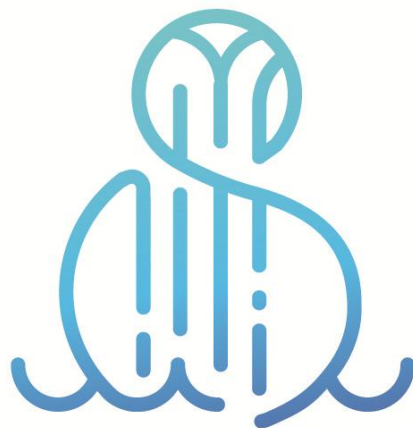




**SMITHS FALLS**

**RISE AT THE FALLS**



**Official Plan**

**2051**

77 Beckwith St. N.

Smiths Falls, Ontario

K7A 2B8

*Draft for Public Release, August 2026*

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# Smiths Falls

## Official Plan 2051

### Section 1 Overview

#### 1.1 Land Acknowledgement

The Town of Smiths Falls acknowledges that it is located on the traditional unceded territory of the Algonquin Anishinaabe Nation. We recognize the long history of this traditional territory, including the planning that has been happening on these lands by Indigenous peoples, long predating its settlement by Europeans. The Town of Smiths Falls, as part of its commitment to reconciliation, seeks to build and maintain respectful relations with the Algonquin Anishinaabe Nation, other First Nations, and Indigenous peoples and organizations in the community.

#### 1.2 Role Of The Official Plan

The Town of Smiths Falls is a growing and vibrant community in Eastern Ontario, located 1 hour from both Ottawa and Kingston. As of 2025, the Town had 9,500 residents, and is actively preparing for more as we anticipate growing into the future. Smiths Falls' natural features, recreational amenities, welcoming spirit, and proximity to major population centres via Highway 401 make it highly desirable to residents and visitors alike.

This document, known as the ***“Official Plan for the Corporation of the Town of Smiths Falls”*** (the Plan) applies to the whole of the Town of Smiths Falls. It was prepared in accordance with the *Planning Act*, which provides municipalities with a set of requirements to follow when preparing an Official Plan.

The Town's previous Official Plan was approved in 2014. Since this time, there have been numerous policy updates, including to the *Planning Act* and the adoption of the 2024 Provincial Planning Statement. This Official Plan provides a vision for the future growth within the Town and a policy framework for regulating the development and use of land for a period of 25 years, i.e. until the year 2051.

The Plan aligns with the policies in the 2024 Provincial Planning Statement (PPS), emphasizing efficient use of land, the provision of housing, and environmental protection. Smiths Falls is a 'single-tier municipality' which means it does not form part of an upper-tier municipality. As legislative and planning policies evolve, the Official Plan will be amended to stay consistent with existing regulations.

The Official Plan will be reviewed and may be updated periodically to ensure it stays current and meets the changing needs of the Smiths Falls community. In accordance with the requirements

of the *Planning Act*, the Official Plan will be revised, as required, every five (5) years. The Plan may be amended by the Town, at any time to reflect changing circumstances or new priorities. The main implementing tool, the Zoning By-law, will be updated within three (3) years of each Official Plan update to ensure that it conforms to the Plan.

The role of the Official Plan is to provide a policy-led planning tool to ensure appropriate development, to direct physical changes that protect public health and safety, and to encourage protection of the natural and built environment. It is an expression of the Town's vision for the future of Smiths Falls. The Plan recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning and is a living document, providing policy guidance and a land use vision as the Town grows and develops.

The Town has applied an equity lens to this Official Plan as a means of working to ensure that planning decisions identify and address systemic inequities. The Town seeks to ensure that all individuals, particularly those from marginalized communities, have equal access to opportunities and resources, and that planning-related decisions in areas that disproportionately impact these groups, including decisions related to land use and climate change, thoroughly consider how they may affect *vulnerable* populations.

### **1.3 Use Of The Official Plan**

The Town's Official Plan is intended for use by all members of the community, including residents, businesses, developers, and decision-makers. The Plan is organized by theme to allow users to find topics or sections that interest them and to quickly review policies; however, users should realize that the policies throughout the Plan need to be examined comprehensively. It must be interpreted in its entirety, and relevant policies, maps, and figures must be applied to each situation.

The Plan consists of text and schedules. All text is to be considered part of the Plan, including sections that are not numbered as individual objectives or policies.

Boundaries for land use designations, designated transportation corridors as well as references to quantities, proportions, and dates are deemed to be definitive, except where they coincide with natural features. The boundaries of natural features will be delineated in accordance with the Natural Heritage Features and Areas policies of this Plan.

Where lands are dually designated, meaning that two separate designations are applied to the lands, it is the intent of this Plan that only the land uses contemplated in the applicable designation shall be permitted.

Policies in this Plan that use the words "will" and "shall" express a mandatory course of action. Where the word "should" is used, the Town may consider suitable alternative approaches to

meet the intent of the policy. Where the words “encourage”, or “may” are used, it indicates that the Town requires that consideration be given to the policy, but not necessarily compliance in all instances. The words “promote” or “support” mean that actions will be taken to advocate for and/or achieve a desired result.

This Plan uses words or terms defined in the 2024 Provincial Planning Statement, which are italicized throughout this document. These definitions shall apply in the interpretation of the policies of this Plan and their application to development proposals and planning applications. Where any doubt exists with respect to the intended meaning of any word or phrase used in this Plan, the 2024 Provincial Planning Statement, or any subsequent Provincial Planning Statement issued under Section 3 of the *Planning Act*, shall be used as a guide to interpretation. Where a definition is required for clarification of a term used in this Official Plan that is not defined in the PPS, the definition found in the Zoning By-law shall be used for interpretation. Absent a definition in the PPS or Zoning By-law, clarification may be provided in writing by the Manager of Development Services.

#### **1.4 Structure Of The Official Plan**

The Smiths Falls Official Plan 2051 is divided into sections that address different aspects of the Town’s life. Within each section, policies are set forth to provide guidance to the Town on a wide range of topics related to land use, transportation, and the delivery of municipal services. The Official Plan sections are:

**Section 1 – Overview** (this section) explains the role and structure of the Official Plan and the political and administrative framework within which land use planning is carried out in Ontario.

**Section 2 – Our Vision and Strategic Directions** outlines the vision for the Town of Smiths Falls in 2025, as well as the strategic directions that guided the development and organization of this Official Plan.

**Section 3 – Thriving Community** sets forth policies for topics that have an impact upon the Town as a whole, shaping its image and role in the region. Topics addressed in this section include economic development, fiscal sustainability, and *infrastructure*.

**Section 4 – Natural Environment** sets forth goals and policies for topics related to the Town’s continuing commitment to Environmental Leadership. It is organized into four categories:

1. Natural Heritage Features and Areas;
2. Water Resources;

3. Measurable Environmental Sustainability; and,
4. Natural and Human Made Hazards.

**Section 5: Cultural Heritage** contains policies focused on conserving heritage resources, which include *built heritage resources*, *cultural heritage landscapes*, and archaeological sites, amongst others.

**Section 6 - Quality of Life** sets forth policies that directly affect the quality of life of the Town's residents, including the look and feel of Smiths Falls and the quality of the municipal services provided by the Town. Specific topics in this section include *intensification* targets, the Rideau Canal National Historic Site and UNESCO World Heritage Site, land use compatibility, *affordable* housing, and municipal services.

**Section 7 - Land Use and Transportation** describes the Land Use/Transportation components of the Plan and outlines the planned land uses for the designations depicted on

**Schedule 'A' – Land Use Plan**, and the road hierarchy depicted on

**Schedule 'B' – Transportation Network**. The appropriate land uses and form of development are described for each land use designation and roadway type. This section also establishes land use and transportation policies to implement **Schedule 'A' – Land Use Plan** and **Schedule 'B' – Transportation Network**.

**Section 8 - Implementing the Plan** includes policies to guide use of the Plan for the ongoing land use decision making process and development of related Town policies, and contains policies for public and Indigenous involvement in engagement and consultation.

## 1.5 History

The Town of Smiths Falls is situated on traditional Algonquin territory, people who have called this land home since time immemorial. Indigenous peoples continue to call this land, and the Town of Smiths Falls, home, and have seen the area undergo countless changes.

Since the arrival of Europeans, the Town has gone from a small settlement in 1826 to having a population of approximately 9,500 people in 2025. Throughout this period, there have been a number of major changes that have had an influence on population and employment, including the Rideau Canal, the Town's role as a Railway transportation corridor, the opening and operation of the institutional facility that was known as the Rideau Regional Centre, the opening and eventual closure of the Hershey Chocolate factory, and the opening and downsizing of Canopy Growth Corporation.

Due to an aging population, a series of setbacks to the Town's economic development, and growth in residential development in the surrounding rural municipalities, the Town was

experiencing population decline throughout the 2010s, but has seen the population increase since the 2021 Census.

As a result of the Town's proactive and forward-thinking approach, there has been fairly constant yet moderate growth in residential development. This primarily reflects the aging population with its corresponding decrease in household size. The creation of new employment in innovative industries has assisted in the attraction and retention of young people within the community.

## **1.6 Indigenous Relationships**

Smiths Falls is committed to maintaining a strong partnership with Indigenous peoples, including local Indigenous communities, Aboriginal Rights Holders, and Indigenous organizations in town. We seek to, through a respectful working relationship, better incorporate Indigenous values and understanding of the Smiths Falls landscape into planning and development projects.

### **1.6.1 Rights and Interests**

This Plan acknowledges that Indigenous and treaty rights are recognized and affirmed in Section 35(1) of the *Constitution Act 1982* and are also the foundation to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which the Federal and Provincial governments are still working to implement. The Town of Smiths Falls understands that respecting Indigenous and Treaty rights is necessary to living harmoniously and to support the right to self-determination and Free, Prior and Informed Consent (FPIC) as identified in in section 32.2 of UNDRIP.

This Plan will seek opportunities to support the health, well-being, *self-determination*, and safety of Indigenous Peoples in matters that affect their rights and interests within the boundaries of the Town of Smiths Falls. The Town will engage with Indigenous rights holders with regard to land use planning affecting any of the following matters:

- Protection of water quality and use of lakes and rivers;
- Any development that would have an impact on navigable waterways and their waterbeds;
- Any archaeological studies and/or environmental impact study related to proposed development where areas of Algonquin interest have been identified; and/or,
- Indigenous women and girls' safety and protection.

This Plan will further seek to support the following:

- Capacity building and participation in land use decision-making processes;
- Engagement on economic opportunities that may be of interest to local First Nations; and,

- Restoring, maintaining, and improving Indigenous connections to the land.

### **1.6.2 Relationship Building**

Decisions made in the town have an impact beyond the borders of Smiths Falls, particularly when it comes to the natural environment. With this in mind, it is the Town's intention to continue its relationship building efforts and make use of approaches that account for the needs of nearby Indigenous communities when undertaking planning activities. Emphasizing interconnectedness, the Town will focus on supporting its relationships with Indigenous communities by fostering partnership, communication, education, and capacity building.

## **1.7 Municipal Relationships**

The Town of Smiths Falls seeks to maintain positive relationships with municipal neighbours, with whom many services are shared. These municipalities include the Township of Montague, the Township of Drummond/North Elmsley, Rideau Lakes Township, and the Village of Merrickville-Wolford. Residents of these municipalities use services such as the Smiths Falls Public Library, recreation programs and facilities, commute through the Town, and more.

To ensure relationships with these townships stay positive, the Town will continue to communicate with nearby municipalities on planning matters, and, where appropriate, design opportunities for non-residents to provide feedback on development that may impact them.

The Town will also continue to look for ways to collaborate with its neighbours, such as through the Rural Transit Feasibility Study that is underway as a partnership between Smiths Falls and Lanark County. Collaboration such as this presents an opportunity for municipal relationships to strengthen and shall be sought out where feasible.

## Section 2 Our Vision And Strategic Directions

Working together, Council, Town staff, and community members developed a set of values that serve as the foundation of this Plan. These values shape the Plan's Vision and Strategic Directions, and serve as a reminder of what the Town of Smiths Falls aspires to become, and the path we intend to take to create a future that benefits existing and future residents.

### 2.1 Vision for the Official Plan

The Smiths Falls Official Plan vision was developed through extensive engagement and is intended to guide the land use policies and decision-making processes outlined in this Plan. The Plan envisions that:

**In 25 years, Smiths Falls will be a dynamic, inclusive, and thriving community that meets the needs of its growing population. Smiths Falls will be a hub for diverse housing, strong social supports, and vibrant neighbourhoods with local employment opportunities. Our Town will be sustainable and well-connected, with an attractive downtown, and mobility options for everyone. Smiths Falls will be a place where all residents can live, work, and play, celebrating our unique cultural, natural, and economic features.**

### 2.2 Smiths Falls 2051 Strategic Directions

The Official Plan Vision is supported by strategic directions that were drafted across the five key themes of housing, transportation, downtown revitalization, sustainability, and community spaces. Like the vision, these strategic directions are the product of staff and public engagement. These strategic directions informed the organization of this Official Plan.

**Housing:** The Town of Smiths Falls will create a diverse and inclusive community enabled by sufficient housing supply, where all residents have access to an adequate and *affordable* range of housing types.

**Transportation:** The Town of Smiths Falls will develop accessible and efficient travel options aligned to evolving transportation needs and shifting demographics, including linkages within the town and regionally.

**Downtown Revitalization:** The Town of Smiths Falls will keep advancing downtown towards a vibrant, inclusive centre that is powered by enhanced services, recognized heritage assets, additional residents, community partnerships, and strategic funding to develop a strong sense of place.

**Community Spaces:** The Town of Smiths Falls will foster dynamic public and privately owned community spaces that reflect their diverse users, with upgraded parks, innovative redesigns, and citizen engagement to keep them accessible and vibrant for all.

**Sustainability:** The Town of Smiths Falls will harness the four pillars of sustainability – economic vitality, social inclusion, environmental stewardship, and cultural vibrancy – to foster resiliency and create enduring positive outcomes for our community.

