations, or land uses which may pose unacceptable levels of noise, vibration or odour.

5.2 Natural Hazards

1. Natural hazards include flooding hazards, erosion hazards, and unstable soils and/or bedrock hazards. Natural hazards are generally not identified and mapped on Schedule B, except where published information is available, such as in the case of unstable bedrock (i.e., karst topography). In the case of natural hazards such as flood plain mapping, hazard delineation will need to be identified on a site-specific basis, in consultation with the Rideau Valley Conservation Authority.
2. Lands within and adjacent to lands subject to hazard lands are subject to the Section 28 Regulation made pursuant to the *Conservation Authorities Act* and administered by the Rideau Valley Conservation Authority under O. Reg 174/06. While these lands are designated for various land uses, no building or structures shall be constructed or enlarged, and no development or site alteration such as filling, grading, and excavating shall occur without the written permission of the Rideau Valley Conservation Authority in accordance with the Section 28 Regulation.
3. The regulatory floodplain along Upper Rideau Lake is 124.9 masl but has not been mapped within the Village limits. New development and site alteration in the regulatory flood plain is prohibited, except for those uses that by virtue of their nature must be located within the regulatory flood plain. Development that includes schools, long-term care homes, retirement homes, school nurseries, day cares and schools shall not be permitted.
4. For existing lots of record and where no reasonable alternatives exist, development and site alteration shall only be permitted where the effects and risk to public safety are minor, could be mitigated in accordance with Provincial standards, as determined by the demonstration and achievement of all of the following:
 1. Development and site alteration is carried out in accordance with floodproofing standards, protection works standards and access standards;
 2. New hazards are not created and existing hazards are not aggravated;
 3. No adverse environmental impacts will result; and
 4. Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies.
5. Areas of potential unstable bedrock (i.e., karst topography) are indicated on Schedule B. Where development is proposed on lands possessing unstable bedrock or soils, the approval authority will request sufficient geotechnical information and reporting to indicate that the lands are either suitable or can be made suitable for development. Such geotechnical report shall be prepared to the satisfaction of the approval authority and the Conservation Authority.

5.3 Human Made Hazards

1. Human made hazards include hazards associated with contaminated sites and hazards associated with abandoned mines and mineral resource operations. Human made hazards may also include environmental hazards associated with noise, vibration, and odour that may pose a potential risk to public health and safety, as well as community health and well-being.
2. There are no known human made hazards associated with abandoned mines or mineral resource operations in the Village. If such hazards are identified in the future through the development approvals process, development shall only be permitted if rehabilitation or other measures to address and mitigate such hazards are underway or have been completed.
3. Where a development application for a change of use from industrial or commercial to residential or parkland or other sensitive land uses is made in relation to a known, suspected, or potentially contaminated site or on a property adjacent to such site, the approval authority shall not grant any planning approval until a Phase 1 Environmental Site Assessment (ESA) has been carried out by a qualified professional, and if necessary, a Phase 2 assessment has been completed. Where required under Provincial requirements, a Record of Site Condition, signed by a qualified professional, shall be filed in the Provincial Registry. Clean-up of contaminated sites shall be done in accordance with the Record of Site Condition Regulation (O. Reg 153/04).
4. Development may only be permitted on, abutting or adjacent to contaminated sites if site remediation or other measures to address and mitigate known or suspected hazards are underway or have been completed such that there will be no adverse effects.
5. The Village will endeavor to develop an inventory of sites where current or past uses may have, or are known to have, contributed to the presence of contaminants. The Village will encourage owners of potentially contaminated site to remediate their sites so that they may be integrated into the community.
6. Through the development review process, the Village shall attempt to manage the potential for adverse affects associated with noise, vibration, light, odour levels, contaminants and other nuisances. It is a policy of this Plan to minimize conflicts between incompatible lands uses. Accordingly, all development shall have regard to the **Land Use Compatibility** section of this Plan.

6 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES PLANNING

6.1 General

Cultural heritage resources consist of built heritage resources including but not limited to historic buildings, structures and other human-made features, as well as cultural heritage landscapes. Certain areas of the Village also have the potential to contain significant archaeological resources, the remains of buildings, structures, activities, places or cultural features which, due to the passage of time, are on or below the surface of land or water. The Village possesses many examples of important sites and features that contribute to the community identity and sense of place. The Village recognizes the importance of these cultural heritage resources.

Cultural heritage and archaeological resources are of particular interest to the Village as they may provide an enhanced understanding of early settlement in the Village and the role that they play in making the Village a place of historic and cultural interest to residents and visitors alike. The following policies shall guide Council on decision-making with respect to the cultural heritage and archaeological resource planning:

6.2 Built Heritage and Cultural Heritage Landscapes

1. Council may, by by-law adopted pursuant to the provisions of the *Ontario Heritage Act*, undertake the following:
 1. Designate properties for the conservation of heritage attributes that are of cultural heritage value or interest;
 2. Define areas to be studied for designation as heritage conservation districts;
 3. Designate areas as heritage conservation districts in order to control any development that may adversely affect the heritage features of the area;
 4. Develop a municipal register of all properties of cultural heritage value or interest for consideration to be designated under the *Ontario Heritage Act* in consultation with the property owner.
2. The Village may form a Municipal Heritage Committee pursuant to the *Ontario Heritage Act* to assist and advise Council on matters related to Parts IV and V of the *Ontario Heritage Act* and on cultural heritage matters.
3. The Village shall conserve significant cultural heritage resources by encouraging the identification, protection, maintenance, restoration and enhancement of these features and their character defining attributes.
4. Council may develop and implement a policy or strategy to consult with property owners in advance of the individual designation or listing of properties on the heritage register. This policy or strategy may exceed the minimum requirements for consultation stated in the *Ontario Heritage Act*.
5. Council may consider incentives for the conservation and maintenance of properties of cultural heritage value or interest.
6. Development and site alteration shall not be permitted on lands adjacent to protected heritage properties except where the proposed development and site alteration has been evaluated and it has been demonstrated, through the preparation of a Heritage Impact Assessment prepared

by a qualified professional, that the heritage attributes of the protected heritage property will be conserved.

7. The Village will consider the relationship of proposed development to the contextual environment of existing buildings and landscapes having cultural heritage interest or value. New development will be planned so as to conserve, complement and enhance cultural heritage resources. In the context of site planning, the Village shall consider the massing of buildings and structures so as not to conflict with existing built heritage resources. New development and redevelopment should complement the character of existing buildings, structures and the surrounding landscape.
8. It is recognized that elements such as architectural style and building cladding and colour are important components in the design of development that is sensitive to and reinforces the contextual environment. To the extent that the legislation provides for controls such as those pursuant to the *Ontario Heritage Act*, the Village will endeavour to encourage development that is contextually supportive. Where appropriate, the Village will ensure cultural landscape conservation and sympathetic design through the policies of the **Site Planning and Design Guidelines** section of this Plan.
9. Where economically feasible, Council intends to set an example to the community by maintaining Village-owned buildings and properties of cultural heritage value or interest in accordance with the intent of the policies of this section.
10. Council shall identify, and where feasible, conserve cultural heritage resources when undertaking municipal public works projects.
11. The Village shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage resources where indigenous interests may be affected.

6.3 Archaeological Resources

1. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
2. It is a policy of the Plan that Council will require the preparation and undertaking of an archaeological assessment for properties with known archaeological sites and/or potential for archaeological resources which may be affected by a development proposal. An archaeologist licensed by the Ministry of Tourism, Culture and Sport must perform all archaeological work according to the terms and conditions of their licence to the satisfaction of the Village and the Ministry of Tourism, Culture and Sport. Engagement with Indigenous communities is encouraged where archaeological assessments are required to be undertaken.
3. The Village will endeavour to evaluate for the presence of archaeological potential on the basis of the current screening criteria established by the Province. To this end, development applications, as well as undertakings of new municipal infrastructure works will be screened for their archaeological potential, using the criteria established by the Ministry of Tourism, Culture and Sport. Development proponents are encouraged to consult the Ministry checklist to screen for archaeological potential.
4. Where significant archaeological resources are found, the evaluation must contain mitigation measures relating to their preservation or removal. Where significant archaeological resources must be preserved in situ, only development and site alterations which maintain the heritage integrity of the site will be permitted.