The Smiths Falls 2051 Official Plan builds upon the Town’s land use planning history, and core community values that have been addressed in previous Official Plan documents, however it also establishes new direction in some key areas. This new direction is the result of a comprehensive Official Plan review process which follows the completion of numerous Master Planning initiatives, including: the *Active Transportation Plan (2021)*, the *Parks and Recreation Master Plan (2022)*, *Community Improvement Plan (2022)* and the approval of several new subdivisions. Additionally, the Province has updated related legislation such as the *Planning Act, R.S.O. 1990, CHAPTER P.13*, including the *Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)*, and the *More Homes Built Faster Act, 2022 (Bill 23)* and Bill 98. Finally, the Province has issued the *Provincial Planning Statement (2024)*, which replaced the 2020 *Provincial Policy Statement*. The new PPS came into effect on October 20, 2024.

These key directions have resulted in an Official Plan that:

1. Plans for and accommodates a population of approximately 13,767, the creation of up to 2,163 new jobs and development of up to 1,728 new dwelling units through 2051.
2. Allows a high degree of flexibility for job growth to occur at appropriate locations throughout the Town: these locations include the further *intensification* and/or *redevelopment* of existing employment sites, the waterfront, and *redevelopment* of *brownfield sites*.
3. Establishes a land use plan and accompanying policies that support the Town’s evolution back into a regional job centre: In addition to supporting local job growth, the land use plan concentrates job growth opportunities at locations that support workers commuting into Smiths Falls from throughout the region.
4. Articulates a Town Centre concept for the Downtown characterized by medium-density housing, mixed-used zoning, and an emphasis on pedestrianization and public space. The Town Centre concept will promote a high-quality downtown attractive to a wide variety of future employers and residents, including: young, creative workers and residents seeking a place to live where they can be less reliant on automobile travel as a primary means of personal mobility.
5. Directs new housing growth to include an appropriate range and mix (including additional residential units, *affordable* housing, *additional needs housing*, and housing for elders). These areas include the Downtown, *brownfield sites*, underutilized lots within

specific areas (i.e., waterfront), compatible infill development, the expansion or conversion of existing buildings, and finally greenfield sites.

6. Includes phasing policies, giving priority to planning for new growth in the Downtown, underutilized lots within previously developed areas, infill development, and the expansion or conversion of existing buildings over new greenfield development.
7. Aligns with the Town's *infrastructure* planning, including the Asset Management Plan (AMP), to help determine planning policy to best meet asset strategies and cost effective *infrastructure* extensions.

## Section 3 Thriving Community

Smiths Falls is a proud community located in the heart of the Rideau Canal National Historic Site and UNESCO World Heritage Site, with abundant opportunities for business growth and employment, leisure activities, and small town residential living options.

To support the Town's future development, this section contains policies on population growth, economic development, fiscal sustainability, and *infrastructure*, ultimately shaping where and how people in Smiths Falls can live, work, and play, allowing for continued growth and prosperity.

### 3.1 Population, Employment, And Growth

The Population, Housing and Employment Projections – Land Needs Analysis (June 2023) and Lands Needs Analysis Addendum (March 2026) projected a population of 13,767 in 2051.

Additionally, the Land Needs Analysis anticipates that employment in Smiths Falls will grow by 2,163 jobs, from a total of 5,300 in 2021 to approximately 7,463 in 2051.

The projections included in the 2023 *Land Needs Analysis* and 2025 *Land Needs Analysis Addendum* help plan for the Town's future growth. These projections are long-term forecasts used for planning and policy development. Firstly, they are used as a planning tool to anticipate population and job growth, determine the resulting land use demand, and facilitate the planning of an adequate land use supply to accommodate that demand. Secondly, they can be used to promote policy goals.

The Study included a detailed analysis of population, housing, and employment. Based on the analysis and consistent with the PPS, Smiths Falls has:

- Residential needs that exceed the current vacant unit supply, corresponding to a need for approximately 93 gross hectares or 229 acres of additional residential land;
- Demand for employment (industrial lands) and institutional lands, as current vacant serviced land supply is limited; and,
- Ample land available to accommodate anticipated commercial growth.

### 3.2 Diverse and Innovative Economy (IE)

Policies for a ***Diverse and Innovative Economy*** support attraction, growth, and retention of businesses of all sizes in Smiths Falls, while also facilitating job creation. The goal is to reach fiscal sustainability, recognizing and responding to the Town's economic and political context. Smiths Falls must manage revenue sources and expenditures to administer and deliver services that protect public health and safety, promote the local economy, attract visitors, and improve the quality of life for its residents in a financially sound and cost-effective manner.

Tourism, community facilities, and area amenities (i.e., the Rideau Canal) can contribute *significantly* to Smiths Falls' economy. The policies in this section recognize this contribution, and aim to develop, enhance, and promote these features as economic generators.

The following policies support fiscal sustainability towards a Thriving Community. The desired outcomes include increasing prosperity and opportunity for the Town's residents and creating revenue growth that enables the delivery of needed *infrastructure* and desired urban services.

### **3.2.1 Land Use and Employment**

#### ***Policies – Land Use and Employment***

- IE-1.1** The Town will plan for, protect, and conserve *employment areas* for current and future uses.
- IE-1.2** Provide necessary *infrastructure* in a sustainable fashion to support current and projected needs.
- IE-1.3** Smiths Falls shall retain land capacity for employment uses, protect and improve the quantity and quality of all lands designated for employment uses, and only permit the conversion of these lands in accordance with policy LU-8.2 and Section 2.8.2.5 of the PPS.
- IE-1.4** Plan for the retention and protection of a strategic mix of employment activities at appropriate locations throughout the Town to support a balanced economic base and focus Smiths Falls as the regional hub. These can include industrial suppliers and services, commercial/retail support services, clean technologies, life sciences, as well as high technology manufactures and other related industries.
- IE-1.5** Protect *employment areas* in proximity to major goods movement facilities and corridors for employment uses that require those locations (i.e. railway corridors, arterial roads).
- IE-1.6** Protect and improve major goods movement facilities and corridors (i.e. *rail facilities*, primary transportation corridors used for the movement of goods).
- IE-1.7** Support *intensification* policies aimed at creating complete, mixed-*employment areas* that include business support uses, public and private amenities, child care, restaurants and retail goods and services that serve the employees of these businesses and nearby businesses.
- IE-1.8** When developing housing or other *sensitive land uses* near active *employment areas* (or vice versa), ensure they are appropriately designed, buffered and/or separated

from each other to prevent or mitigate *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure their long-term viability.

- IE-1.9** Achieve goals related to quality neighbourhoods, including: diverse *housing options*, a walkable/bikeable public street and trail network, compact and mixed-use development where appropriate, and where *infrastructure* exists.
- IE-1.10** Periodically review residential construction activity and supply versus industrial and commercial job growth rates and report results to Town Council.
- IE-1.11** Develop a long-term freight access plan, including trucking and rail, to support the Town's key *employment areas*.
- IE-1.12** Encourage developers to consider green building approaches through the promotion of urban design and green building programs.

### **3.2.2 Business Growth and Retention**

The Town of Smiths Falls seeks to promote itself as an employment centre by supporting existing companies and attracting new ones of all sizes (large anchor companies, emerging growth companies, small and medium businesses) in industries that will drive job and revenue growth.

#### ***Policies – Business Growth and Retention***

- IE-2.1** Attract and sustain a growing concentration of companies to serve as the economic engine for Smiths Falls, particularly in key industries such as advanced manufacturing, food processing, logistics, tourism investment, recreation and culture and other sectors based on creativity and innovation.
- IE-2.2** Support the development of the health care industry and related businesses, including those providing services to Smiths Falls' aging population.
- IE-2.3** Explore establishing an incubator facility for small business start-ups.
- IE-2.4** Implement the Action Plan as detailed in the upcoming 2027-2030 Economic Development Strategy.

### **3.3 Fiscally Sustainable Land Use (FS)**

When making land use decisions, the Town always wants to prioritize choices that will improve its fiscal condition. Managing Smiths Falls' growth in an orderly, planned manner that is

consistent with our ability to provide efficient and economical public services will maximize the use of existing and proposed public facilities, and help to achieve equitable sharing of the cost of such services and facilities.

### ***Policies – Fiscally Sustainable Land Use***

- FS-3.1** Recognize the value of long-term planning and strong land use policy in managing the Town’s fiscal position.
- FS-3.2** Monitor residential construction, industrial and commercial job growth rates, the development of mixed-use and *intensification* projects and progress towards achieving targets.
- FS-3.3** Discourage proposed rezonings or other discretionary land use decisions that could *significantly* diminish revenue to the Town or *significantly* increase its service costs.
- FS-3.4** Maintain the urban *settlement area* boundaries where services and facilities provided by the Town and other public agencies are generally available, and where urban development requiring such services should be located. Expansion shall be allowed in accordance with Section 2.3.2 of the PPS 2024.
- FS-3.5** Maintain, enhance, and develop the employment lands within identified key *employment areas*. Protect existing employment uses within these areas from potentially incompatible non-employment land uses.
- FS-3.6** Emphasize mixed-use development and *intensification* in identified locations to achieve efficiencies from compact development patterns and to maximize job development and commercial opportunities near residential development.

### **3.3.1 Fiscally Sustainable Service Delivery**

The Town should provide the highest level of service feasible based on its fiscal resources, and in a cost-effective manner so that the method of service delivery contributes toward the achievement of a fiscally sustainable Town.

### ***Policies – Fiscally Sustainable Service Delivery***

- FS-4.1** Consistent with fiscal sustainability, prioritize the Town’s urban service delivery as follows:
- Provide services and facilities designed to serve existing needs and accommodate future growth.
  - Prevent deterioration in the quality and quantity of existing levels of service.

- Upgrade Town service levels whenever feasible to meet growth projections.

- FS-4.2** Carefully consider the fiscal implications of land use decisions that result in service expansions to avoid *significant* negative fiscal impacts unless necessary to achieve other critical Town objectives. Typically, service expansions outside the municipal boundary are not supported. Encourage the development of a compact community that reduces the demand for service expansions, facilitate more efficient service delivery and generates greater revenue.
- FS-4.3** Support a mix of housing types and densities where adequate services and facilities can be feasibly provided.
- FS-4.4** When reviewing development or policy changes, consider the availability of water and waste water services, police and fire protection, parks and recreation and other institutional services to the affected area as well as the potential impacts of the project on existing service levels. Capacity of servicing should be monitored such that expansions occur strategically to align with long term development.
- FS-4.5** Require early consultation regarding the nature and scope of projects and possible fiscal impacts and mitigation measures early in the project planning stage, preferably immediately preceding or following land acquisition.
- FS-4.6** Before the Town considers developing new *infrastructure* and *public service facilities*:
1. The use of existing *infrastructure* and *public service facilities* should be optimized; and,
  2. Opportunities for adaptive re-use should be considered, wherever feasible.
- FS-4.7** The Town shall ensure that *infrastructure* and *public service facilities* are strategically located to support the effective and efficient delivery of emergency management services, to accommodate and serve growth areas and to ensure the protection of public health and safety.
- FS-4.8** The Town should plan for new *public service facilities* to be co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration and *active transportation*.

### ***Policies – Fiscally Sustainable Waste Management***

- FS-5.1** Maintain a Waste Management Plan addressing waste diversion activities.

- FS-5.2** Continue to operate a composting facility in the Township of Drummond North Elmsley and expand to food waste /green bin and other waste diversion approaches in accordance with applicable regulators and land use approvals.
- FS-5.3** Consider environmental and social costs in all decision-making and budget decisions, including meeting emission reduction targets that Council may adopt.

### **3.4 Supportive and Sustainable Infrastructure and Facilities (IN)**

The construction and maintenance of *infrastructure* is necessary to support existing and planned land uses to achieve the objectives of this Plan. The Town is committed to providing adequate *infrastructure* to support the day-to-day needs of its residents and businesses.

Water, wastewater, storm, parks, recreational facilities, pathways, roads, solid waste, recycling and other *infrastructure* systems will be expanded concurrent with new development, employment and population growth. As most new growth will occur within the already urbanized area of the Town, new *infrastructure* projects will generally focus on expansions and enhancements to existing *infrastructure*, supporting *intensification* of the downtown, *employment areas*, and broader residential development.

#### Provision of Infrastructure

##### ***Policies – General Provision of Infrastructure***

- IN-1.1** Provide and maintain adequate water, wastewater, and stormwater services to areas in and currently receiving these services from the Town.
- IN-1.2** New urban development within the Town shall be serviced by municipal water supply, sanitary and storm sewer services, except for three areas as described below. The servicing policies for these areas are as follows:
1. The existing automobile-oriented Corridor Commercial Designation uses along Lombard Street have traditionally been developed on private services. Services can continue to be provided either through private on-site servicing or the extension of full municipal servicing in order to allow infilling or the rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. However, no extension of retail commercial uses in the area shall be permitted into this area unless it is on full municipal services.
  2. The small area on Elmsley Street (north) at the Town boundary is developed on private services and would require a sanitary pumping station to be fully serviced. Services can continue to be provided either through private on-site servicing or the extension of full municipal servicing in order to allow for infilling and minor

rounding out of the existing development provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

3. The north-eastern part of the Town (Lorne Street East) (Specific Policy Area 8) is not serviced by municipal water and sanitary sewer services. Limited development on the basis of private services may be provided in order 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*.

Notwithstanding the foregoing, infill development and *redevelopment* in established neighbourhoods where stormwater can be managed to minimize outlets off-site can be permitted where storm sewers are not currently in operation.

- IN-1.3** Consistent with fiscal sustainability goals, provide and maintain adequate water, wastewater, and stormwater services to areas in the Town that do not currently receive these services upon funding and construction of the necessary *infrastructure*.
- IN-1.4** Generally, the cost of providing municipal services shall be borne by the developer, either directly as a condition of development approval, or through development charges and /or front-ending agreements.
- IN-1.5** Provide sustainable utility services and *infrastructure* in a cost-efficient manner consistent with the Plan's goals and policies related to Fiscal Sustainability by ensuring logical extensions of existing development.
- IN-1.6** Ensure that public facilities and *infrastructure* are designed and constructed to meet ultimate capacity needs to avoid the need for future upsizing. Infrastructure and facility planning should discourage over-sizing of *infrastructure* which could contribute to growth beyond the urban *settlement area*.
- IN-1.7** Require all new publicly owned utility lines to be underground. Work with electricity and telecommunications providers to relocate existing overhead lines underground.
- IN-1.8** Locate and design utilities to avoid or minimize impacts to environmentally sensitive areas and habitats.
- IN-1.9** Maintain and implement an Infrastructure Master Plan and Storm Drainage Infrastructure Master Plan.
- IN-1-10** The north-eastern part of Town (Specific Policy Area 7 – Lorne Street Extension, and Specific Policy Area 8 – Lorne Street Extension Development Reserve) is the last remaining large, undeveloped/underdeveloped area in Town. Prior to any large scale development, the applicant will be required to undertake a conceptual servicing study

of this area, including a Stormwater Management Plan. The purpose of this study is to identify an overall servicing strategy that will then serve as the basis for the cost-effective provision of municipal services, for ensuring that appropriate *infrastructure* investment decisions are made from the outset, and for identifying funding sources, including funding programs, and development charges and/or front-ending agreements.

- IN-1-11** As part of the development review process, Council may require serviceability studies to determine whether the existing services in Specific Policy Areas 7 and 8 are adequate and/or what additional servicing capacity the developer may be required to provide as a condition of development approval.
- IN-1-12** For major development applications (e.g., subdivisions or site plans), the adequacy of servicing must be demonstrated through a servicing study prior to approval.
- IN-1-13** Ministry of Environment, Conservation and Parks (MECP) approval is required under the *Ontario Water Resources Act* for large sub-surface sewage systems with a design capacity of greater than 10,000 litres per day. MECP's Guideline B7 – Reasonable Use also applies in this case and a study should be completed. Where development is serviced by a subsurface sewage system with a design capacity of 10,000 litres per day or less, the MECP's guideline "Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment" applies. These studies are required to assess the cumulative impact of development on the water supply and to protect the quality of groundwater.

Where the total effluent discharged by a sewage system is 10,000 litres per day or less, and the system will be entirely within the bounds of the lot, approvals will be under the *Ontario Building Code Act*.

Where a lot or lots are serviced with *individual on-site water and sewage services*, site conditions shall be suitable for the long-term provision of such services. This may require a hydrogeological and a groundwater impact assessment, completed by a qualified professional, designed to assess the potential risk to groundwater. Reference shall be made to relevant MECP guidelines, including, but not necessarily limited to, guideline D-5-4, Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment (or applicable successor), in undertaking the appropriate assessment.

Approval of new lots shall include sufficient off-site *reserve sewage system capacity* for treatment of hauled sewage. Hauled sewage from development can be treated or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

- IN-1-14** Planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.
- IN-1-15** To identify capacity and allocate or reserve it for development, sewage system and *reserve water system capacity* will be monitored and a Servicing Allocation Policy shall be developed.
- IN-1-16** The Town shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, communications, transit, and electricity generation facilities and transmission systems to meet current and projected needs. The co-location of linear *infrastructure* should be promoted wherever possible.
- IN-1-17** Parks and recreation facilities have an important role in supporting public health, community well-being and overall quality of life, and will be planned for accordingly to support a growing population and the adequacy of existing and planned recreation facilities should be considered upon evaluation of development applications.

### Telecommunications

Industry Canada is the federal body which has approval authority and jurisdiction over the installation and operation of radio communication systems. The approval of site-specific radio and telecommunication facilities is governed by the Client Procedures Circular (CPC 2-0-03 Issue 3, entitled “Environmental Process, Radiofrequency Fields and Land-Use Consultation”).

The role of Industry Canada is to implement the provisions of the Canadian *Environmental Assessment Act* and ensure that applicants for radio authorization involving *significant* antenna structures disclose their plans to the Town and that the process operates in a timely fashion. Industry Canada does not require the participation of the Town in this process. The Town does not have the authority to prohibit the establishment of such facilities, if approved by the federal government.

### ***Policies – Telecommunications***

- IN-2.1** Applicants for radio communication facilities, such as antenna structures and related facilities are required to consult with the Town regarding the design and location for future antenna sites. Applicants are required to:

1. Notify the Town regarding the intent to establish a new radio communication facility;

2. Provide the Town with: the requirement for the establishment of such a facility; reasons for the proposed location; and, a review of alternative locations considered and reasons for their rejection, including associated costs, pattern coverage, and safety.
- IN-2.2** In assessing municipal support for a radio communication facility, the Town will consider the policies of this Plan.
- IN-2.3** In the event that the Town supports or opposes a radio communication facility, the Town may provide Industry Canada with a report outlining their reasons for support or objections, within 60 days of receiving official notice of the intent to establish such a structure.
- IN-2.4** The Town prefers that applicants and antenna structure owners work cooperatively to allow for the sharing of antenna structures so as to minimize their numbers and impact.

## Section 4 Natural Environment

Smiths Falls' commitment to environmental sustainability is embodied in its legacy of progressive land use planning, environmental protection, water and energy conservation goals, objectives and policies.

Environmental goals include:

- Protecting *natural heritage features and areas*;
- Supporting development of new clean technology industries;
- Becoming more energy efficient;
- Producing and using electricity from clean and renewable resources;
- Encourage and incentivize building green buildings; and,
- Diverting waste from landfills.

As Smiths Falls' guide for future sustainable growth and development, this section sets policies for minimizing impacts on resources, ensuring environmentally sensitive areas are protected, protecting development from hazards, and ensuring that the Town is able to maintain the *infrastructure* and services necessary to sustain and improve its economy and quality of life. This Plan recognizes that the natural environment contributes to a high quality of life for residents and attracts visitors seeking nature based experiences.

### 4.1 Natural Heritage Features And Areas (NH)

Smiths Falls boasts a range of *natural heritage features and areas* across its landscape, such as *wetlands*, *fish habitat*, riparian corridors, and *woodlands*. The goals and policies in this section protect Smiths Falls' terrestrial and aquatic assets, as well as the flora and fauna these natural resources support.

Conserving shorelines and riparian vegetation adjacent to shores and *wetlands* will serve as habitat for many organisms, corridors for the movement of others, and nurseries for aquatic and upland species.

Naturally vegetated areas (including parks and trail corridors), natural features, corridors (including utility corridors) and *ecological functions*, mostly associated with the Town's *woodlands*, *wetlands*, waterways, previously disturbed areas that could be re-naturalized and form the basis of a *natural heritage system* for Smiths Falls.

The Natural Heritage Features and Areas, shown on **Schedule 'A'** and **'C'**, include *significant wetlands*, *significant woodlands*, *habitat of endangered and threatened species*, *significant wildlife habitat*, *fish habitat*, and *significant areas of natural and scientific interest*. Other natural features may be added if warranted on the basis of future studies.

This Plan contains policies to protect water resources, natural heritage features, and areas that may be impacted through site-specific development proposals. The Town will seek to maintain, restore, and improve the quality of its Natural Heritage Features and Areas over the planning period by strengthening linkages and mitigating the *negative impacts* of development. It also contains policies which recognize that we need to be proactive and better understand our ecosystems, so that we can more effectively assess cumulative impacts and overall ecological health.

The connection between natural heritage resources is an important ecological feature which has yet to be analyzed or studied in Smiths Falls. The concept of “*natural heritage systems*” is important to the long term sustainable function of the natural heritage resources of the area. To this end, the Town will cooperate with senior levels of government and the Conservation Authority to analyze and study connections between *natural heritage features and areas* to help define the *natural heritage system* in a meaningful way.

The Natural Heritage Features and Areas policies establish the requirements for the refinement and protection of these features and areas through public ownership/acquisition, stewardship, management and rehabilitation, and ecological buffers. Recognizing that *natural heritage features and areas* are valued for the natural features they contain and the *ecological functions* they perform, the Town will utilize environmental impact statements and environmental assessments to ensure that natural heritage areas are evaluated and protected, both individually and cumulatively, as part of an interrelated Natural Heritage System.

#### **4.1.1 Establishing a Natural Heritage System**

##### ***Policies – Establishing a Natural Heritage System***

**NH-1.1** The Town of Smiths Falls is committed to maintaining and promoting a healthy natural environment and protecting its unique and special natural heritage features for the present generation and all successive generations. On this basis, it is a policy of this Plan that the establishment of a *natural heritage system* be completed through an Official Plan Amendment, including associated policies addressing its protection, prior to the Town’s first Official Plan Review.

#### **4.1.2 Wetlands**

Wetlands are habitat for a variety of plant and animals species and play an important role in water quality, floor control, water storage and recharge areas, and for their value towards passive recreation. The four major types of *wetlands* are swamps, marshes, bogs, and fens. Provincially *significant wetlands*, locally *significant wetlands*, and unevaluated *wetlands* are identified on **Schedule ‘C’**. Their ecological integrity and scenic characteristics should be *conserved*, protected, and restored.

The “Swale” area, in particular, should be recognized as important, both as an ANSI and as a character-defining element of the Rideau Canal in this section of the waterway, as it was created as a result of the construction of the dam at Detached Lockstation.

The Provincial Planning Statement sets out minimum policies which municipalities are required to adopt for wetland protection. This Plan goes beyond the minimum provincial standard by having provincially *significant wetlands* and locally *significant wetlands* governed by many of the same policies.

### ***Policies – Provincially Significant Wetlands***

- NH-2.1** Development or *site alteration* shall only be permitted within provincially *significant wetlands* to accommodate boardwalks or other compatible conservation or interpretive uses and provided it has been demonstrated that there will be no *negative impacts* on natural features or their *ecological functions*.
- NH-2.2** Lands within 30 metres of Provincially Significant Wetlands are regulated under the Conservation Authorities Act. Development within 30 m of provincially *significant wetlands* may take place in accordance with the land use designation shown on **Schedule ‘A’ – Land Use Plan** to this Plan only when it has been demonstrated through an Environmental Impact Statement (EIS), as detailed in this Plan, that there shall be no *negative impacts* on the natural features or their hydrologic and *ecological functions*. This is not a setback requirement, but rather a requirement for a review of development proposals within the relevant *adjacent lands*. The review of an EIS may be carried out by a qualified professional retained by the Town. Where development is proposed adjacent the Rideau Canal, Parks Canada will also be consulted.
- NH-2.3** The boundaries of provincially *significant wetlands* shall be derived from mapping provided by the Province. Where the actual location of the boundary line on the ground is uncertain, the Town shall require an evaluation or a re-evaluation of the wetland by a trained Ontario Wetland Evaluation System (OWES) evaluator to make such a determination. In the case of *wetlands* forming part of the Rideau Canal, Parks Canada will also be consulted.
- NH-2.4** Wetlands shall be zoned in a separate category in the implementing Zoning By-law.

#### **4.1.3 Fish Habitat**

All waterbodies (i.e. streams) in the Town have the potential to be *fish habitat*. The Rideau Valley Conservation Authority has indicated that the Rideau River and its tributaries up to the first culverts contain *fish habitat*. *Fish habitat* associated with this waterway is *vulnerable* to

degradation from factors such as loss of stream bank vegetation, untreated urban runoff, increased storm water flows and sedimentation. The harmful alteration, disruption or destruction of *fish habitat* is prohibited under the *Fisheries Act*. It is the Town's intention to encourage improvement of productive capacity of this habitat.

### ***Policies – Fish Habitat***

- NH-3.1** Development and *site alteration* of *fish habitat* shall not be permitted except in accordance with Provincial and Federal Requirements.
- NH-3.2** Development and *site alteration* shall be set back a minimum of 30 metres from *fish habitat* in areas where natural or vegetated shoreline predominate. Decreases to the 30 metre setback shall only take place where it has been demonstrated through an EIS that such development would result in a net environmental gain of the productive capacity of the area. To implement this, a *fish habitat* biologist shall be required to provide a detailed impact analysis exploring options in design and location of the undertaking for the purpose of clearly demonstrating avoidance of any predicted harmful impacts. Near-shore or in-water development, such as docks, water access points and swimming areas shall be carefully assessed through the appropriate review process.
- NH-3.3** In addition, Council will request comments from Fisheries and Oceans Canada, and in the case of development on the Rideau Canal, Parks Canada, with respect to development adjacent to waterbodies.
- NH-3.4** Where additional *fish habitat* is identified through an environmental impact assessment, the policies in this Plan shall apply.

#### **4.1.4 Significant Woodlands, Vegetative Cover and Significant Ecological Areas**

Woodlands are complex ecosystems of different tree species, shrubs, ground vegetation, and soil complexes that provide habitat for many plants and animals and economic and social benefit to both the private landowner and the general public.

The boundaries of the *significant woodlands* identified on **Schedule ‘C’ – Natural Heritage and Constraints** were produced using digital data which has not been ground checked. Accordingly, there may be areas identified as *significant woodlands* that may not actually be so, as well as areas which may be *significant woodlands* that have not been mapped. It will therefore be necessary to verify site conditions through an Environmental Impact Statement when development is proposed in proximity to woodlands. For the purpose of this Official Plan, the policies in this section that pertain to *significant woodlands* only apply to the *woodlands* mapped as *significant* in **Schedule ‘C’**.

In terms of vegetative cover, this Plan recognizes that conserving vegetation along waterways, on sites subject to development, and along roadways contributes to the overall health of the area, helps lessen the environmental impact of development, and improves the visual appeal of newly developed areas.

This Plan supports the retention or restoration of riparian corridors as a means of protecting water resources and their related ecological functions from the negative impacts of development.

### ***Policies – Significant Woodland***

- NH-4.1** Within *significant woodlands*, the establishment of single dwellings on existing lots of record shall be permitted subject to all of the relevant policies of this Plan.
- NH-4.2** Development and *site alterations* within *significant woodlands* shall not be permitted unless it has been demonstrated that there will be no *negative impacts* on the natural features or *ecological functions* of the woodland.
- NH-4.3** Development and *site alteration* on lands within 120 m of a *significant woodland*, may take place in accordance with the land use designation shown on **Schedule ‘A’ – Land Use Plan** only when it has been demonstrated through an EIS carried out in accordance with the policies of this Plan, and prepared by a qualified professional, that there shall be no *negative impacts* on the woodland or its *ecological functions*.
- NH-4.4** To mitigate potential impacts due to *site alteration* and tree cutting, Council may adopt appropriate by-laws to prohibit or regulate the placing, dumping, removal or regrading of topsoil or fill, and the destruction or injuring of trees.