5. The Village may undertake to have an archaeological management plan prepared by a licensed archaeologist in its efforts towards conserving archaeological resources and areas of archaeological potential. Where an archaeological management plan is adopted by Council, such plan shall be relied upon by the Village to screen for archaeological potential.
6. Pursuant to the relevant provisions of the *Planning Act*, sites containing significant archaeological resources may be zoned to restrict or prohibit uses, buildings or structures which might conflict with the conservation of such resources.
7. When an identified marked or unmarked cemetery is affected by development, the Village shall ensure that adequate archaeological site assessment is undertaken, in consultation with the Ministry of Tourism, Culture and Sport and the Ministry of Consumer and Business Services. The provisions of the *Funerals, Burials and Cremation Services Act* and *Ontario Heritage Act* shall apply, as appropriate.
8. In considering applications for shoreline or waterfront development, Council shall ensure that archaeological resources, both onshore and in the water, where within their jurisdiction, are not adversely affected. Council may require a marine archaeological assessment if partially or fully submerged marine features of cultural heritage value are identified and may be impacted by shoreline and waterfront developments.
9. The Village shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage resources where indigenous interests may be affected.

7 HOUSING AND AFFORDABILITY

7.1 General

1. The Village's housing policies are established to address the provision of housing for current and future residents. Policies have been included in this Plan to ensure that:
 1. There is at least a ten-year supply of land to accommodate residential intensification, redevelopment, and land which is designated and available for future residential development;
 2. A variety of housing options are accommodated to meet the needs of present and future residents, including affordable housing, social needs housing for persons with physical, sensory, or mental health disabilities, and housing for older persons, subject to the limitations imposed by servicing and environmental considerations;
 3. Priority is given to the provision of new housing, particularly in the form of housing intensification and redevelopment, where feasible, in the existing built-up sectors of the Village in a manner which is compatible and does not compromise the historic character of the Village.
2. The Village intends to review the Zoning By-law to implement the housing policies referred to above.
3. The Village intends to monitor population projections, residential land supply and the type and density of housing approved and constructed pursuant to this Plan.
4. The Village will endeavour to achieve an overall minimum affordable housing target of 25% for all new residential development. It is recognized that the target may not be achievable on a yearly basis; therefore, a five-year average shall be used to evaluate the Village's success in meeting its affordable housing objective. For the purpose of this Plan, affordable shall be defined as per the definition in the Provincial Policy Statement.
5. Council shall encourage, where feasible, infill and housing intensification in accordance with the policies of this Plan.
6. The Village may consider alternative design standards in the development of new subdivisions to accommodate affordable housing, a variety of dwelling types, and more efficient land use patterns.
7. The Village shall ensure that the Zoning By-law does not require standards which preclude the development of affordable housing, especially as it relates to house and lot sizes.
8. The Village may use incentives such as grants or loans through community improvement plans or other tools permitted by the *Planning Act* or *Municipal Act* in order to achieve the affordable housing policies in this Plan.
9. The Village may consider the use of inclusionary zoning as a tool to achieve affordable housing objectives.

7.2 Additional Residential Units

1. Additional residential units are self-contained dwelling units located within an existing dwelling or located in a detached building or structure that is accessory to a residential use. Additional residential units are considered to be an efficient and cost-effective means of increasing the

supply of affordable housing in the Village and for providing alternative living arrangements for those, by virtue of their age or a disability, that require the support of others to live on their own.

2. Subject to appropriate servicing, up to three residential units shall be permitted on a lot containing a single dwelling, semi-detached dwelling, or townhouse dwelling. A detached accessory building in relation to a foregoing residential use may contain not more than one residential unit.
3. Standards shall be established in the Zoning By-law to govern compatibility with both the main dwelling and with surrounding land uses, address matters relating to parking, as well as to ensure a secondary relationship to the main dwelling.
4. The Village may require that additional residential units be registered with the Building Department.

7.3 Group Homes

A group home is defined as a single housekeeping unit in a residential dwelling, in which three to ten residents (excluding supervisory or operating staff) live together under responsible supervision consistent with the requirements of its residents. The home shall typically be licensed or approved under provincial statute and is in compliance with municipal by-laws. This definition does not include boarding houses or lodging houses. The following policies shall apply to the establishment of group homes:

1. Group homes shall be permitted in a single-detached dwelling in any designation in which a single-detached dwelling is permitted.
2. No person shall operate, or permit to operate, a group home without registering the group home with the Village Clerk in accordance with the Village of Westport Group Home By-law, if any.

7.4 Mobile Homes

It is the intention of Council that mobile homes will not be permitted in the Village.

8 GENERAL DEVELOPMENT POLICIES

8.1 Accessory Uses

8.1.1 General

Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. The comprehensive Zoning By-law that implements this Plan shall provide zone standards applicable to the location and use of accessory structures.

Certain structures, such as docks, boathouses and other marine structures are only permitted subject to permit requirements of relevant approval authorities such as the Parks Canada, the Ministry of Natural Resources and Forestry and the Conservation Authority. Such accessory structures shall be designed and located in a manner which addresses matters such as non-interference with navigation, fish and wildlife habitat, the natural flow of the water, potential damage from water levels and ice, narrow water body constraints, access from land and water and privacy impacts associated with projecting property lines into the water. Where structures extend beyond the high water mark so that they are located partly or entirely in the beds of water bodies, they shall be constructed and maintained in accordance with the regulations and conditions of the Federal or Provincial authority having jurisdiction.

No boathouse or other marine structure shall contain a dwelling unit or any facilities for human habitation.

Where a non-residential use is permitted as a principal use by the implementing Zoning By-law, permitted accessory uses may include a dwelling which is accessory to such non-residential use, except where incompatible for reasons of public health, public safety or environmental impact.

In addition to the generality of the foregoing, the following specific policies shall apply to uses which are accessory to a principal residential use.

8.1.2 Home-Based Business

Home-based businesses are small-scale economic activities conducted on the site of a residential dwelling by the occupants. It is recognized that home-based businesses play an important function in the provision of employment opportunities to Village residents.

It is the policy of this Plan to permit home-based businesses wherever residential uses are permitted. The type and scale of home-based businesses shall be appropriately regulated in the implementing Zoning By-law to ensure that such uses are clearly ancillary to the main residential use, do not detract from the residential character of the property on which they are located, and are compatible with surrounding uses. The implementing Zoning By-law may restrict home-based businesses by regulating the maximum allowable floor area permitted for such use within a principal dwelling and/or accessory building. Traffic, parking, vehicle storage and operation may also be regulated, having particular regard to potential functional and safety impacts.

Private home daycare facilities shall be permitted as a home-based business.

8.1.3 Bed and Breakfast Establishments

Bed and breakfast establishments are small-scale temporary lodging facilities typically conducted within the operator's dwelling or accessory building. Bed and breakfasts are an important component of the Village's tourism strategy and are consistent with a low key, small-is-beautiful approach to tourism that emphasizes development that is compatible with, and complementary to, the picturesque landscapes and other natural and cultural heritage resources found throughout the Village.

A bed and breakfast establishment shall generally be permitted in land use designations that permit single-detached dwellings, provided that the physical character of such dwellings is not substantially altered. Pursuant to this policy, the implementing Zoning By-law shall define a bed and breakfast use, as distinct from a rooming or boarding house, and shall establish zone provisions which restrict the bed and breakfast use so that it is clearly an accessory use to the single dwelling.

8.1.4 Short Term Accommodations

Short term rental accommodations within residential dwellings and related accessory buildings, provide alternative forms of accommodation in addition to traditional motels, hotels and bed and breakfast establishments. Short term rentals contribute to tourism opportunities within the Village, and as such, these uses are permitted where residential uses are permitted. The implementing Zoning By-law may include provisions to regulate short term rentals in the Village. In addition to zoning provisions, the Village may consider other tools under the *Municipal Act*, such as a Licensing By-law, to implement and regulate short term rental accommodations in the Village.

8.2 Land Use Compatibility

8.2.1 General

1. It is a policy of this Plan to minimize conflicts between incompatible land uses. To this end, distance separations and buffering will be provided for the purpose of mitigating the adverse effects of one land use upon the other. A buffer may be a simple horizontal separation, a berm, a wall, a fence, planting materials, a land use different from the conflicting uses, but compatible with both, or any combination of the aforementioned sufficient to accomplish the intended purpose. This policy shall be implemented through various provisions in the implementing Zoning By-law, as well as the mechanism of Site Plan Control, as appropriate.
2. In addition, certain land uses such as residences, day care centres and educational and health facilities may be particularly sensitive to the effects of odour, noise, vibration and other emissions associated with facilities such as road transportation corridors and various classes of industries. Recommended separation distances for these classes of industries are included in the relevant Ministry of the Environment and Climate Change D-series land use compatibility guideline, as may be updated by the Province. Where proposed development is likely either to have or to be subject to a significant influence relating to an adjacent incompatible land use, a feasibility study, prepared by a qualified professional, which includes mitigation measures shall be undertaken in accordance with the relevant D-series guideline and to the satisfaction of the Village. Where required, a legally-binding commitment to implement mitigation measures shall be secured.