### ***Policies – Vegetative Cover***

- NH-4.5** This Plan will require the retention and/or establishment of healthy native tree cover, native shrubs, and vegetative cover on predominantly natural or vegetated lands within 30 metres of a high water mark of a water resource in order to protect the riparian and littoral zones and associated habitat, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of development. Notwithstanding the 30 metre vegetative buffer, a water access area may be permitted provided the natural shoreline is disturbed as little as possible and the balance of the water front outside of the access area is maintained in a natural state. A water access would not generally be allowed in the Swale (PSW) without *significant* habitat/natural heritage impact consideration.

- NH-4.6** Notwithstanding policy NH-3.4 above, the minimum natural vegetative cover adjacent to *fish habitat* could be reduced to 15 m where the applicant has demonstrated it would satisfy policy 4.1.6 of the PPS.
- NH-4.7** The Town will endeavour to protect trees along municipal road allowances and on other municipal property so long as they do not constitute a safety hazard or affect *infrastructure*.
- NH-4.8** Support the goals set out in the Smiths Falls Tree Canopy Preservation and Vegetation Enhancement Policy when undertaking development, as a means of achieving the goal of 30% Tree Canopy coverage. The Town shall explore the creation of a Tree Canopy Master Plan to strengthen the aims of the aforementioned policy.
- NH-4.9** Applications for subdivisions or condominiums, Official Plan or Zoning By-law amendments, minor variances or site plan control should be supported by a Landscaping Plan. Such Landscaping Plans will be required as part of a complete application and should:
- i. retain as much natural vegetation as possible, especially along watercourses, on steep slopes, in valued woodlots, in areas linking green spaces, and along roadways;
  - ii. determine which stands of trees or individual trees warrant retention based on a preliminary assessment;
  - iii. outline measures for the protection of those trees or stands of trees being retained during construction;
  - ii. describe the area and nature of tree loss and compensation measures proposed. Such compensation measures may include off-site plantings;
  - iii. indicate tree planting or vegetative cover required to provide protection for stream courses or steep slopes;
  - iv. propose tree planting at strategic locations such as along road frontages, around walkways, where people gather, and any other areas that would particularly benefit from increased tree canopy;
  - v. encourage the planting of native species whenever possible and discourage monoculture;
  - vi. provide guidelines for property owners on the importance and care of trees on their property;
  - vii. leverage opportunities for *low impact development* (LID) practices as a means of dealing with stormwater runoff by mimicking natural water processes. These practices may include bioretention gardens and stormwater landscaping;

- viii. consider the impact on the environment during and after construction, and propose mitigation measures where there is substantial alteration of the existing tree cover on the site.

### ***Policies – Significant Ecological Areas***

Significant ecological areas have been identified on **Schedule ‘C’**. Although these areas generally align with the *significant woodlands*, they have also been identified by the Ministry of Natural Resources as areas that are ecologically *significant*, and warrant special consideration.

#### **4.1.5 Significant Valleylands**

**NH-4.10** Where development is proposed within, or adjacent to lands identified on **Schedule ‘C’** as significant ecological areas, an Environmental Impact Statement (EIS) shall be prepared in consultation with the MNR. The EIS will be used to determine the role of these lands within the larger Natural Heritage System, including how they provide wildlife corridors and linkages.

The Town acknowledges the PPS requirement to identify and protect *significant valleylands*. Given the topography of Smiths Falls, the Town is of the opinion that there are no *significant valleylands* within its jurisdiction. Should there be information provided to the Town by senior levels of government which indicate that there are *significant valleylands* within its jurisdiction, which are not protected by the existing policies within this Plan, the Town shall work with those senior levels of government to implement the appropriate mapping and policies within this Plan.

### ***Policies – Significant Valleylands***

**NH-5.1** Where *significant valleyland* are identified through an environmental impact statement, the policies in this Plan shall apply.

#### **4.1.6 Habitat of Endangered and Threatened Species**

The Town of Smiths Falls is home to several Species at Risk, including *endangered species* and *threatened species*. The *habitat of endangered and threatened species* forms part of an overall *natural heritage system* consisting of both provincially and locally *significant* assets. Together, these features form an inter-dependent *natural heritage system*. The *Endangered Species Act, 2007* (ESA) prohibits the killing, harming, harassment, capture, or taking of a Species at Risk, and the damaging or destroying of their habitat. *Endangered species* and *threatened species* are listed /categorized on the official Provincial Species at Risk in Ontario List, as updated and amended from time to time.

If at any time during work a species at risk listed under the ESA is encountered, work must cease and the Province must be contacted immediately.

## ***Policies – Habitat of Endangered and Threatened Species***

- NH-6.1** Development and *site alteration* shall not be permitted in *habitat of endangered species* and *threatened species* except in accordance with provincial and federal regulations.
- NH-6.2** In areas identified as potential *habitat of endangered* and *threatened species*, where development is proposed within, or adjacent to this area, an Ecological Site Assessment (ESA) shall be undertaken to determine whether the *habitat of endangered species and threatened species* is present.
- NH-6.3** Development and *site alteration* may be permitted within 120 m of *significant habitat of endangered or threatened species* if it has been demonstrated through the Ecological Site Assessment that there will be no *negative impacts* on the species at risk or *ecological functions* of their habitat.
- NH-6.4** No Butternut tree or other tree identified by the Province as an endangered species may be disturbed or removed in any way without permission from the Ministry of Natural Resources (MNR), pursuant to the *Endangered Species Act, 2007*.

### **4.1.7 Significant Wildlife Habitat**

Significant *wildlife habitat* is defined as areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Wildlife habitat has been divided into four broad categories:

- Seasonal concentrations areas;
- Rare vegetation communities or specialized habitats for wildlife;
- Habitats of species of conservation concern; and,
- Animal movement corridors.

## ***Policies – Significant Wildlife Habitat***

- NH-7.1** Development and *site alterations* shall not be permitted in *significant wildlife habitat* unless it has been demonstrated that there will be no negative impact on the *significant wildlife habitat* or its *ecological functions*.
- NH-7.2** Development within 120 metres of *significant wildlife habitat* shall be permitted only where an EIS and/or ESA carried out in accordance with the policies of this Plan by a qualified professional, which demonstrates that there shall be no negative impact on the habitat or its *ecological function* of the *adjacent lands*.

**NH-7.3** In determining the significance of *wildlife habitat*, the EIS and/or ESA will be based on an evaluation of the following considerations that have had regard for and having regard for the Significant Wildlife Habitat Technical Guide prepared by the Ministry of Natural Resources, which provides information on the identification, description and prioritization of *significant wildlife habitat(s)*:

- i. It is an area of habitat where particularly important wildlife species are concentrated or are particularly susceptible to impacts for a specific period of their lifecycle. These areas include, but are not limited to: seasonal concentration areas; rare vegetation communities or specialized habitat for wildlife; habitats for species of conservation concern; and animal movement corridors.
- ii. The amount of the specific type of habitat that exists within the context of the ecological region and its representation within other components of the Natural Heritage System.
- iii. It is an area of habitat having a high diversity of species that are of value for research, conservation, education and passive recreation opportunities.

#### **4.1.8 Areas of Natural and Scientific Interest**

Areas of Natural and Scientific Interest (ANSIs) are areas of land and water that contain natural landscapes or features identified as having life science and earth science values related to the protection of the feature, scientific study, and/or education. They are mapped in **Schedule 'C'**.

#### ***Policies – Significant Areas of Natural and Scientific Interest***

**NH-8.1** Development (subdivisions or condominiums, site plan, zoning amendments, minor variances, consents) may take place in accordance with the underlying land use designation shown on the Schedule to this Plan only when it has been demonstrated through an Environmental Impact Statement (EIS) carried out in accordance with the policies of this Plan, and prepared by a qualified professional, that there shall be no *negative impacts* on the natural features or *ecological functions* of the ANSI.

**NH-8.2** The Swale Marsh ANSI has been identified as a life science area of natural and scientific interest. Within the area identified as ANSI, existing development shall be permitted. The establishment of single dwellings on existing lots of record shall be permitted, subject to all of the relevant policies of this Plan.

**NH-8.3** Development within 50 m of an earth science ANSI area and within 120 m of a life science ANSI area, may take place in accordance with the land use designation shown on **Schedule 'A' – Land Use Plan** only when it has been demonstrated through an EIS carried out in accordance with the policies of this Plan, and prepared

by a qualified professional, that there shall be no *negative impacts* on the natural features or *ecological functions* of the ANSI. This is not a setback requirement, but rather a requirement for a review of development proposals within the 50 m or 120 m *adjacent lands*.

**NH-8.4** As additional ANSIs are evaluated by the Province, Council shall incorporate them into this Plan through an Official Plan Amendment.

#### **4.1.9 Environmental Impact Statement (EIS)**

Development or *site alteration* within or adjacent to *natural heritage features and areas*, (including *significant wetlands, fish habitat, significant woodlands and significant valleylands, habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area) has potential to impact the feature and its *ecological functions* by removing vegetation, increasing the amount of paved or other impermeable surfaces, changing the grading of the site, or other changes. The Environmental Impact Statement (EIS) serves to identify the natural features of a site early in the development process and consider ways to avoid or mitigate these impacts, and enhance natural functions.

Known components of the Town's *natural heritage system*, defined in Section 4.1, are identified on **Schedule 'C' – Natural Heritage Features and Constraints**. The requirements for an Environmental Impact Statement for development or *site alteration* proposed within these natural features or on lands adjacent to these designated areas are also described in Section 3.

#### ***Policies – Environmental Impact Statement (EIS)***

**NH-9.1** An EIS is required for development and *site alteration* proposed within and adjacent to natural heritage features identified on **Schedule 'C' – Natural Heritage Features and Constraints**. It is also required for development and *site alteration* within or adjacent to other elements of the *natural heritage system* that are not designated on **Schedule 'C' – Natural Heritage Features and Constraints**.

**NH-9.2** No development or *site alteration* will be permitted within the natural features described in policy NH-9.1 above, where permitted by the policies of this Plan, or on *adjacent lands* unless an EIS indicates that it will have no negative impact, defined as degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive development or *site alteration* activities.

**NH-9.3** Development is defined as the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*,

but does not include activities that create or maintain *infrastructure* authorized under an environmental assessment process; or works subject to the *Drainage Act*.

**NH-9.4** Site alteration is defined as activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**NH-9.5** The need for an EIS and its scope will be confirmed through pre-application consultation with the Town early in the development review process, based on a preliminary screening for natural environment features within and adjacent to the study area. **Schedule 'C'**, aerial photographs, watershed and sub-watershed studies, field investigations and other information sources such as the Natural Heritage Information Centre (NHIC) may be consulted.

**NH-9.6** There are different types of Environmental Impact Statements:

- i. Scoped site-impact statement to assess the potential impacts of smaller development proposals, such as single-lot severances, construction of small accessory buildings or a minor addition to an existing building. A scoped impact study can be as simple as a checklist of matters to be addressed as part of the application process, and can be completed by the applicant. Scoped site-impact studies may also be appropriate to address the potential impacts of larger proposals if located in an area where previous studies are sufficient to provide the necessary technical information to assess the proposal.
- ii. Full site-impact statements to assess the effects of large-scale development proposals, such as a subdivision proposal. They are prepared by a qualified professional with expertise in assessing impacts on the natural environment, but reviewed and approved by the Town.

**NH-9.7** Where a full site Environmental Impact Statement is required, the statement must be prepared by a qualified professional with expertise in environmental science. Terms of reference will be prepared to guide the development of an EIS, however, generally the statement will:

- Define the nature and the boundaries of any *significant* features and *ecological functions* on or adjacent to the site;
- Describe the location, extent, and nature of development;
- Identify any foreseeable impacts on the *significant* features and *ecological functions* resulting from the development;
- Describe the relationship of *adjacent lands* to any *significant* features or *ecological functions*;
- Describe the relationship of these features and functions to the proposed development and *adjacent lands*;

- Demonstrate how and where development can proceed without negative impact on the natural values which make the area *significant*; and,
- Describe any mitigation or compensation proposals designed to alleviate or eliminate impacts and how they would do so.

**NH-9.8** The Town may request that Indigenous communities be consulted on any full site Environmental Impact Statement for proposed development where areas of interest have been identified.

**NH-9.9** Generally, Environmental Impact Statements, when required, will be considered as required information for a “complete” planning application. Furthermore, an EIS shall be undertaken and reviewed by a qualified professional at the proponent’s expense.

**NH-9.10** Where land identified as a natural heritage feature is under private ownership, there is no implication that the land is open to the general public or that it will be acquired by any public agency.

**NH-9.11** Ecological buffers serve to protect the *ecological function* and integrity of the Natural Heritage System. Ecological buffers will be required around, or adjacent to components of the Natural Heritage System, based upon the recommendations of an approved EIS. The EIS will also detail the location, width, composition and use of the ecological buffer.

#### **4.1.10 Other Natural Heritage Areas**

Nothing within this Section would preclude lands that have been deemed by the Provincial Government and/or the Town to have *significant ecological functions* or features that have or have not been designated on **Schedule ‘A’** or identified as an overlay on **Schedule ‘C’** from being recognized in the implementing Zoning By-law. These lands may include *significant portions of the habitat of endangered and threatened species, significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, fish habitat and significant areas of natural and scientific interest* that have yet to be evaluated. Development will require the preparation of an Environmental Impact Statement (EIS), in accordance with Subsection 4.1.9 of this Plan, if it is determined at time of pre-consultation, and prior to development, that the area or *adjacent lands* might contain unevaluated natural heritage areas. If these areas have been identified, or verified through the development review process, Council may consider protective zoning to conserve these areas.

Natural Heritage lands shall be placed in the appropriate zoning classification or overlay in the implementing Zoning By-law.