8.2.2 Development Adjacent to Mineral Aggregate Resource Operations

There are two licensed quarries in the Township of Rideau Lakes that are located within 500 metres of the Village's western boundary. The policy of the Village with respect to development within 500 metres of the quarry is as follows:

1. The development of sensitive land uses such as residences, day care centres, and educational and health facilities within 500 metres of the licensed boundary of the quarry shall be permitted only if it can be demonstrated to the satisfaction of the approval authority that all issues relating to public health, public safety, and environmental impacts can be addressed through setbacks or other mitigation measures without precluding or hindering the use of, or access to the resource.

Implementation of this policy shall require review of current information regarding the aggregate operations.

2. The Village may require that restrictive covenants and/or notices be registered on title as a condition of an approval of a planning application, where deemed appropriate.

8.2.3 Development Adjacent to the Village Sewage Treatment Facility

1. Sewage treatment facilities have the potential to generate impacts on the surrounding area related to such issues as air and water quality, aesthetics, and noise. The recommended separation distance between sewage treatment facilities and sensitive lands uses ranges between 100 metres and 400 metres, depending on the type of sewage treatment facility. Consequently, any proposed development of sensitive land uses such as residences, day care centres, educational and health facilities and other similar uses within the influence area of the sewage treatment facility shall be subject to the requirements of the Province's D-Series Guideline D-2, as may be updated by the Province.
2. A land use compatibility study shall be required in relation to any proposal to develop new sensitive land uses within the 400-metre influence area.
3. The implementing Zoning By-law shall include provisions to prohibit the establishment of new incompatible uses within the influence area associated with the sewage treatment facility.

8.3 Economic Policies

1. This Plan is intended to provide for land use policies that lay the foundation for supporting sustainable economic development. The Village's economic interest includes the provision of a supportive, flexible policy environment to accommodate small and medium size businesses that cater to residents and visitors alike. Council also appreciates its vital significance to the wider community such as area cottagers and year-round residents in neighbouring Rideau Lakes Township, that rely on the amenities and essential services found in Westport.
2. To achieve its economic interests, Council will undertake several measures to sustain and strengthen the Village economic base. To the extent that it can, Council will attempt to expedite planning and other approvals to facilitate development, support community improvement programs, and continue to encourage a "small is beautiful" philosophy when supporting economic enterprises. These economic enterprises include home-based businesses, bed and breakfast establishments, and smaller boutique-style businesses located in the central core, for which has historically been a major attractor for visitors to the Village.
3. Council recognizes the importance of balancing growth with the environment and the financial ability of the Village to provide services to support that growth. This philosophical direction is continued under this Plan. When considering proposed development, and particularly when considering development applications for new residential development, the Village will bear in mind the financial position of the Municipality. If required, Council may deem applications for further residential development as premature until such time as it is satisfied that it has the financial resources to continue to supply needed municipal services and community facilities. Where Council has concerns in this regard, it may request the proponents of proposed developments to undertake studies which examine these issues to Council's satisfaction.
4. From time to time, in consultation with the appropriate agencies, Council shall review any increase in municipal costs which is associated with the provision of services and which is attributed to development activity. The results of these reviews shall serve, in part, as the basis

for Council's decisions and recommendations regarding the approval of development proposals. Where appropriate, Council may impose such conditions as it regards necessary to minimize or eliminate such costs, including the adoption of a Development Charges By-law, pursuant to the provisions of the *Development Charges Act*.

8.4 Educational Facilities

1. It is the intention of the Village to work closely with the relevant school boards in determining the need and location for future educational facilities, and in integrating educational facilities with the Village's other community facilities. Where development applications could significantly affect present or future educational facilities, the school boards will be consulted.

8.5 Crown and Conservation Lands

1. Crown and conservation lands within the Village of Westport municipal boundary include those lands located north of the Westport Pond that are currently under Provincial jurisdiction and managed by the Ministry of Natural Resources and Forestry. Crown lands within the Village limits are included in this Official Plan as part of the Major Open Space designation.
2. Crown and conservation lands are of importance to the Village for their value as natural and cultural heritage resources and the Village has considerable interest in acquiring such lands to further its objectives under this Plan. Accordingly, the Village will pursue opportunities for acquiring such lands and will work collaboratively with the Province and other stakeholders in this regard.
3. Where a change to either the type or intensity of land use on crown or conservation lands is contemplated or the possibility of disposing of significant holdings of crown or conservation lands is given, the Ministry of Natural Resources and Forestry is encouraged to consult with the Village prior to such change occurring. Similarly, where development or site alteration is proposed adjacent to crown or conservation lands, the Village shall consult with the Ministry of Natural Resources and Forestry.

8.6 Parks, Trails and Recreational Facilities

1. The Village views the development of recreational trail systems as an important resource providing opportunities for active transportation, outdoor leisure and recreation, tourism, and interpretation of the natural environment. To further this objective, the Village may request the dedication of parkland or cash-in-lieu thereof as a condition of approval of planning applications, pursuant to the provisions of the *Planning Act*.
2. Public access to waterfront areas and natural amenity areas is seen as an important priority for the Village. The Village will pursue opportunities for new and improved access to such areas through land acquisition, as well as through the development and improvement of active transportation networks throughout the Village. Active transportation priorities include the development of a pedestrian sidewalk to Lions Club Beach, future nature trails around the Westport Pond to connect Westport Sand Lake and Upper Rideau Lake, as well as opportunities for improved access to the Rideau Trail and Foley Mountain Conservation Area.
3. Parks, trails and recreation facilities shall generally be permitted in all land use designations. It is the Village's intention to provide park and recreation facilities on a basis consistent with the needs of the Village and to cooperate with other public, quasi-public and private agencies in the provision of parks, trails and recreation facilities.

4. When developing, maintaining, and improving parks, trails and recreation facilities, consideration shall be given to the protection and enhancement of natural heritage and cultural heritage resources, public accessibility and compatibility with adjacent land uses.

8.7 Public and Institutional Uses

1. Except as provided elsewhere in this Plan, public utilities and other public, community, institutional, or quasi-institutional uses which provide services such as education, government, hospitals, protection to persons or property, electricity, roads, wired and wireless telephone, gas, cable, but excluding waste disposal, to the general public shall be permitted in all land use designations on Schedule A, provided that:
 1. Such use is necessary in the area, and that it can be made compatible with its surroundings;
 2. Such use shall not be permitted within the significant portion of the habitat of endangered species or threatened species or fish habitat, except in accordance with provincial and federal requirements;
 3. The development of new communications towers should be undertaken in accordance with Industry Canada's Radio Communication and Broadcasting Antenna Systems protocol, or an alternative Village-initiated protocol;
 4. The requirements of applicable legislation such as the *Environmental Assessment Act* shall be satisfied.
2. Development that includes institutional uses (including hospitals, long-term care homes, pre-schools, school nurseries, day cares and schools) or essential emergency services or the disposal or manufacture, treatment, or storage of hazardous substances shall be subject to the **Public Health and Safety Planning** section of this Plan.
3. Notwithstanding the power of Federal, Provincial and County agencies or local Boards as defined in the *Planning Act* to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development will follow the general intent of this Plan and will be compatible with the type, quality, and character of the development in the area in which is proposed.

8.8 Uses Not Contemplated by this Plan

1. It shall be a policy of this Plan that any proposed new development which would introduce a land use, different from those uses described in this Plan in terms of scale, purpose or nature, and neither envisioned nor contemplated by Council, shall be subject to detailed land use and environmental impact studies, and any other studies deemed necessary by Council. Such studies will be conducted at the proponent's expense. The intent of this policy is to place the onus on the proponent to demonstrate that the introduction of a new use into the community would not be to the detriment of the Village's economic, social, cultural, environmental and financial base, would not have an adverse impact on municipal services, and would not require additional municipal or community services.
2. In addition, Council will encourage the proponent of such a use to consult informally with the public to provide information concerning the proposed development, as well as to obtain public input, prior to the submission of a formal application.
3. Any new use not contemplated by this Plan shall only be permitted through an Official Plan amendment.