## **4.2 Water Resources (WR)**

To maintain the *quality and quantity of water* in the Town of Smiths Falls, it is the intent of this Plan to restrict development near sensitive surface water or groundwater features, to protect and enhance areas along waterbodies, restrict harmful water-based activities, and implement measures for appropriate stormwater management.

### **4.2.1 General Water Resources**

The local *water resource system* consists of watershed lands, underground aquifers, groundwater recharge areas, recycled water, streams, rivers, creeks, and the riparian vegetation associated with them. Water resources are vital to the community's health as a safe source of drinking water, but also for their contribution to the ecological and economic prosperity of the region and its residents.

#### ***Policies – General Water Resources***

- WR-1.1** Development and *site alteration* shall be restricted in or near sensitive surface and *ground water features*, such that these features and their related *hydrologic functions* are protected, improved, or restored, which may require mitigative measures and/or alternative development approaches.
- WR-1.2** In consultation with the Conservation Authority, other public agencies, and Parks Canada when adjacent to the Rideau Canal, restrict or carefully regulate development in shoreline areas and upland areas so as to prevent uncontrolled runoff and protect and conserve the health, function, and stability of these waterbodies.
- WR-1.3** Work with the relevant public agencies, and Parks Canada when adjacent to the Rideau Canal, to conserve water quality when establishing appropriate public access and recreational uses on land adjacent to the river, creeks, *wetlands*, and other *significant* water courses.
- WR-1.4** Require the proper construction and monitoring of facilities that store hazardous materials in order to prevent contamination of surface water, ground water and underlying aquifers. In furtherance of this policy, design standards for such facilities should consider Mississippi-Rideau Source Protection Plan policies and other applicable legislation such as the Technical Standards & Safety Authority (TSSA).
- WR-1.5** Proposals for large developments, defined as sites over one hectare, located on a water body shall be required to ensure water quality protection through an environmental impact assessment. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of

phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.

- WR-1.6** Any new waterfront lots must be sized and configured to enable a building envelope (including the septic system, where the lot is privately serviced), and all development (including the septic system tile bed on privately serviced lots), must be setback a minimum of 30 metres from the high water mark of the waterbody with non-disturbance of the native soils and very limited removal of shoreline vegetation. For existing lots of record that are predominantly natural or vegetated, new development should be setback 30 metres if possible, otherwise as far back as the lot permits.

#### **4.2.2 Stormwater**

Smiths Falls is committed to responsible stormwater management to support healthy habitats, a healthy human population, and a healthy economy. To accomplish this, Smiths Falls will continue to implement policies and programs that manage its discharge into the Town's storm drain system to enhance the quality of waterways.

Smiths Falls will also seek to support *low impact development* (LID) practices for stormwater management when possible. LID is a stormwater management approach that seeks to reduce the impacts of increased runoff and pollution by controlling runoff as close to the source as possible, through measures such as site design and the use of natural systems. This approach reduces the burden on traditional stormwater *infrastructure* and minimizes the environmental impacts of runoff in built up areas, which aligns with the Town's commitment to conservation and responsible stewardship.

#### ***Policies – Stormwater***

- WR-2.1** Major development or *redevelopment* shall be preceded by the preparation of a watershed or sub-watershed plan, prepared in consultation with the Conservation Authority, Provincial ministries, and the Town. The plan shall conform to Provincial guidelines and shall not permit stormwater management facilities that would be a *significant* drinking water threat within IPZ 10 or WHPA-10, as identified in the Mississippi-Rideau Source Protection Plan.
- WR-2.2** The servicing strategy for the north-eastern part of the Town (Specific Policy Areas 7 and 8) should take into account the need for watershed and/or sub-watershed planning.
- WR-2.3** A stormwater site management plan will be required to support subdivision and site plan applications, where appropriate. Stormwater site management plans will be prepared in accordance with the guidance set out in a watershed or sub-watershed

plan. In the absence of any such plans, stormwater site management plans will generally reference the “Stormwater Management Planning and Design Manual” (2003) or other Provincial guideline documents for their terms of reference and shall include details on specific best management practices for stormwater, erosion and sediment control, and details for enhancement and rehabilitation of natural features. Where no sub-watershed plan or environmental management plan exists, the Town will review stormwater site management plans, in consultation with the Conservation Authority. Objectives to ensure:

1. watercourse flows are not altered in a way that would increase the risk of downstream flooding or channel erosion;
2. base flow in the watercourse is not reduced;
3. the quality of water that supports aquatic life and *fish habitat* is not adversely affected;
4. the quality of water that supports water-based recreational uses is not adversely affected;
5. natural habitat linkages that are located in or traverse the site are maintained or enhanced;
6. groundwater is not adversely affected;
7. any other impacts on existing *infrastructure* or natural environment are addressed in a manner consistent with established standards and procedures; and,
8. objectives related to the optimization of wet weather *infrastructure* (high flow) management are realized.

**WR-2.4** The Town will work with the Risk Management Official to review Stormwater Management Facilities that are currently located within, or are proposed to be located within an Intake Protection Zone with a Score of 8 or 10, where such development is subject to the provisions of the Mississippi-Rideau Source Protection Plan. Such facilities must be appropriately located and/or designed, and be subject to the appropriate Prescribed instrument (i.e. Environmental Compliance Approval) so as to protect the drinking water source of the Town in accordance with the Source Protection Plan.

**WR-2.5** Integrate Low Impact Development (LID) to the greatest extent feasible, especially when there are no storm sewers, but additionally when storm sewers are present, to minimize impact on *infrastructure* and to protect property.

**WR-2.6** Stormwater management practices that promote the re-absorption of surface water into the ground, including *green infrastructure*, will be encouraged.

### 4.2.3 Water Supply, Conservation, and Quality

The Town of Smiths Falls is committed to providing a fiscally and environmentally sustainable water supply to meet its goals of a healthy habitat, healthy population, and healthy economy. To achieve its goals, Smiths Falls will continue to thrive towards fiscally and environmentally sustainable water management. The Mississippi-Rideau Source Protection Plan identifies the entire Town of Smiths Falls as being an area where aquifers are highly *vulnerable*. In Highly Vulnerable Aquifers (HVA), groundwater is *vulnerable* to surface contaminants; therefore the Town of Smiths Falls will work with the Source Protection Authority to ensure the proper consideration of the HVA when reviewing development applications.

#### ***Policies – Responsible Management of Water Supply and Water Conservation***

- WR-3.1** Protect the Town’s water supply (Rideau Canal) in an environmentally, fiscally, and economically sustainable manner, by working with local and regional agencies and Parks Canada, to establish policies that promote wise use of water.
- WR-3.2** Ensure that development within Smiths Falls is planned and built in a manner consistent with fiscally and environmentally sustainable practices, *including low impact development*, water-efficient development, and encouraging the use of green building techniques, as outlined in the Building Code.
- WR-3.3** Promote source water protection and educate the public on the need for responsible water management.
- WR-3.4** Demonstrate environmental leadership by encouraging the use of technologies that reduce potable water demand and/or that increase the efficiency of water use, which may, at the resident level, include smart water meters, high efficiency fixtures, or rainwater harvesting systems.
- WR-3.5** Encourage the retrofit of existing development to improve water conservation.
- WR-3.6** Reduce exfiltration in the water distribution network.

#### ***Policies – Water Quality***

- WR-3.7** Support watershed protection initiatives (i.e. Mississippi-Rideau Source Water Protection) to ensure protection and enhancement of the quality of Smiths Falls’ water source.
- WR-3.8** Support new development where the Town and the Risk Management Official have concluded that the potential to negatively impact water quality within *designated vulnerable areas*, as per the Mississippi-Rideau Source Protection Plan, has been

appropriately addressed and a Risk Management Plan (RMP), if required, is approved.

- WR-3.9** Protect water quality through flood protection measures and the use of stormwater water management.

#### **4.2.4 Intake Protection Zone and Wellhead Protection Areas**

An Assessment Report, under the *Provincial Clean Water Act, 2006* was approved on August 1, 2014 for the Mississippi Valley and Rideau Valley Source Protection Areas. The Source Protection Plan (SPP) came into effect January 1, 2015. The policies of the SPP are designed to protect the sources of water for municipal drinking water systems from contamination. These policies are implemented by the Town and relevant approval authorities.

The SPP identified the sources of water for Municipal Drinking Water Systems. Intake Protection Zones (IPZ) identify the areas that supply surface water, and Wellhead Protection Areas identify the areas that supply groundwater for Municipal Drinking Water Systems. These areas are identified on **Schedule ‘C’** to this Plan.

#### ***Policies – Intake Protection Zone***

- WR-4.1** The Intake Protection Zone (IPZ) and associated vulnerability scores are provided on **Schedule ‘C’ – Natural Heritage and Constraints** around the water treatment plant on Abbott Street North adjacent the river.
- WR-4.2** The Mississippi-Rideau Source Protection Plan was approved by the Ministry of Environment, Conservation and Parks (MECP) and came into effect January 1, 2015. The SPP includes policies to prohibit future land uses or regulate activities that have the potential to contaminate drinking water within the IPZ (different policies may apply in different locations within the IPZ depending on the vulnerability scores).

#### **4.2.5 Source Water Protection**

- WR-5.1** As part of its responsibilities pursuant to Provincial Legislation, the Town will implement the approved Mississippi-Rideau Source Protection Plan.
- WR-5.2** The Town shall require that proponents obtain a notice from the Risk Management Official prior to submitting an application for development for all land uses that are within the IPZ and WHPA Zones identified on **Schedule ‘C’** and designated for the purpose of implementing Section 59 of the *Clean Water Act*.

### **4.3 Measurable Environmental Sustainability (MS)**

This section sets forth sustainability policies for Smiths Falls through 2051 and establishes measurable standards within the Plan for the achievement of sustainable development practices. The intent is to use these practices to benefit the quality of life, the environment, and related economic opportunities available in Smiths Falls.

As part of Smiths Falls' commitment to environmental sustainability, the Town has joined the Federation of Canadian Municipalities' (FCM) Partners for Climate Protection network and is in the process of developing a Climate Action Plan, which will help the Town achieve its greenhouse gas emission reduction targets within both the corporate (Town controlled) and community sphere. The policies in this section shall seek to support the implementation of the Climate Action Plan and other initiatives that arise out of the Partners for Climate Protection membership.

#### **4.3.1 Green Building**

Green Building is a whole systems approach to the design, construction, location, and operation of buildings and structures that helps to mitigate the environmental, economic, and social impacts of construction, operation, demolition, and renovation. Green Building recognizes the relationship between the natural and built environments and seeks to minimize the use of energy, water, and other natural resources while promoting a healthful, productive environment.

Smiths Falls supports the promotion of green building policies, practices, and technologies in its mission towards a sustainable economy.

#### ***Policies – Green Building Policy***

- MS-1.1** Demonstrate leadership in the development and implementation of green building policies and practices. Endeavour to incorporate green building principles into the design and construction of both new and retrofit municipal projects, where feasible.
- MS-1.2** Foster awareness in Smiths Falls' business and residential communities of the economic and environmental benefits of green building practices. Support incentives which encourage design and construction of environmentally responsible buildings that are also operated and maintained to reduce waste, conserve water, and meet environmental objectives.
- MS-1.3** Support incentives that encourage the retrofit of existing buildings and *intensification* projects throughout Smiths Falls which use green building principles in order to mitigate their environmental, economic, and social impacts, to achieve greenhouse gas reductions, and to improve water quality. Retrofits for achieving energy efficiency

will only be undertaken in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building.

- MS-1.4** Document and report on green building new construction and retrofits as a means to show progress towards environmental sustainability.
- MS-1.5** Develop incentives that encourage individuals or businesses to complete green retrofits for their properties including tax credits, increased densities and bonuses for additional height, financing opportunities, or other means.

### ***Policies – Energy Conservation and Renewable Energy Use***

Encourage the use of *renewable energy sources* and green building practices in new and existing developments to allow for energy efficiency and conservation.

- MS-1.6** Encourage maximized use of on-site generation of renewable energy (i.e. solar panels, geothermal, etc.) for all new and existing buildings.
- MS-1.7** Encourage the use of solar orientation (i.e. building placement), landscaping, and design, for new construction to minimize energy consumption.
- MS-1.8** Promote roofing design (i.e. green roofs) and surface treatments that reduce the heat island effect for new and existing development.
- MS-1.9** Develop policies and programs which promote energy efficiency and reduction through construction techniques (i.e. design of building envelopes and systems to maximize energy).

### ***Policies – Water Conservation and Quality***

- MS-1.10** Promote water-efficient landscaping for all new commercial, institutional, and industrial development, unless necessary for recreation needs and functions.
- MS-1.11** Promote the use of green building technology or techniques that can help reduce consumption of potable water (i.e. promote the use of captured rainwater, graywater, or recycled water as the preferred source of non-potable water needs such as irrigation and certain building functions), consistent with *Building Code* and other regulations.
- MS-1.12** Promote the use of green roofs (i.e. roofs with vegetated cover), landscaping, pervious materials for hardscape, and other stormwater management practices to reduce water pollution.

**MS-1.13** Develop policies and guidelines that promote reduced use of potable water and that reduce water pollution.

**MS-1.14** Continue programs to educate the community on water conservation methods (i.e. landscaping, plumbing fixtures).

#### **4.3.2 Recycling/Zero Waste**

The ultimate goal of zero waste is to contribute to achieving a greener community. To achieve Smiths Falls' waste reduction goals, the Town will maximize diversion from landfills and reduce the amount of waste produced, provide environmental leadership and quality waste management service delivery, and ensure that waste programs are fiscally sustainable.

##### ***Policies – Waste Diversion & Reduction***

**MS-2.1** Encourage the use of reusable products.

**MS-2.2** Increase program participation and reduce disposal of recyclable materials through intensive outreach, incentives, or other methods.

**MS-2.3** Promote recycling and composting from all residents, businesses, and institutions.

**MS-2.4** Promote construction and demolition recycling as a “Best Practice” through the Town’s social media to reduce landfill waste from the building sector.

**MS-2.5** Reduce the amount of waste disposed in landfills through waste prevention, reuse, recycling, and composting.

#### **4.3.3 Air Quality**

##### ***Policies – Air Pollutant Emission Reduction***

**MS-3.1** Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development consistent with Ministry of Environment, Conservation and Parks (MECP) requirements.

**MS-3.2** Support studies looking into public and/or shared transportation services and facilities, where and when appropriate, to both encourage energy conservation and reduce air pollution.

**MS-3.3** Promote *active transportation* (i.e. walking and cycling) to minimize dependence on automobiles to reduce air pollution.

- MS-3.4** Ensure development projects meet the MECP's requirements for stationary sources of air pollution.
- MS-3.5** Encourage mixed use land development, retail, and other types of service oriented uses within walking distance of neighbourhoods to minimize automobile dependent development. Encourage walkability to services in new residential developments.
- MS-3.6** Require completion of air quality modeling for *sensitive land uses* (schools, retirement facilities, etc.) that are proposed to be located near sources of pollution such as industrial uses. Require new development projects that are categorized as sensitive receptors to incorporate effective mitigation into project designs or be located an adequate distance from sources of toxic air contaminants to avoid *significant* risks to health and safety.
- MS-3.7** Locate projects generating *significant* truck traffic in proximity to designated truck routes in order to minimize exposure to sensitive receptors.

#### Objectionable Odours

- MS-3.8** For new, expanded, or modified facilities that are potential sources of objectionable odours such as landfills, resource recovery facilities, wastewater treatment facilities, etc., the Town requires an analysis of possible odour impacts and the provision of odour minimization and control measures as mitigation.
- MS-3.9** Require new residential development projects and projects categorized as sensitive receptors to be located an adequate distance from facilities that are an existing or potential source of odour. An adequate separation distance will be determined based upon type, size, and operations of the facility.
- MS-3.10** Refer to the Ministry of Environment, Conservation and Parks (MECP) published Land Use ("D-Series") Guidelines ("Guidelines") to provide guidance and direction in assessing land use compatibility when considering development applications that require permission to rezone and/or re-designate land uses. Where appropriate, mitigation conditions shall be incorporated into the development approval process.
- MS-3.11** Investigate opportunities to convert the Town's vehicle fleet to alternative fuels with the co-benefit of reducing local air emissions.
- MS-3.12** Educate the public about air polluting household consumer products and activities that generate air pollution. Increase public awareness about alternative products and activities that reduce air pollutant emissions.

#### **4.3.4 Energy Conservation**

Smiths Falls will continue to conserve energy, reduce energy consumption per capita, and support renewable energy technologies so that, as the Town develops, its total Carbon Footprint will remain the same or be reduced. Smiths Falls' residents and businesses should have access to clean, renewable, *affordable*, and reliable energy.

##### ***Policies – Reduce Consumption and Increase Efficiency***

- MS-4.1** Promote job and housing growth in areas that have community amenities within a 20-minute walking distance (i.e. downtown to community centre or 1.6 km).
- MS-4.2** Enhance existing neighbourhoods by adding a mix of uses, including community-scaled shopping, employment, community services, and gathering places, that facilitate biking, walking or play.
- MS-4.3** Encourage new construction and rehabilitation of existing buildings to fully implement industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.

##### ***Policies – Renewable Energy***

- MS-4.4** Promote local innovation, research, development, and deployment of renewable energy and energy efficiency technologies.
- MS-4.5** Showcase and apply innovative technologies within Smiths Falls, including developments that achieve maximum energy efficiencies, and *renewable energy systems* that generate energy equal to or greater than that consumed on site.
- MS-4.6** Utilize municipal facilities to showcase the application of outstanding, innovative, and locally developed energy efficiency and renewable energy technologies and practices, to demonstrate the effectiveness of these technologies and to highlight the Town's energy leadership.

#### **4.4 Natural and Human Made Hazards (HZ)**

Smiths Falls includes certain areas subject to varying degrees of naturally occurring and human-made hazards. Development in hazardous areas can result in *significant* costs to individuals and the community, including major property damage as well as the potential loss of life. Another consideration is the expenses borne by the Town to repair and replace public *infrastructure* in hazard areas.

Hazards obviously represent a risk to the community. The purpose of the goals and policies in this section is to incorporate safety considerations into the Town's planning and decision-making processes to reduce those risks. Development shall generally be directed to areas outside of natural and human made hazards.

#### **4.4.1 Natural Hazards**

Natural Hazards policies are based on background data and analysis about existing conditions in the Town. The main sources for this information are the Ministry of Natural Resources and, when dealing with floodplains, the Conservation Authority.

##### Flooding Hazards

Flooding can occur in all areas along waterbodies and watercourses in the Town. There is a need to minimize the risk of flooding to buildings or structures, which is what presents a hazard. The purpose of these policies is to reduce the potential for public cost or risk of injury, loss of life, property damage, and economic or social disruption, which may result directly or indirectly from development and other activities in *flood plains*. The policies also recognize the *significant* role that *flood plains* play in support of natural drainage systems. The overall intent is to limit development within the *flood plain*.

#### **Policies – General Policies**

**HZ-1.1** Development is prohibited in the *flood plain*, *hazardous lands*, and *hazardous sites* for:

1. Institutional uses, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares, and schools;
2. Essential emergency services such as fire, police, ambulance stations and electrical substations; and,
3. Uses associated with the disposal, manufacture, treatment or storage of *hazardous substances* and outdoor industrial storage.

#### **Policies – Flood Plains**

##### Limits of the Flood Plain

**HZ-1.2** The *flood plain* associated with the rivers and streams means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding during one in a 100-year flood event and is identified as an overlay on **Schedule 'A' – Land Use Plan** as well as on **Schedule 'C' – Natural Heritage Areas and Constraints**. High points of land within flooded area are considered part of the flood plain.

- HZ-1.3** The extent of the one in 100-year flood will be determined by consulting *flood plain* maps prepared by the Rideau Valley Conservation Authority (RVCA), and in conjunction with the Conservation Authority, by considering other information such as land surveys and engineering drawings that may be pertinent. The policies for the Flood Plain overlay are based on the “One Zone” concept, which means the *floodway* consists of the entire contiguous *flood plain*.
- HZ-1.4** The policies for *flood plains* also apply to areas where *flood plains* exist but are not mapped by the Conservation Authority and are therefore not identified on **Schedules A & C**. Applicants may be required to undertake the necessary studies to delineate the extent of the *flood plain* in these instances.

#### Development Restrictions in the Flood Plain

- HZ-1.5** The zoning of *flood plains* will reflect the restricted use of these lands as described in these policies. Development in the *flood plain* is regulated under the *Conservation Authorities Act* and will require written permission from the Rideau Valley Conservation Authority prior to a building permit from the Town under the *Building Code Act*.
- HZ-1.6** The Town will not permit *site alteration*, meaning activities such as grading, excavation and the placing of fill that would change the landform and natural vegetative characteristics of a site, or development, meaning the creation of a new lot, a change in land use, or the construction of buildings and structures in the *flood plain* except for:
1. Facilities which by their nature must locate in the *flood plain*, such as bridges, flood and/or erosion control structures.
  2. Minor additions and/or renovations to existing structures which do not affect flooding, and which are approved by the RVCA.
  3. The replacement of a dwelling that was in existence at the date of effect of this new plan with a new dwelling where:
    - The new dwelling is generally the same gross floor area and footprint as the existing building;
    - The new dwelling, in conjunction with any *site alteration* does not result in increased susceptibility to flooding;
    - The new dwelling is flood proofed to the standards of current RVCA *flood plain* development policies; and,
    - The new dwelling and any associated *site alteration* are approved by the RVCA.
  4. Passive non-structural uses which do not affect flood flows.

## Erosion Hazards and Unstable Soils

Erosion hazards mean the loss of land, due to human or natural processes, that pose a threat to life and property. The *erosion hazard* limit is determined using the one hundred year erosion rate and includes allowances for toe erosion, slope stability, and access during emergencies. The *erosion hazard* component of river and stream systems is intended to address river and stream bank erosion as well as slope stability issues related to the valleys through which rivers flow.

Unstable soils include certain clay soils, organic and peat soils formed by the decomposition of vegetative and organic materials into humus. This rotting process can create methane gas and results in soils that erode easily and compress so much they may not be able to support structures. It is the intent of these policies to permit development only where the effects of *erosion hazards* and unstable soils can be avoided or, in the case of existing development, successfully mitigated.

### ***Policies - Erosion Hazards and Unstable Soils***

#### Identification of Constraints

- HZ-2.1** Areas that are susceptible to *erosion hazards* and unstable soils have not been mapped, this issue should be considered at the time of development review and site assessment.
- HZ-2.2** Erosion hazards should be considered under existing site conditions, under regulatory flood conditions, as well as whether future *site alteration* occurring on or adjacent to a site would increase the existing *erosion hazards*. Protection should be ensured from the 100-year erosion rate (average annual rate of recession extended over a 100 year time span).
- HZ-2.3** The ‘Erosion Hazard and Unstable Soils’ policies will apply where *erosion hazard* potential or unstable soils are identified during the development review process.
- HZ-2.4** Land uses that are in conformity with the underlying land use designation may be permitted, subject to satisfying the policies of this Section, except for those uses that are explicitly prohibited.
- HZ-2.5** Existing buildings and structures shall be recognized as permitted uses.

**HZ-2.6** Development is prohibited in Erosion Hazards and Unstable Soils areas for:

- a. Institutional uses, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares, and schools;
- b. Essential emergency services such as fire, police, ambulance stations and electrical substations; and,
- c. Uses associated with the disposal, manufacture, treatment or storage of *hazardous substances* and outdoor industrial storage.

Development Review Criteria

**HZ-2.7** Prior to permitting new development in areas susceptible to potential *erosion hazards* or unstable soils, Council will be satisfied that potential hazards associated with erosion or unstable soils can be avoided or acceptably mitigated. Consultation with the Conservation Authority and obtaining of conservation authority permits may be required.

**HZ-2.8** For lands along waterbodies and watercourses or lands characterized by steep slopes and therefore presenting *erosion hazards*, a geotechnical study, completed by a qualified geotechnical engineer, shall be prepared to the satisfaction of the Town and/or the appropriate agency. For new development, the geotechnical study shall satisfy that the *erosion hazards* can be avoided. In the case of existing development undergoing expansion or change of use, such a study will determine if and then how the *erosion hazard* can be mitigated.

**HZ-2.9** For hazards posed by unstable soils, typically in a water saturated environment such as a wetland, due to the variable and complex nature of organic and peat soils, the proponent will be required to prepare a study to verify the location and extent of the unstable soils and to determine the appropriateness and/or feasibility of placing development within or over top of unstable soils. Measures to overcome or mitigate the hazards associated with unstable soils will be identified in the study. Such a study will be prepared by a qualified individual, at the proponent's expense, and will be consistent with applicable Ministry guidelines and to the satisfaction of the Town.

**HZ-2.10** The Town may require a study to identify and address any associated impacts that development adjacent to an *erosion hazard* limit will have on components of the Natural Heritage System.

**HZ-2.11** Council may request a peer review at the applicant's expense of any study prior to development approval to:

1. confirm that the methodology used by the geotechnical engineer to determine the location of the *erosion hazard* limit is satisfactory;
2. confirm the location of the areas susceptible to *erosion hazards*;
3. advise as to whether the hazard associated with erosion or unstable soils can be safely avoided or addressed in accordance with established policies, standards and procedures;
4. indicate whether new hazards will be created or existing hazards aggravated as a result of the proposed development or *site alteration*;
5. confirm that no *negative impacts* will result from the proposed development or *site alteration*;
6. confirm that people have a way of safely entering and exiting the subject property during times of flooding, erosion, or other emergencies; and,
7. identify conditions to development approval that will ensure that all facilities, works or other matters stipulated in the study will be provided and maintained.

Should such review result in a fee, the applicant will be required to pay such fee at the time the review is completed and prior to development approval.

### **Wildland Fire Hazards**

Certain lands within the Town have been identified as areas that may be unsafe due to the presence of hazardous forest types for wildland fire.

#### ***Policies – Wildland Fire Hazards***

**HZ-2.12** Development will generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Areas identified as high to extreme risk for wildland fire are illustrated on **Schedule 'C'**. The information is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, **Schedule 'C'** may be revised without requiring an amendment to this Plan.

**HZ-2.13** Development may be permitted in lands with hazardous forest types for wildland fire where risk is mitigated in accordance with the wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources.

**HZ-2.14** In the absence of detailed municipal assessments, proponents of development applications will undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent properties, to the extent possible. Where areas of high to extreme risk for wildland fire are present,

measures should be identified as to how the risks will be mitigated. FireSmart planning should be considered, including mitigation programs.

- HZ-2.15** Environmentally appropriate mitigation measures will be promoted. Wildland fire mitigation measures which would result in development or site alteration will not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or ecological functions.

#### **4.4.2 Human Made Hazards**

##### **Contaminated Sites**

Contaminated Sites are those lands where the environmental condition of the property has the potential of having been harmed through past activities. Although such lands represent a potential hazard due to real, or potential environmental contamination, opportunities for Brownfield Redevelopment may exist. The *redevelopment* of abandoned or underutilized industrial and commercial sites is consistent with policies encouraging increased *intensification* in built-up urban areas.

##### ***Policies – Contaminated Sites***

- HZ-3.1** In order to ensure that there will be no *adverse effects* from any proposed development or *redevelopment*, environmental site assessments and remediation of contaminated sites are required by this Plan prior to any activity or development occurring on the site that is known or suspected to be contaminated. The Town will require the proponent of development on such sites to determine the nature and extent of contamination and the necessary remediation measures in accordance with the policies below.
- HZ-3.2** The Town will require all applications for development in areas known or suspected of former land use activities that may have led to soil contamination to be supported by a Phase I Environmental Site Assessment (ESA).
- HZ-3.3** Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required.