9 LAND USE DESIGNATIONS

9.1 INTRODUCTION

This Section establishes the detailed development policies for each of the land use designations identified on Schedule A. The Schedule establishes the pattern of development in very general and flexible terms by dividing the Village into five land use designations as follows:

- General Urban
- Village Core and Harbourfront
- Major Open Space
- Sewage Treatment Facility
- Rural

The policies governing the use of the lands within these designations should be read in conjunction with all other sections of the Plan. Among other matters, a number of the policies throughout this Plan must also be addressed in undertaking development or site alteration due to the existence of various on-site or adjacent area features, constraints, existing uses or land use designations.

In addition, certain Public and Institutional uses may be permitted in land use designations, in accordance with the policies of this Plan dealing with **Public and Institutional Uses**.

9.2 GENERAL URBAN

9.2.1 Intent of the Designation

The General Urban designation applies to the majority of the Village and is intended to provide flexible land use policies to accommodate a range of uses necessary to the proper functioning of the Village. While the predominant use of lands within the designation shall be for residential purposes, it is intended that a range of non-residential uses shall also be accommodated, provided that appropriate measures are taken to protect the residential amenities of the area.

In general, non-residential uses, such as highway commercial and light industrial uses, shall be encouraged to locate in clusters along the County Road 42 (Concession Street) and County Road 12 (Salem Road) gateways to the Village.

Residential uses shall generally be located along local roads, through a combination of residential infill, redevelopment and new growth in greenfield areas. An important element of the designation is that lands adjacent to the Village Core and Harbourfront designation should develop in a manner compatible with the built form and site design in the village core. In order to avoid the blurring of land uses associated with the General Urban designation and the adjoining Village Core and Harbourfront designation, lands adjacent to the Village Core and Harbourfront designation shall generally not be permitted to develop with non-residential land uses that would be more desirable in the village core. The intent of this policy is to prevent blending between the two designations, infiltration of non-residential uses into adjoining areas surrounding the Village Core and Harbourfront designation, and the inadvertent dilution of the Village's historic core.

The designation includes areas of un-serviced and partially-serviced development, including waterfront residential, non-waterfront-oriented residential, and two large properties that are notable for their rural land uses in existence at the time of adoption of this Plan. The first notable property is an existing agricultural use property on Concession Street near the eastern gateway to the Village and the second is a grape vineyard/winery located on the west side of the Village off Salem Road. The Village recognizes these

areas contain long-standing rural land uses with recreational, economic and historic importance to the Village. The intent of the Plan with respect to these areas is that existing development shall be permitted to continue, notwithstanding this Plan's overall intent that future growth and development in these areas shall be connected to municipal services as they evolve over time.

9.2.2 Permitted Uses

The General Urban designation shall permit a range of uses. A range of residential use types and densities as well as non-residential uses which are necessary and complementary to the proper functioning of the Village shall generally be permitted. These shall include home-based businesses, institutional uses such as schools, nursing homes and churches, open space uses such as parks and community centres, neighbourhood commercial uses such as convenience stores, clinics, licensed daycares and similar uses which are compatible with residential uses.

General commercial and light industrial uses shall also be permitted through the policies of this Plan. An important element of the policies for non-residential development is to encourage the clustering of these uses near major intersections and along County Road 42 (Concession Street) and County Road 12 (Salem Road) in order to achieve land use compatibility and to encourage efficient land use patterns that serve the interests of both businesses, consumers and the travelling public.

Permitted uses within the General Urban designation shall be subject to the following use-specific policies:

9.2.3 Residential Policies

1. The permitted residential uses shall include the full range of dwelling types from low density (single-detached, semi-detached and duplex) dwellings to medium density (townhouses) and higher density multiple-unit dwellings.
2. A wide range of dwelling types from low to high density development are permitted throughout the General Urban designation. For the purposes of this Plan, low density development shall not exceed 22.7 units per net hectare, medium density development shall not exceed 35 units per net hectare, and high density development shall not exceed 60 units per net hectare.
3. In order to meet varied housing requirements, and subject to water and wastewater servicing, new residential developments on land greater than 2.0 hectares in area shall be designed to provide for a mix of 70% low density residential (single and semi-detached dwellings) and 30% medium density (townhouses) or higher (stacked and apartment dwellings).
4. Residential infill and intensification shall be encouraged, provided there is sufficient reserve capacity in water and wastewater facilities.
5. Through zoning and site plan approval, where applicable, the physical character of infill or redevelopment projects may be carefully regulated to ensure their compatibility with established neighbourhoods. In this regard, the Village may require a development application for residential infill or redevelopment to demonstrate compatibility with the urban built form, architectural elements and streetscape features of the surrounding neighbourhood.
6. When reviewing applications for infill or redevelopment, consideration shall be given to the impact of the proposed development on the neighbourhood in terms of parking, traffic, and open space and tree retention.
7. Multiple dwelling developments shall be encouraged to locate near or on existing or future arterial and collector roads in order to encourage the most efficient flow of traffic and should be designed to integrate with the surrounding uses in order to maintain the appearance of the residential environment.

8. Adequate screening and/or a buffer strip shall be required where a proposed residential development abuts non-residential uses which could be incompatible.
9. Un-serviced and partially-serviced residential areas shown on Schedule A may be permitted to develop on the basis of private or partial services in accordance the **Water and Wastewater Services** section of this Plan.
10. Residential uses shall be appropriately zoned and regulated in the Zoning By-law. New medium and high density residential uses shall be permitted by an amendment to the Zoning By-law.

9.2.4 Non-Residential Policies

1. General Non-Residential Policies

1. Non-residential uses include those uses identified as general commercial, highway commercial, institutional, and industrial uses, as set out below.
2. Adequate off-street parking, including accessible parking, accessory structures, loading spaces, and other facilities shall be provided in accessible and convenient locations.
3. The outdoor storage of goods and materials will be strictly controlled. Where permitted, outdoor storage shall be adequately buffered from adjacent roads and properties.
4. Vehicular access to non-residential uses shall be carefully controlled in terms of the design and numbers of access points in order to ensure safety to all road users, including pedestrians and cyclists. Where applicable, particular regard shall be had to the needs of truck traffic.

2. General Commercial Policies

1. Commercial policies are intended to provide for a wide range and variety of locally-oriented, neighbourhood-serving commercial, including convenience and retail stores, offices, and clinics.
2. Commercial uses must be appropriate for the proposed location.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential or other sensitive land uses.
4. Commercial uses shall be appropriately zoned and regulated in the Zoning By-law. New commercial uses shall be permitted by an amendment to the Zoning By-law.

3. Highway Commercial Policies

1. A variety of highway commercial uses serving residents and the travelling public shall be permitted. Such uses include automobile sales and service uses, hardware and home improvement stores, building contractor yards, restaurants, convenience stores, retail stores, offices, hotels and motels, equipment sales and service, self storage and warehousing uses. In general, highway commercial uses shall be encouraged to concentrate in groupings along the County Roads, in the vicinity of major intersections and at gateways to the Village.
2. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where highway commercial development would abut residential or other sensitive land uses.

3. Highway Commercial uses shall be appropriately zoned and regulated in the Zoning By-law. New highway commercial uses shall be permitted by an amendment to the Zoning By-law.

4. Institutional Policies

1. Institutional uses shall include schools, museums, community centres, open space, churches and cemeteries.
2. Large-scale institutional uses shall be encouraged to locate on a County Road.
3. Institutional uses shall be appropriately zoned and regulated in the Zoning By-law. New institutional uses shall be permitted by an amendment to the Zoning By-law.

5. Industrial Policies

1. Industrial uses shall be encouraged to locate primarily within the Rural designation. Light industrial uses and uses that, due to the nature and operating requirements or would be incompatible with a pedestrian-oriented urban environment, shall be permitted to locate along the County Roads and near the outer edges of the Village. Small-scale light industrial uses may be generally permitted in the Village.
2. No industrial use shall be permitted that would create a nuisance by way of noise, illumination, odour, dust, vibration, fumes or smoke. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.
3. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where industrial development would abut residential or other sensitive land uses.
4. Industrial uses shall be appropriately zoned and regulated in the Zoning By-law. New industrial uses shall be permitted by an amendment to the Zoning By-law.
5. The establishment of any heavy industrial use shall require an amendment to the Official Plan and the Zoning By-law.

9.2.5 Special Policy Areas

(reserved)

9.3 VILLAGE CORE AND HARBOURFRONT

9.3.1 Intent of the Designation

The Village Core and Harbourfront designation applies to the historic downtown and harbour area, together with some additional, contiguous areas considered appropriate for the expansion of the downtown. The Village Core and Harbourfront designation is intended to include commercial, institutional, and public uses, as well as residential uses that are typically found in a downtown. The designation is intended to serve as the focal point of the Village's tourism, as well as provide a vibrant community core for the Village's residents and visitors alike. Accordingly, this Plan contains policies designed to maintain this area as the focal point of activity and the principal retail centre of the community.

9.3.2 Permitted Uses

The permitted uses shall include the full range of activities traditionally found in the downtown of an urban centre, including retail sales, personal and professional services, offices, lodging, restaurants, facilities for entertainment, culture and recreation, residential, open space and institutional uses. Where land within the Village Core and Harbourfront designation fronts on the Upper Rideau Lake, the permitted uses shall also include water-oriented uses such as a marina. Though not within the jurisdiction of the Village of Westport, Westport Island is anticipated to remain limited to open space use and uses accessory to the operation of a marina.

9.3.3 Policies

1. Mixed commercial/residential uses shall be encouraged to develop in the Village Core and Harbourfront designation in order to create a vibrant commercial core.
2. It is not intended that the entire Village Core and Harbourfront designation will necessarily develop in commercial uses. Rather, it is intended that the Village Core and Harbourfront area shall maintain the ability to accommodate commercial growth in the future and shall not be hindered by the oversaturation of residential uses. Accordingly, the Zoning By-law shall permit and zone a range of non-residential and residential uses, except ground-oriented residential uses, which shall be prohibited, and shall incorporate appropriate development standards to accommodate a mix of land uses. Despite the foregoing, existing ground-oriented residential uses shall continue to be permitted.
3. It is anticipated that existing residential building stock may undergo conversion to non-residential use. In order to maintain a compact pedestrian-oriented commercial area, new development beyond the Village Core and Harbourfront designation should not be permitted to infiltrate unnecessarily into adjoining areas.
4. Council shall encourage development of the harbourfront as a focal point for tourism and a vibrant community core and Council shall consider opportunities for innovative development concepts that animate, enhance and promote recreational, retail and cultural uses for the properties with frontages on both Main Street and the Upper Rideau Lake. Council may consider preparing a plan to guide the development of the harbourfront in keeping with this vision.
5. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special zoning and/or site plan requirements may be applied where commercial development would abut residential or other sensitive land uses. The outdoor storage of goods and materials will be strictly controlled.
6. The Zoning By-law will encourage a pedestrian-oriented streetscape for new commercial uses by implementing maximum front yard setbacks.
7. Council shall consider the development of a coordinated program to improve townscape features on publicly-owned lands and to support the improvement of privately-owned lands.
8. Council will examine the opportunities available for funding downtown improvement projects, including the preparation of a Community Improvement Plan, and will consider establishing priorities in the municipal capital budget specifically for downtown renewal.
9. Council will consider implementing a long-range plan for the provision of off-street municipal parking and by encouraging the private sector to provide more efficient off-street parking through consolidating existing and proposed parking lots.

10. Council shall determine an appropriate standard for private off-street parking in the Village Core and Harbourfront designation and may accept cash-in-lieu of parking where there is insufficient land to provide on-site parking as provided for under Section 40 of the *Planning Act*. Where Council accepts cash-in-lieu of parking, the money collected shall be used exclusively to provide additional public parking.
11. All new commercial uses shall be subject to Site Plan Control.

9.3.4 Special Policy Areas

(reserved)

9.4 MAJOR OPEN SPACE

9.4.1 Intent of the Designation

The Major Open Space designation has been placed on Crown lands lying generally north and northwest of the Westport Pond. The designation also includes municipal lands containing the Village's community centre and municipal park near the centre of the Village. The intent of the designation is to identify notable lands, both in terms of size and function, that contribute to the Village natural heritage and recreational amenity space value and importance.

The designation generally applies to lands that are either not readily suitable for development by virtue of their current Crown land status and/or physical characteristics, or as in the case of the municipal park, lands that are under municipal ownership and which provide essential community programming and recreational amenity functions. It is a goal of the Village to pursue the acquisition of Crown lands within the designation such that all lands within the Major Open Space designation are under the control of the Village.

9.4.2 Permitted Uses

Lands designated as Major Open Space shall generally be used for the conservation and protection of natural features and for providing major municipal recreational amenities. Such lands shall generally be kept free of buildings and structures, except for major municipal buildings such as the community centre and accessory buildings and structures which are necessary to serve the use.

9.4.3 Policies

1. The Major Open Space designation, as it relates to lands north of Westport Pond, is an essential part of the maintenance of biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems. Since all natural features possess and perform important ecological functions, the Village will promote the enhancement, restoration, or, where possible, the improvement of these natural features and their linkages between surface and groundwater features.
2. Except in relation to the municipal park and community centre land, development or site alteration such as filling, grading, and excavating shall not generally be permitted within the Major Open Space designation unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions in accordance with the **Environmental Impact Assessments** section of this Plan.

3. Where lands are under public ownership, the Village will pursue opportunities to acquire such lands as part of its interest in advancing its long-term objectives set out in the **Crown and Conservation Lands** and **Park, Trails and Recreational Facilities** sections of this Plan.
4. In advancing the Village's long-term goal for lands designated Major Open Space, future Official Plan amendments may be necessary and will be considered by the Village in accordance with the requirements of this Plan.
5. The Village may develop and implement a local municipal trails strategy to provide connections to existing and future trails on lands within the Major Open Space designation, including around the Westport Pond to connect Westport Sand Lake and Upper Rideau Lake.
6. Lands located within the Major Open Space designation shall be correspondingly zoned in the Zoning By-law that implements this Plan.

9.4.4 Special Policy Areas

(reserved)

9.5 SEWAGE TREATMENT FACILITY

9.5.1 Intent of the Designation

The intent of the Sewage Treatment Facility designation is to identify the lands associated with the Village's existing sewage treatment facility. The designation also includes additional lands necessary to accommodate future sewage treatment facility expansion. The designated lands, together with the policies of the designation, are intended to accommodate future expansion of the sewage treatment plant and to protect the adjacent lands from potential adverse impacts.

9.5.2 Permitted Uses

The sewage treatment facility lands are intended to be used for the treatment of municipal sewage and accessory municipal operations.

9.5.3 Policies

1. The Village's sewage treatment facility is operated under a Certificate of Approval from the Ministry of Environment, Conservation and Parks. The establishment of a new sewage treatment facility beyond the limits of the designation will require an amendment to the Official Plan as well as a Certificate of Approval from the Ministry of the Environment, Conservation and Parks.
2. Any sewage treatment plant expansion must be located an adequate distance from any land use susceptible to noise, odours or groundwater contamination. The requirements of the relevant Provincial D-Series Guideline, as may be updated, shall apply. To this end, a 400 m influence area has been identified on Schedule B for the separation of the sewage treatment facility from encroaching sensitive land uses.
3. The sewage treatment plant must be operated in accordance with the requirements of the *Ontario Water Resources Act* and any regulations hereunder.
4. Development adjacent to the designation will be subject to the **Land Use Compatibility** section of this Plan.
5. The Zoning By-law shall include provisions to prohibit the establishment of new incompatible uses within the recommended separation distance for sewage treatment facilities.

9.5.4 Special Policy Areas

(reserved)

9.6 RURAL

9.6.1 Intent of the Designation

The Rural designation has been applied to lands located along County Road No. 10 and 8th Concession Road that were previously annexed from the Township of Rideau Lakes. The intent of the Rural designation is to identify this large tract of land for long-term future development.

By virtue of location and proximity to the Village sewage treatment facility, these lands are also suitably located to accommodate non-residential development that requires larger lot areas for functional requirements and/or spatial separation from residential land uses.

9.6.2 Permitted Uses

Existing land uses, as well as interim land uses such as agriculture, conservation, forestry, open space and similar uses which will not preclude the long-term goal of achieving orderly, fully-serviced development will be permitted. New rural commercial and industrial uses will also be permitted provided that adequate servicing can be made available.

Permitted rural commercial and industrial uses shall be those that are oriented to the rural economy and/or which would otherwise not be suitable within the General Urban designation due to the operational nature and spatial requirements.