Prior to a development being approved on a site where information reveals that the site may be or is contaminated, the applicant will provide a Record of Site Condition in accordance with Ontario Regulation 153/04 and Provincial Guidelines. The Record of Site Condition, which details requirements related to site assessment and cleanup, must be acknowledged by the Ministry of the Environment, Conservation and Parks (MECP) and uploaded to the Environmental Site Registry, confirming that the site has been made suitable for the proposed use. The Record of Site Condition and

MECP acknowledgment will be provided to the Town. If a Certificate of Property Use (CPU) is required, it will be required to be registered on title.

- HZ-3.4** The Town may consider financial and other incentives to promote the *redevelopment* and reuse of *brownfield sites* that are subject to environmental constraints.

### **Hazardous Materials**

Hazardous Materials are chemicals or substances that have the potential to harm humans, animals, or the environment.

#### ***Policies – Hazardous Materials***

- HZ-3.5** Council will require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use or transport in conformance with applicable regulations and guidelines.
- HZ-3.6** Council will require all proposals for new or expanded facilities that handle hazardous materials that could impact sensitive uses off-site to include adequate mitigation to reduce identified hazardous materials impacts to less than *significant* levels.
- HZ-3.7** Council will not approve land uses and development that use hazardous materials that could impact existing residences, retirement residences, schools, day care facilities, community or recreation centres, emergency services, or other sensitive receptors if accidentally released without the incorporation of adequate mitigation or separation buffers between uses.

### **Aggregates**

- HZ-3.8** In order to protect human health and safety, as well as *mineral aggregate resources*, the Town will require compatibility studies for development along the Town boundary within 300 m of sand and gravel resources and within 500 m of bedrock resources identified by adjacent municipalities.

## **Section 5 Cultural Heritage**

### **5.1 Cultural Heritage and Archaeology**

Smiths Falls' history provides a *significant* contribution to its sense of community identity.

Its cultural heritage resources include, but are not restricted to, *built heritage resources*, *cultural heritage landscapes*, and *archaeological resources* (land and marine). This Plan intends to conserve, restore, maintain, and enhance cultural heritage resources in Smiths Falls. Conservation includes the protection, management and use of cultural heritage resources.

#### ***Policies – Cultural Heritage and Archaeology***

- CH-1.1** All new development permitted by the policies of this Plan shall conserve cultural heritage resources and will make every attempt to incorporate these resources into any new development plans. In addition, all new development will be planned in a manner that conserves and enhances the context in which cultural heritage resources are situated. Council will work with federal and provincial agencies to ensure that conservation of these cultural heritage resources is promoted.
- CH-1.2** In accordance with Section 27 of the *Ontario Heritage Act*, the municipal clerk shall maintain a register of all property designated under Part IV and Part V of the *Ontario Heritage Act*. This register may also contain properties that have municipal heritage conservation easements placed upon them and properties that are not designated, but which are considered by Council to be of cultural heritage value or interest.
- CH-1.3** Council supports a Municipal Heritage Committee (MHC) pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist Council on matters related to Parts IV, V, and VI of the Act. In addition, the Town may wish to expand the role of the municipal heritage committee to advise and assist Council on other matters of cultural heritage resource conservation and promotion.
- CH-1.4** Pursuant to the *Ontario Heritage Act*, and in consultation with the MHC, Council may, by by-law:
1. designate properties to be of cultural heritage value or interest;
  2. define the Town, or any area or areas within the Town as an area to be examined for designation as a heritage conservation district; and,
  3. designate the Town, or any area or areas within the Town, as a heritage conservation district.

**CH-1.5** In all designations, the Town will ensure that appropriate care is taken to conserve mature trees and other vegetation contributing to a property's cultural heritage value or interest. Existing landmark trees and tree and hedge lines should be an essential consideration in the design of any development. The conservation of trees along streets and roads will be encouraged by the Town, except where removal is necessary because of disease, damage, or to ensure public health and safety.

**CH-1.6** The Town recognizes that there may be archaeological , sites (land and marine) or *areas of archaeological potential* within the boundaries of the Town. Some of these resources are affiliated with Indigenous peoples and associated with the early settlement of the Town. Development and *site alteration* will be permitted on lands containing *archaeological resources* or *areas of archaeological potential* only where the *archaeological resources* have been assessed, documented, and *conserved*. Any alterations to known archaeological sites will only be performed by licensed archaeologists. The Town shall require archaeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological resource or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with the standards and Guidelines for Consultant Archaeologists (2011), as well as licensing requirements developed under the Ontario Heritage Act. The protection of cultural heritage resources through in situ conservation shall be considered as the first option.

Council recognizes that, within the boundaries of the Town, there may be marine *archaeological resources* from the pre-historic period through the modern era up to the last 50 years. These marine *archaeological resources* may include the remains of ships, boats, vessels, artifacts from the contents of construction, old pier docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value or interest. The remains may currently be under water or were, at one time, under water but are no longer submerged.

Areas of archaeological potential are areas of a property that could contain *archaeological resources*. Areas of archaeological potential are identified through the application of criteria established by the Province or an Archaeological Management Plan.

**CH-1.7** The Town may waive the need for an archaeological assessment if the proposed development activity is in areas that have been recently (defined as after 1960), intensively and extensively disturbed to the point where the subject lands have low archaeological potential (e.g., through past construction activities).

- CH-1.8** Council shall ensure adequate archaeological assessment and consult with appropriate government agencies, including the Ministry of Citizenship and Multiculturalism and the Cemeteries Regulation Unit of the Ministry of Public and Business Service Delivery and Procurement, when an identified and marked or unmarked cemetery is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.
- CH-1.9** Council may conserve the integrity of *archaeological resources* by adopting Zoning By-laws under Section 34(1) 3.3. of the *Planning Act* R.S.O. 1996, to prohibit any land use activities, and the erection of buildings and structures on sites with *significant* archaeological resource(s).
- CH-1.10** Cultural heritage resources are an important component of sustainable development and place making. The conservation of our cultural heritage resources is essential to the character of our Town and can contribute to other social, cultural, economic, environmental goals of the Town of Smiths Falls. As a result, heritage conservation is integrated throughout the Plan's policies.
- CH-1.11** The development of neighbourhood heritage initiatives will be encouraged throughout Smiths Falls to promote an understanding of local history and the evolution of our neighbourhoods and open spaces.
- CH-1.12** Potential and existing properties of cultural heritage value or interest, including *cultural heritage landscapes* and heritage conservation districts, will be identified and included in area planning studies and plans (i.e. master plans, secondary plans).
- CH-1.13** Properties on the Heritage Register will be promoted through educational programs, museums, local celebrations, and other programming opportunities.
- CH-1.14** Commemoration of lost historical sites will be encouraged whenever a new development is undertaken in the vicinity of historic sites, such as those where major historical events occurred, important buildings or landscape features have disappeared, or where important cultural activities have taken place. Interpretation of existing properties on the Heritage Register will also be encouraged.
- CH-1.15** Council may consider incentives for the conservation and maintenance of designated properties.
- CH-1.16** In addition to protection under the *Ontario Heritage Act*, other planning tools and strategies for the protection of Cultural Heritage may be investigated and employed, as determined by the Town.

### 5.1.1 Alteration, Removal, or Demolition of Protected Heritage Property

No alteration, removal or demolition shall be undertaken that would adversely impact the *heritage attributes* of a *protected heritage property*, unless it can be demonstrated that the property's *heritage attributes* will be *conserved*.

#### ***Policies – Alteration, Removal, or Demolition of Protected Heritage Property***

- CH-2.1** To ensure a greater degree of protection of properties designated under the *Ontario Heritage Act*, Council may enter into agreements with property owners, or may attempt to secure conservation easements, in order to protect the *heritage attributes* of the property.
- CH-2.2** The cultural heritage value or interest of a building will be considered at the time of application for demolition.
- CH-2.3** Council will prevent the demolition, destruction or inappropriate alteration of cultural heritage resources. Furthermore, Council will conserve *significant* cultural heritage resources when undertaking public works. In attaining its goal for establishing a barrier-free environment to town-owned property, the Town shall endeavour to provide access solutions in a manner that is also balanced with the conservation of the cultural heritage value or interest of a *protected heritage property*. Council recognises that standardised designs may not always suffice and that each *protected heritage property* will require unique accessibility plans to ensure that alterations do not adversely impact the *heritage attributes* of the property.
- CH-2.4** Council may require a Heritage Impact Assessment conducted by a qualified professional whenever a development has the potential to affect the *heritage attributes* of a *protected heritage property* or cultural heritage resource. Council shall require that all cultural heritage resources to be demolished or *significantly* altered are documented through the Assessment for archival purposes with a history, photographic record, and measured drawings prior to their demolition or alteration.
- CH-2.5** A Heritage Impact Assessment may be required where a development application may obstruct or detract from a view included as a cultural heritage value or attribute of a property of the Heritage Register, to the satisfaction of the Town.
- CH-2.6** In addition to a Heritage Impact Assessment, the Town may request a Heritage Conservation Plan to address in detail the conservation treatments for the subject heritage property. The Town may also request a Heritage Interpretation Plan to promote a *protected heritage property* identified in a Heritage Impact Assessment.

**CH-2.7** Council views archaeological conservation in situ as the preferred method of ensuring that the integrity of the *protected heritage property* is maintained. However, Council also recognizes there may be a need for rescue excavation of *significant archaeological resources* as a result of development proposals and will consider this only when it is demonstrated that in situ conservation is not possible. Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per the *Ontario Heritage Act*.

### **5.1.2 Alteration or Demolition on Adjacent Lands to Protected Heritage Properties**

**CH-3.1** Where a real property is protected under Parts IV, V, or VI of the *Ontario Heritage Act*, development, *site alteration*, or demolition of structures may be permitted on *adjacent lands* where the proposed development has been assessed, and it has been demonstrated through technical cultural heritage studies (e.g., heritage impact assessment, archeological assessment, conservation plan) to the satisfaction of Council that the *heritage attributes*, and integrity of the *protected heritage property* will be *conserved*. Development adjacent to *significant* cultural heritage resources is encouraged to be of an appropriate scale and character. For the purposes of this Section, *adjacent lands* shall include lands that are contiguous, and lands that are directly opposite a *protected heritage property*, separated only by a laneway or municipal road, including an opposite corner. A holding provision may be applied on the zoning of lands adjacent to protected heritage properties to ensure that, prior to development or *site alteration*, technical cultural heritage studies are required to demonstrate how the *heritage attributes* and integrity of the *protected heritage property* are to be *conserved* and how any impacts may be mitigated.

### **5.1.3 Heritage Conservation Districts**

**CH-4.1** Potential Heritage Conservation Districts will be identified and evaluated to determine their significance and cultural heritage values through a Heritage Conservation District study. Heritage Conservation Districts that have been evaluated to be *significant* for their cultural heritage value will be designated and *conserved*.

**CH-4.2** Heritage Conservation District studies and plans will be conducted in accordance with Council adopted policies and industry Best Management Practices.

**CH-4.3** Impacts of *site alterations* and development, within or adjacent to Heritage Conservation Districts will be assessed to ensure that the integrity of the districts' heritage values, attributes, and character are *conserved*. This assessment will be achieved through a Heritage Impact Assessment, consistent with the Official Plan, to the satisfaction of the Town.

#### 5.1.4 Cultural Heritage Landscapes

**CH-5.1** Potential *cultural heritage landscapes* will be identified and evaluated to determine their significance and cultural heritage values. Significant *cultural heritage landscapes* will be included on the Heritage Register and/or designated under either Part IV or Part V of the *Ontario Heritage Act*.

#### 5.1.5 Heritage Views

**CH-6.1** The view to a property on the Heritage Register, including *cultural heritage landscapes* and the Rideau Canal, will be *conserved* whereas:

- The view is identified as a cultural *heritage attribute* for a property on the Heritage Register; and/or,
- The property is identified as a landmark in the cultural *heritage attributes* of a property on the Heritage Register.

#### 5.1.6 Indigenous Engagement on Cultural and Archaeological Heritage

There are many cultural heritage resources that may be of importance for Indigenous peoples in and surrounding the present-day location of the Town of Smiths Falls. The Town is located on Algonquin Traditional Territory, where Algonquins have lived for thousands of years; as a result, there are likely to be *archaeological resources* of significance to the Algonquins of Ontario.

The Town is committed to working with nearby Indigenous communities when it comes to matters of cultural heritage resources. The following policies will support this:

**CH-7.1** The Town shall engage early with Indigenous communities on matters that may affect Indigenous history and culture.

**CH-7.2** The Town shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

## Section 6    Quality Of Life

While all elements of the Smiths Falls 2051 Official Plan are intended to conserve and enhance the quality of life for the Town's residents, employees, and visitors, this section provides detailed policy guidance for specific components that relate directly to the daily experience of life in Smiths Falls at the local or neighbourhood level. The policies in this section identify how quality of life will be advanced as the Town promotes economic development in its role as the Heart of the Rideau. The Town wants to take advantage of its geographical location, its history as a regional hub, and its access to the Rideau Canal National Historic Site and UNESCO World Heritage Site to grow a safe, diverse, and thriving community with employment opportunities, well maintained *infrastructure*, excellent urban level services, and rich and varied cultural and entertainment options. To maintain and enhance this quality of life, these policies shape the Town's urban form, supporting improved walkability and bikeability within a more aesthetically pleasing urban environment mindful of its small town feel.

This Quality of Life section has a close relationship with the Thriving Community concepts advanced in Section 3. The Town's quality of life attracts creative businesses, residents, and visitors that can stimulate the local economy.

The Town promotes clean, safe, and attractive neighbourhoods with a variety of *housing options*; quality education and services; including police, fire, code enforcement, parks, trails, and open space; cultural and recreational opportunities; and vibrant businesses to support its residents, employees, and visitors.

Smiths Falls offers a variety of quality neighbourhoods and *housing options* in various districts representative of a specific era. Recreation opportunities are right at hand, from neighbourhood parks to multi-use trails.

Whether a person chooses to live in a historical neighbourhood, along the Rideau Canal with scenic views, open spaces, and natural amenities, in a more recently developed neighbourhood or downtown, the policies in this section support the unique characteristics of each environment. The Plan protects residential areas from incompatible development and promotes a well-functioning and attractive Town, with high quality architecture and landscaping.