9.6.3 Policies

1. Industrial uses and uses that, due to the nature and operating requirements require large sites or would be incompatible with a pedestrian-oriented urban environment, may be permitted.
2. No industrial use shall be permitted that would create an unacceptable nuisance by way of noise, illumination, odour, dust, vibration, fumes or smoke. In this regard, the policies of the **Land Use Compatibility** section of this Plan shall apply.
3. When reviewing development proposals for commercial and industrial development, particular regard shall be given to ensuring the orderly and efficient use of land so as to not preclude opportunities for future long-term development potential within the designation.
4. Through the means of the Zoning By-law and Site Plan Control, regard shall be had to aesthetic, functional, safety, and land use compatibility considerations. Special zoning and/or site plan requirements shall be applied.
5. Outdoor storage areas shall be adequately buffered from adjacent roads and properties.
6. Vehicular access shall be carefully controlled in terms of the design and numbers of access points in order to ensure safety to all road users, including pedestrians and cyclists. Where applicable, particular regard shall be had to the needs of truck traffic.
7. Rural commercial and industrial uses shall be permitted by an amendment to the Zoning By-law.

9.6.4 Special Policy Areas

(reserved)

10 IMPLEMENTATION AND ADMINISTRATION

10.1 INTRODUCTION

This Official Plan shall be implemented by means of the powers conferred upon the Council by the *Planning Act*, the *Municipal Act* and such other statutes as may be applicable. In particular, this Plan shall be implemented through land division processes, Zoning By-laws, Site Plan Control, legislation pursuant to the *Municipal Act*, the construction of Public Works and a Capital Works Program.

10.2 LAND DIVISION

10.2.1 Introduction

The United Counties of Leeds and Grenville is the approval authority for all land division within the Village. The division of land by the consent process is generally intended for the creation of not more than three (3) new lots and for situations not related to the creation of new lots such as lot line adjustments and the creation of easements. Except in circumstances specifically contemplated in this Plan, where the division of land results in the creation of more than three (3) new lots, development will generally proceed by plan of subdivision.

10.2.2 General Policies

1. It is a policy of this Plan that Council only recommend the approval of a plan of subdivision, plan of condominium or consent which complies with the technical requirements of the *Planning Act*, the *Condominium Act* and the policies of this Plan.
2. The frontage, size and shape of any lot created shall be appropriate for the proposed use and conform to the provisions of the Zoning By-law. Where a lot is to be serviced by private services, such lots shall generally have a minimum lot area of 0.4 ha and shall be supported by a hydrogeological assessment and terrain analysis, in accordance with the **Water and Wastewater Services** section of this Plan. A larger lot size may be required depending upon the nature of the use, the topography, servicing considerations, and/or other development constraints.
3. No land division shall result in the landlocking of any parcel of land. Further, no land division shall result in a situation where a lot would have unusually limited road frontage relative to its width or area, such that the existing or potential ability to use the lot in an appropriate fashion is significantly undermined by such limited road frontage.
4. No land division shall be permitted where safe vehicular access from the proposed lot to the adjacent road cannot be provided due to conditions such as limited sight lines, traffic volumes, grades or proximity to intersections, in accordance with the policies of the **Transportation** section of this Plan.
5. No land division shall create a financial burden on the Village with respect to the provision of municipal services or facilities, as set out in the **Economic Policies** section of this Plan.
6. All land division shall meet the requirements of this Plan for the dedication of parkland or cash-in-lieu thereof, as set out in the **Parks, Trails and Recreational Facilities** section of this Plan.
7. All land division shall address land use separation and compatibility concerns, as set out in the **Land Use Compatibility** section of this Plan.
8. All land division applications shall comply with the policies of the **Growth Management Planning, Infrastructure Planning, Environmental Planning, Public Health and Safety**

Planning, Cultural Heritage and Archaeological Resource Planning, and General Development Policies sections of this Plan.

9. Road widening dedications may be requested by the Counties or Village as a condition of the approval of any land division application.
10. The preservation of existing vegetation and in particular, mature trees, may be a condition of approval of any land division application.

10.2.3 Consent Policies

1. Consents should serve to infill existing built-up areas where full municipal services are available. Consents will be discouraged in areas where lot creation would indiscriminately extend the built-up urban area.
2. Consents should not require the creation of new road and should generally only be granted in areas where the extension of municipal services is not required.
3. Where a land holding is served by full municipal services, there shall be no maximum to the number of lots that may be created by severance, provided that it has been deemed that a plan of subdivision is not necessary.

Where full municipal services are not available, one (1) lot shall be created from a landholding as it existed on the date of adoption of this Plan provided that both the severed and retained parcels have sufficient lot area to provide on-site services.

4. All lots, including the remnant parcel, shall front onto an existing maintained public road, except where access to a public street can be secured to the satisfaction of the Village through easements and legal agreements or through a plan of condominium process.

10.2.4 Subdivision and Condominium Policies

1. Access to a proposed plan of subdivision shall be from a maintained public road, built to an adequate standard to accommodate the additional traffic requirements. Where, in the opinion of the Village or approval authority, such public road access is not adequate, upgrading of the road shall be a condition for final approval of the plan of subdivision.
2. Access to individual lots in a plan of subdivision shall be by internal public roads, built to Village standards. Where design considerations necessitate it, limited direct lot access to an existing public road abutting the subdivision may be granted.
3. The road layout in a plan of subdivision shall avoid cul-de-sacs, where possible, and provide opportunities for future road connections to abutting lands, where requested by the Village.
4. In reviewing parkland dedication requirements for plans of subdivision, preference shall be given for parklands which provide connections to existing public parks, trails, bikeways and other recreational facilities, as well as to water bodies, where applicable.
5. The approval authority may apply lapsing provisions to any draft plan of subdivision, pursuant to the provisions of the *Planning Act*.
6. The approval authority may include provisions for the phasing of development within a plan of subdivision to ensure that it proceeds in an orderly, cost-efficient pattern.
7. All subdivision developers shall be required to enter into a subdivision agreement with the Village before final approval of the subdivision is recommended by Council.

10.3 DEEMING PLANS OF SUBDIVISION

1. Under the authority of the *Planning Act*, the Village may pass a deeming by-law which has the effect of declaring part or all of a plan of subdivision not to be registered for conveyance purposes, provided that the subdivision is a registered plan within the meaning of the *Planning Act* and that it has been registered for a period of eight or more years.

10.4 SITE PLAN CONTROL

1. Site Plan Control is a site design and approval process intended to be used in cases where the type of development proposed or the characteristics of the particular site require a more detailed level of attention to, and control over, the siting of buildings, structures, facilities and other features than would be possible or practical through the mechanism of a Zoning By-law.
2. It is the intention of the Village to use Site Plan Control as a planning tool complementary to the Zoning By-law to ensure that:
 1. Proposed buildings and structures are well sited vis-à-vis adjacent land uses;
 2. Design details, such as accessory buildings and structures, lighting, walkways, parking, loading, waste facilities, grading, drainage, landscaping materials, fencing, etc., are adequate for the uses proposed, in terms of functional, safety and aesthetic considerations;
 3. Where possible, shared driveway access and connectivity between sites is achieved;
 4. Development occurs with minimal impact on natural and cultural heritage resources, particularly where proposed in immediate proximity to water bodies or on or adjacent to properties with cultural heritage significance;
 5. Detailed policies of this Plan can be properly implemented;
 6. Development is undertaken and maintained as approved by the Village;
 7. Development approvals incorporate risk management measures to protect surface water and groundwater resources.
3. The Village may control the design and details of development proposals through the use of a Site Plan Control By-law. The entire Village of Westport shall be considered a proposed Site Plan Control Area except that certain types of development such as the following may be exempt from Site Plan Control:
 1. Public infrastructure uses including pipelines, telecommunications, electricity generation facilities and transmission and distribution systems, transportation corridors and facilities;
 2. Single-detached, semi-detached and duplex dwellings and buildings or structures accessory thereto, in cases where no development or site alteration is proposed adjacent to a water body;
 3. Minor additions or alterations to existing buildings and structures.
4. In imposing Site Plan Control, floor plan, elevation and cross-section drawings may be required for any development, as determined by the Village.
5. In processing Site Plan Control applications, the Village will consult with various public bodies, including the Rideau Valley Conservation Authority, as appropriate. Without limiting the generality of the foregoing, the Conservation Authority shall be circulated all Site Plan Control applications for waterfront properties.

6. As a condition of the approval of a site plan, the Counties or Village may require the dedication of land for public road widening purposes.
7. The Village may enter into Site Plan Control agreements with the owners of lands for which site plans have been approved and register such agreements on the title of the lands to which they apply.

10.5 SITE PLANNING AND DESIGN GUIDELINES

1. A comprehensive Zoning By-law is a major tool in the implementation of an Official Plan and sets many quantitative-type performance standards that are important in achieving the Village's development objectives. It is also recognized that site planning and architectural design are important and complementary components in a successful Official Plan implementation strategy. It is primarily through meticulous attention to site planning and architectural elements that qualitative matters related to development are addressed.
2. In recognition of the importance of good site planning and in order to ensure that Site Plan Control applications adequately address the technical requirements and design objectives of the Village, site plan application guidelines may be developed. These guidelines would be used as a tool by both applicants and approval authorities for the preparation and processing of applications, respectively. The guidelines would address various functional, safety, aesthetic and other issues relevant to the appropriate development of various land uses.
3. In addition to developing site plan guidelines, the Village may prepare urban design guidelines for specific areas of the Village such as the Village Core and Harbourfront area.

10.6 ZONING BY-LAWS AND HOLDING PROVISIONS

10.6.1 General

It is intended that a comprehensive Zoning By-law to implement this Plan shall be prepared and adopted in accordance with the provisions of the *Planning Act*. Such by-law shall contain land use zones in accordance with the policies contained within this Plan and will establish regulations to control the use of land and the character, location, and use of buildings and structures. In accordance with the *Planning Act*, Council shall amend the Zoning By-law no later than three years after any comprehensive update to this Plan that comes into effect.

10.6.2 Holding Zones

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

1. It is the intention of Council to place certain lands within a Holding category in the Zoning By-law when the principle of development has been established, in order to:
 1. Delay the development of lands until any necessary municipal infrastructure become available;
 2. Affect the phasing and/or proper design of large-scale residential, commercial, or industrial development;
 3. Ensure that proper financial and other agreements are in place; and/or

4. Delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council.
2. Lands which are subject to Holding provisions shall be identified in the Zoning By-law by an “h” symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land and shall be subject to the following policies:
 1. Lands which are shown to be in a Holding category shall generally be restricted to existing uses;
 2. New development proposed on land zoned in a Holding category shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending by-law.
3. An application for removal of the Holding symbol shall be reviewed by Council in consideration of the following:
 1. That the proposed use is in conformity with the requirements of the Zoning By-law;
 2. That the required municipal infrastructure is available or will soon be available;
 3. That the financial and other requirements of the Village have been fulfilled;
 4. That the phasing and design of the proposed development is to Council's satisfaction; and/or
 5. That any development constraints which have been identified can be overcome to the satisfaction of Council.

10.6.3 Interim Control By-laws

1. Council may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the Village and in accordance with the provisions of Section 38 of the *Planning Act* in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by Council. Any Interim Control By-law approved by Council shall initially be in effect for a period of up to one year from the date of passing of the by-law but may be extended for a maximum of one additional year.

10.6.4 Temporary Use By-laws

1. Pursuant to Section 39 of the *Planning Act*, Council may authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the Zoning By-law. The temporary use may be initially authorized for a period of time up to three years from the date of the passing of the by-law, except in the case of garden suites which may be authorized for up to twenty years. A Temporary Use By-law may be extended by by-law for further periods of not more than three years each. Upon the expiry of a Temporary Use By-law, the use authorized by the by-law shall cease, unless extended by by-law.
2. Where deemed appropriate by Council, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the by-law.

10.6.5 Conditional Zoning

1. Conditional Zoning is a tool that may be utilized to impose conditions on the use of lands or the erection of buildings or structures. Conditional Zoning is intended to allow a more flexible zoning

process and provides the Village with the authority to secure conditions in agreements that may be registered on title and enforced against both current and future owners of the lands.

2. When regulations have been enacted by the Province to authorize the use of Conditional Zoning By-laws in accordance with the *Planning Act*, the Village may, in a Zoning By-law, permit the use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions on the use, erection or location.
3. Prior to the enactment of a Zoning By-law under the Conditional Zoning policies of this Plan, the Village may require the owner to enter into one or more legal agreements to be registered on title against the lands to which it applies, dealing with the said conditions and matters related to implementation.

10.7 COMMUNITY PLANNING PERMIT BY-LAWS

Council may designate any or all lands within the Village of Westport to be subject to a Community Planning Permit By-law. The Community Planning Permit approval framework combines existing systems of zoning, site plan control and minor variance into one consolidated approval or permitting system.

Community Planning Permit By-laws shall contain provisions for new development, infill and construction consistent with Official Plan objectives, designations and policies. The Community Planning Permit system differs from traditional land use regulations by allowing discretionary uses, conditional approvals, and variations to standard requirements, control of exterior design elements and removal of vegetation. This provides staff and Council with flexibility within the context of the By-law to review development proposals and to provide approvals without further site-specific amendments to the By-law.

The Community Planning Permit By-Law shall clearly articulate and establish development and design requirements, provisions and standards which must be demonstrated to the satisfaction of the Village prior to the granting of any approval. The Community Planning Permit By-Law will generally provide for a streamlined approach to the review and approval of development applications and allow for flexibility within a clearly articulated context. The Community Planning Permit By-law shall establish specific designations on the basis of such matters as consistency and compatibility of land uses, neighborhood characteristics and architectural and functional design and compatibility.

10.8 COMMITTEE OF ADJUSTMENT

1. A Committee of Adjustment has been appointed to consider applications for relief from any Zoning By-law implementing this Plan. The Committee will be guided by Section 44 of the *Planning Act*, and by the rules of procedure and regulations issued from time to time by the Minister of Municipal Affairs.
2. Where existing or proposed uses that conform to the use provisions of the Zoning By-law implementing this Plan are non-conforming with respect to performance standards, the Committee of Adjustment may authorize minor variances from the provisions of the implementing Zoning By-law provided that the general intent and purpose of the Official Plan and Zoning By-law are maintained and that the variances are minor and desirable for the appropriate development of the lands. The Village may, by by-law, establish additional criteria to be considered in the review of minor variance applications.
3. While the Village supports initiatives by property owners to replace non-conforming uses with uses that conform to the Zoning By-law that implements this Plan, it is recognized that Section 34(9) of the *Planning Act* affords non-conforming uses certain rights to continue. In addition, the

Village recognizes that it may be desirable to permit changes or extensions to non-conforming uses or extensions in order to avoid unnecessary hardship.

4. Applications for changes to non-conforming uses or enlargements or extensions to such uses shall only be considered where the use was legally-established prior to the adoption of the Zoning By-law which rendered it non-conforming, the use has been continuous in nature since the use's establishment and the use is located on lands owned and used in connection with the use on the day the Zoning By-law was passed.

10.9 COMMUNITY IMPROVEMENT

1. It is Council's goal to maintain, rehabilitate and upgrade the physical environment in order to enhance the Village as an attractive place in which to live and work, as well as visit as a tourist or business traveler.
2. In order to achieve this goal, it is Council's intention to implement a program of community improvements, as defined in the *Planning Act*, which will fulfill the following objectives.
 1. Establishing and maintaining the physical infrastructure which is necessary and appropriate for the various areas and land uses, including storm drainage, roads, lighting, community facilities, etc.
 2. Encouraging property owners to take pride in the appearance of their own property and Village lands in general;
 3. Encouraging tree-planting initiatives for aesthetic, environmental, solar protection and other benefits;
 4. Promoting the remediation of industrial, commercial and institutional land uses that are contaminated;
 5. Supporting and encouraging the preservation, rehabilitation, and enhancement of cultural heritage features;
 6. Fostering the improvement of business and public spaces to remove barriers which may restrict accessibility.
 7. Ensuring the maintenance of the existing housing stock and encouraging the rehabilitation, renovation and repair of older dwellings;
 8. Maintaining an attractive community with the necessary physical attributes to create pleasant, easily accessible local service areas;
 9. Providing incentives to foster a healthy local economy for area businesses;
 10. Ensuring that proposed changes (additions, alterations, etc.) to existing businesses enhance the area and are compatible with adjacent land uses;
 11. Encouraging the participation of the private sector in community improvement initiatives by involving local merchants, businesspersons, residents, and civic leaders;
 12. Ensuring that the undertaking of specific community improvement projects does not unduly burden the financial capability of the Village; and
 13. Ensuring that when undertaking community improvement projects due regard is given to compatibility with neighbouring land uses.

3. This Plan designates the entire Village of Westport as a Community Improvement Policy Area. Council will undertake various improvement programs throughout the Village, as financial resources permit and as local support of residents and the business community dictate.
4. Council may establish community improvement project areas, as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis.
5. In order to achieve the objectives for community improvement, Council intends to use a variety of implementation techniques and to choose the appropriate technique(s) for each improvement initiative. Such techniques may include, but are not limited to, the following:
 1. Preparation and adoption of community improvement plans;
 2. Designation of community improvement project areas by by-law;
 3. Application to the appropriate government agencies for funds to support the Village's programs;
 4. Municipal acquisition of land within the community improvement project area(s) and the clearing, grading or preparing of the land for community improvement;
 5. Enforcement of by-laws dealing with property maintenance and enforcing the Village's policies for property maintenance and occupancy;
 6. Preparation and adoption of an appropriate comprehensive Zoning By-law;
 7. Encouraging private sector rehabilitation by providing residents and the business community with information on available government subsidies and programs;
 8. Providing the framework for more flexible planning decisions by establishing zoning regulations which encourage both residential and commercial infill and a broad range of land uses within the Village;
 9. Utilization of financial tools to encourage the remediation of contaminated former industrial, commercial and institutional lands, as contemplated in the *Brownfields Statute Law Amendment Act*; and
 10. Designation of properties under the *Ontario Heritage Act*.

10.10 PLANNING APPLICATIONS – REQUIRED INFORMATION AND MATERIALS

1. In addition to the information and materials required pursuant to the *Planning Act* and associated O. Regs, and any other legislation, as amended, the Village may require development proponents to provide additional information to accompany applications as part of a complete application. Notwithstanding the generality, additional studies and materials may be required for Official Plan amendment, Zoning By-law amendment, Minor Variance, Site Plan Control, consent, subdivision, and condominium applications.
2. The number and scope of studies and assessments to be required for the submission of a complete application shall be appropriate and in keeping with the scope and complexity of the application.
3. The additional information that may be required in support of an application includes, but is not limited, to the following:
 - Aggregate Studies

- Archaeological Assessment
- Boat Capacity Study
- Contaminated Site Assessment
- Cultural Heritage Assessment
- Environmental Impact Assessment/Study
- Environmental Site Assessment
- Erosion and/or Sedimentation Plan
- Floodplain Analysis
- Geotechnical Report
- Grading and Drainage Plan
- Groundwater Impact Assessment
- Heritage Impact Assessment
- Hydrogeological Assessment
- Lake Capacity Assessment
- Landscaping Plan
- Land Use Compatibility Assessment
- Minimum Distance Separation (MDS) Calculations
- Noise/Vibration/Blast Study
- Parking Study
- Planning Rationale
- Record of Site Condition
- Risk Reduction Plan
- Servicing Options Report
- Slope Stability Analysis
- Species At Risk Assessment
- Stormwater Management Plan
- Surface Water Impact Assessment
- Terrain Analysis
- Traffic Impact Assessment
- Tree Conservation and Protection Plan
- Visual Impact Assessment
- Other information or studies relevant to the development of lands impacted by the proposed development approval application.

4. The Village may require any of the required studies to be peer-reviewed on behalf of the Village, at the sole expense of the proponent.
5. The Village strongly encourages pre-consultation with the Village prior to submitting planning applications. Failure to do so may result in the application being deemed incomplete in accordance with the *Planning Act*.

10.11 PUBLIC PARTICIPATION AND PUBLIC NOTICE PROCEDURES

1. Council shall make planning documents specified in the *Planning Act* such as the Official Plan and Zoning By-law available to the public to foster a greater awareness and knowledge of planning matters. Where amendments to these documents are made, Council shall endeavour to ensure that up-to-date consolidations of the amended documents are made available.
2. Council shall, as a minimum, follow the requirements of the *Planning Act* as they apply to public notification and participation in relation to such matters as Official Plans, Community Improvement Plans, Zoning By-laws, amendments to the said Plans and By-laws, Plans of Subdivision and Plans of Condominium.
3. In order to facilitate public participation, Council will employ appropriate methods at varying stages of the decision-making process such as, but not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with community, ratepayer or business associations, and posting affected properties with information signs.

10.12 PUBLIC WORKS AND CAPITAL WORKS PROGRAM

1. The implementation of the policies of this Plan which require the provision of municipal facilities and services will involve the Village directly in the financing of such projects, as resources permit. Project areas may include activities such as the development of park and recreational facilities, the upgrading of roads and sidewalks, the improvement of intersections and the enhancement of drainage facilities.
2. It is intended that Council, on the basis of the policies of this Plan dealing with municipal facilities, will establish a priority list for the implementation of these projects with estimates of cost (land acquisition, construction and maintenance costs wherever possible). A five-year capital works program will then be developed which the Council should carry out systematically.
3. It is intended that the program will be reviewed annually as part of the capital budget procedure.

10.13 MAINTENANCE AND OCCUPANCY BY-LAW

1. It is the policy of Council to encourage the maintenance of the Village as a pleasant environment in which to live, work or visit. Continued maintenance of property is essential to the welfare of the Village.
2. It is the intention of the Village to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of by-laws specifying standards for all properties within the Village for property maintenance and occupancy under Section 15.1 of the *Building Code Act* and/or under the *Municipal Act*.
3. Council will endeavour to support further property maintenance and safe occupancy by:

1. Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
2. Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance;
3. Maintaining municipally-owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.
4. Upon adopting a maintenance and occupancy by-law, Council will appoint a Property Standards or Property Officer who will be responsible for administering and enforcing the by-law.
5. Council may appoint a Property Standards or Property Committee for the purpose of hearing appeals against an order of the Property Standards or Property Officer.
6. The by-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.
7. The maintenance and occupancy by-law may prescribe standards for the following matters and any others that may be considered necessary:
 1. The keeping of yards, vacant lands, parks, waterfront areas, laneways and passageways, free from debris, rubbish, weeds, abandoned or derelict vehicles, trailers, boats, barges, mechanical equipment or similar material;
 2. The adequacy of sanitation control, including garbage disposal, sewage and drainage;
 3. The maintenance of parking and storage areas;
 4. The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep;
 5. The maintenance of fences, swimming pools, accessory buildings and signs;
 6. The establishment of occupancy standards including pest prevention, adequacy of food preparation facilities, access, ventilation, maximum number of persons per dwelling unit, minimum floor spaces and room heights; and
 7. The maintenance of character-defining attributes for properties designated under the *Ontario Heritage Act*.

10.14 THE MUNICIPAL ACT

The *Municipal Act* provides significant opportunities for the Village in relation to regulatory control over a range of matters and interests. These include various land uses, signs, trees, site alteration, economic development and a wide range of other matters of relevance to planning. Where necessary and desirable, the Village shall amend existing By-laws or pass new By-laws as may be required to ensure such matters are properly regulated and controlled.

10.15 OFFICIAL PLAN AMENDMENTS

From time to time, changing conditions may require that this Plan be amended. Such amendments, whether municipally-initiated or proponent-initiated, shall be prepared and adopted by Council in accordance with the requirements of the *Planning Act* and its associated Regulations. When Council

adopts such an amendment, a corresponding Zoning By-law amendment shall also be adopted, as required, so that the Zoning By-law remains in conformity with the Official Plan.

11 INTERPRETATION

1. It is intended that the boundaries of the land use designations and development constraints shown on Schedules A and B, respectively, be considered as approximate and absolute only where bounded by roads, watercourse or other similar geographical barriers. It is recognized that the Schedules are subject to the typical and inherent inaccuracies associated with base mapping sources and digitized assessment parcel information. Accordingly, amendments to the Official Plan will not be required in order to make minor adjustments to the parcel fabric, physical features or approximate land use boundaries shown on the Schedules, provided that such adjustments do not, in the Village's opinion, compromise the intent of the Plan.
2. Typographical, grammatical and formatting modifications to this Plan may be undertaken without an Official Plan amendment, provided that such modifications do not, in the opinion of the Village, affect the intent of the Plan.
3. Private roads and unopened road allowances have been identified on the Schedules for information purposes. In the event that a private road or unopened road allowance has incorrectly been identified as a public or open public road, this shall not signal an intention by the Village to change the status of the road, nor shall any amendment to the Plan be required to make a correction.
4. It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.
5. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the *2020 Provincial Policy Statement* shall be used as a guide to interpretation.
6. Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.
7. Where any Provincial Ministries or agencies are referred to in this Plan, such references shall be considered current at the date of adoption of this Official Plan. Amendments to the Plan will not be required to amend Ministry references as a result of changes in the planning and application review processes in the Province of Ontario, as may be required from time to time.