The Quality of Life policies promote the development of "complete neighbourhoods" throughout the Town that provide for the daily needs of all residents within close walking or biking distance to their homes. These policies promote creation of vibrant, attractive, interesting, and distinctive places within Growth Areas and established neighbourhoods.

## 6.1 Community Context And Identity

Smiths Falls residents strongly identify with their neighbourhoods; the Town offers a wide range of housing choices that meet the needs of a diverse community. Residents are supportive of the development of recreational, arts and cultural activities, and are proud of their reputation as the “Heart of the Rideau”.

The policies in this section build upon this sense of identity; support the characteristics and features that define neighbourhoods; promote development of the downtown core; and build upon the programs, facilities, resources, and other amenities that make Smiths Falls a great place to live, work, and play.

## 6.2 Vibrant, Attractive, and Complete Neighbourhoods

- VN-1.1** Maintain existing and develop new community services and gathering spaces that allow for increased social interaction of neighbours, (i.e. parks, libraries, and other gathering spaces) and contribute to the community’s identify through place-making.
- VN-1.2** Encourage the development and maintenance of compatible neighbourhood retail and service facilities within walking distance of residences as a means to promote the creation of “complete” neighbourhoods.
- VN-1.3** Use new development within neighbourhoods to enhance the public realm, provide direct and convenient pedestrian and cyclist access, and visually connect to the surrounding neighbourhoods. As opportunities arise, improve existing development to meet these objectives as well.
- VN-1.4** Include site planning, landscaping, and architectural design features within all new retail development of any size to promote harmony with surrounding uses and support expanded pedestrian and bicycle activity on site and greater connectivity for *active transportation* between adjacent uses.
- VN-1.5** Cluster parking, make use of shared parking facilities, and minimize the visual impact of surface parking lots to the degree possible to promote *active transportation* and to improve the Town’s aesthetic environment. Where possible, amenities such as stormwater management facilities, pedestrian connections and landscaping improvements should be integrated and combined to both improve the function of the space and break up the monotony of large parking areas to make them more visually appealing.

- VN-1.6** Promote the conservation of historical character-defining elements in neighbourhoods, such as architecture, design elements like setbacks, heights, number of storeys, location and type of garage, landscape features, street design, etc.
- VN-1.7** Protect residential neighbourhoods from the introduction of incompatible activities or land uses which may have a negative impact on the residential living environment.
- VN-1.8** Encourage the maintenance of private property within the Town's neighbourhoods. Actively enforce a *Property Standards By-law*.
- VN-1.9** Require absent private property owners to ensure their properties are well maintained and in good keeping.
- VN-1.10** Explore the creation of a Vacant Home Tax to apply to properties that have been vacant for a period of longer than 12 months.
- VN-1.11** Continue to work with community and neighbourhood groups on the development and implementation of policies and initiatives to enhance community identity and to foster pride in the Town's neighbourhoods.
- VN-1.12** Develop and implement policies, Design Guidelines, and regulations to promote the conservation of positive character-defining elements within neighbourhoods.
- VN-1.13** Parking requirements shall be minimal and limited to what is required for safe function

### **6.3 Community Design (CD)**

A community's design defines the character of a street, neighbourhood, or its town as a whole. These Community Design policies guide the form of future development in Smiths Falls and help link individual projects to the vision for the surrounding area and Town.

The policies aim to guide future development to create great places, to enhance liveability, to improve the quality of life in Smiths Falls, and to make the Town more attractive to residents, businesses, and visitors. They aim to create a pedestrian-friendly and environmentally-and fiscally-sustainable community. At the same time, these Community Design policies serve to protect existing neighbourhoods from incompatible development and support growth and *intensification* in identified areas.

Due to its unique nature, the Downtown has a supplemental set of Community Design policies found in the "Downtown Revitalization and Waterfront Integration Master Plan", and Council has

subsequently adopted Downtown Design Guidelines that build upon this. Similarly, the Rideau Canal has its own supplemental policies.

### **6.3.1 General Town Design**

Smiths Falls seeks to create a well-designed, unique, and vibrant public realm with appropriate uses and facilities to maximize pedestrian activity; support community interaction; and attract residents, business, and visitors to Smiths Falls. The following policies will enable this by promoting attractive development, connectivity, compatibility, and community health and safety.

#### ***Policies – Attractive Town***

- CD-1.1** Apply site design standards to all development projects, both public and private, for the enhancement and development of community character.
- CD-1.2** Install and maintain attractive, durable, and fiscally- and environmentally-sustainable urban *infrastructure* to promote the enjoyment of public spaces. Include attractive landscaping, public art, lighting, gateways, interpretative/way-finding signage, plazas, or other amenities in spaces for public use. When resources are available, seek to enliven the public right-of-way with street furniture, art, landscaping, and other amenities.
- CD-1.3** Require developers to provide pedestrian amenities, such as trees, lighting, recycling and refuse containers, seating, awnings, art, or other amenities in pedestrian areas along project frontages as part of Site Plan Control and/or Subdivision approval.
- CD-1.4** Create an attractive street presence with pedestrian-scale building and landscaping elements. Encourage compact urban design, including use of smaller building footprints and reduced setbacks from the street, to promote pedestrian activity throughout the Town.
- CD-1.5** In pedestrian-oriented areas such as the Downtown, commercial and mixed-use building frontages should be placed at or near the street-facing property line with entrances directly to the public sidewalk. In these areas, strongly discourage parking areas located between the front of buildings and the street to promote a safe and attractive street façade and pedestrian access to buildings.
- CD-1.6** Promote shared parking arrangements between private uses and the provision of commonly accessible commercial or public parking facilities which can serve multiple users in lieu of providing individual off-street parking on a property-by-property basis. Consider in-lieu parking fees or other policy actions to support this goal.

- CD-1.7** To create a more pleasing pedestrian-oriented environment, for new or renovated building frontages, include design elements with a human scale and inviting facades. To enhance the pedestrian experience, design elements should include varied and articulated facades, entries oriented to public sidewalks or pedestrian pathways, and windows or entries along sidewalks and pathways. Avoid blank walls that do not enhance the pedestrian experience. Encourage inviting, transparent facades for ground floor commercial spaces that attract customers by revealing active uses and merchandise displays.
- CD-1.8** Maintain and enhance the urban tree cover by conserving *significant* trees, particularly native species, within new development or *redevelopment* projects. Avoid any *adverse effects* on the health and longevity of such trees through design measures, construction, and best management practices. When tree conservation is not feasible, include replacements or alternative mitigation measures.
- CD-1.9** When reviewing development adjacent to a shoreline, the development should:
- Incorporate compatible design and landscaping, including appropriate setbacks and plant species.
  - Maximize visual access to the shoreline from the public right-of-way while protecting the natural ecosystem. Consider whether the design could incorporate shoreline access area or a linear park along the shoreline.
  - Consult with Parks Canada.
- CD-1.10** Apply historic conservation goals and policies to proposals that modify historic resources or include development near historic resources.

### ***Policies – Connections***

- CD-2.1** Promote development patterns that allow areas to function and provide connectivity as a whole rather than as individual developments.
- CD-2.2** Within new development or *redevelopment*, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities, and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets. Residential, commercial and institutional development should have primary entrances directly facing public streets.
- CD-2.3** Provide direct access from all developments to adjacent parks or open spaces, and encourage residential development to provide common open space contiguous to such areas.

- CD-2.4** Provide pathways and street patterns that provide connectivity to public, recreational, commercial, and institutional areas.
- CD-2.5** Within a new development or *redevelopment*, improvements to Town land as they relate to connectivity, including, but not limited to, sidewalk extensions, will be the responsibility of the developer, either directly, or through appropriate development charges.
- CD-2.6** Support the installation and use of more interpretive signage around Town, which will serve to promote a sense of place while also improving connectivity and wayfinding.

### ***Policies – Design Compatibility***

- CD-3.1** In existing neighbourhoods, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area. through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation.
- CD-3.2** For new development in transition areas, use a combination of building setbacks, building orientation, landscaping, and other design techniques to provide a consistent streetscape.
- CD-3.3** For development subject to design review, ensure the design of new or remodelled structures is consistent or complementary with the surrounding neighbourhood fabric.
- CD-3.4** Maintain and update design guidelines adopted by Town Council that support this Plan and have due consideration of them in the review of development applications.

### ***Policies – Community Health, Safety, and Wellness***

- CD-4.1** Design areas to promote pedestrian and bicycle movements, to facilitate interaction between community members, and to strengthen the sense of community.
- CD-4.2** Promote Crime Prevention Through Environmental Design (CPTED) principles that enhance personal security in the design of spaces that are accessible to the public. Design sites and buildings to promote visual access to parking and open space areas. Support safe, accessible, and well-used public open spaces by orienting active use areas and building facades towards them.
- CD-4.3** Include design elements during the pre-application consultation and development review process that address security, aesthetics, and safety.

- CD-4.4** Design lighting locations and levels to enhance the public realm, promote safety and comfort, and create engaging public spaces. Minimize unnecessary lighting by only installing lighting for set out purposes.
- CD-4.5** Support the creation of a Dark Skies Policy with a strategic objective to minimize the impact of outdoor lighting and emphasizing the importance of a dark skies approach while still providing safe and pleasing well-lit spaces.

### **6.3.2 Downtown**

#### ***Policies – Downtown Urban Design***

- CD-5.1** Recognize Downtown as the most vibrant urban area of Smiths Falls and maximize development potential and overall density within the Downtown.
- CD-5.2** Promote Downtown as a focal point for community activity including events and festivals.
- CD-5.3** Design publicly-accessible and welcoming areas by including street furniture and landscaping throughout the Downtown.
- CD-5.4** Maintain Downtown design guidelines and policies adopted by Town Council to guide development and ensure a high standard of architectural and site design.
- CD-5.5** Design the public right-of-way with ample width to be shared by large volumes of vehicles, pedestrians and cyclists, and plant and maintain street trees to provide a tree canopy for shade to mitigate Ultraviolet radiation exposure and enhance visitor experience.
- CD-5.6** Encourage thoughtful mixed-use development where the land use designation supports it, noting that it is not the intention of this Plan that all Downtown lands will accommodate a full range of uses. Additionally, promote *intensification* of low-density housing to higher density multiple residential buildings.
- CD-5.7** Encourage adaptive reuse of historically *significant* built resources and the conservation of cultural heritage resources, as identified by the Municipal Heritage Committee.
- CD-5.8** Promote the continued revitalization of the Downtown and improved quality of life for residents by leveraging arts and culture as key drivers of economic growth and community building.

### 6.3.3 Building Height

Appropriate heights can vary depending on existing context, street typology, planned growth for the area, the presence of nearby historic structures, or other factors. Smiths Falls seeks to regulate building heights to avoid land use incompatibility, while still providing opportunities to achieve the Plan's goals for economic development, *intensification*, and the reduction of urban sprawl.

#### ***Policies – Building Height***

- CD-6.1** Ensure new development is consistent with specific heights established in the Town's Comprehensive Zoning By-law and applied through the zoning designation for properties throughout the Town. Land use designations on **Schedule 'A' - Land Use Plan** provide an indication of the typical number of storeys expected for new development.
- CD-6.2** Review and revise zone provisions in the Comprehensive Zoning By-law to provide appropriate height limitations for various locations within Smiths Falls consistent with the land use objectives of this Plan.
- CD-6.3** Consider the Plan's goals and objectives which provide guidance for the appropriate regulation of building heights to be implemented through the Zoning By-law.
- CD-6.4** The height of new development should be regulated to avoid long-term land use incompatibilities., Ensure proposed Zoning By-law changes establish adequate maximum building heights.
- CD-6.5** To ensure that buildings do not overshadow or overwhelm adjacent development and to ensure neighbourhood compatibility, the Zoning By-law could include "step down" provisions for portions of new development adjacent to the surrounding residential neighbourhood, generally starting above the third storey.
- CD-6.6** Viewsheds will be protected through Council-approved Urban Design Guidelines, which will guide not only the design of new construction or *redevelopment* but also the siting, size, and configuration of structures to be constructed. The Zoning By-law and Site Plan Control By-law will be used to protect identified viewsheds.
- CD-6.7** Identified viewsheds of individual historic sites could also be protected through the application of specific criteria to overlay and/or buffer districts as part of the implementing Zoning By-law.

### 6.3.4 Rideau Canal

The following Section was derived, with the assistance of Parks Canada, from policy direction in the Rideau Canal National Historic Site of Canada Management Plan and the Rideau Canal World Heritage Site Management Plan.

As a result of key directions and outcomes of community consultation and analysis, the Downtown Revitalization and Waterfront Integration Master Plan (2013) established the following vision:

“The Town of Smiths Falls Downtown and Waterfront core area is envisioned as the ‘Heart of the Rideau’ that will create a cohesive community identity on the Rideau Canal. It strives to protect and enhance the unique natural environment and extensive cultural heritage resources; provides a strong framework for social interaction, land and water-based recreation and tourism; and encourages mutually supportive investment in the public realm and private development sites.”

The Official Plan acknowledges that the Rideau Canal is a National Historic Site, a Canadian Heritage River, and also a UNESCO World Heritage Site.

The Rideau Canal was designated as a National Historic Site in 1924 in recognition of its construction, survival of a high number of original structures and the unique historical environment of the canal system. In 2000, the Canal was designated a Canadian Heritage River for its outstanding human heritage and recreational values.

In 2007, the Rideau Canal was inscribed on the UNESCO World Heritage List because of its construction technology and role in defending Canada. The Canal is the best *conserved* slackwater canal in North America and is the only canal from the great North American building era of the early 19<sup>th</sup> century that remains operational along its original line with most of its structures intact.

Pursuant to these designations, Parks Canada has prepared the Rideau Canal National Historic Site Management Plan and the Rideau Canal World Heritage Site Management Plan. Within the Town limits, there are two other applicable planning documents. The Smiths Falls Lower Reach Basin Parkland Study has been prepared by the Town in consultation with Parks Canada. As well, the Middle Rideau River Sub Watershed Study has been prepared by the Rideau Valley Conservation Authority.

Located within diverse landscapes rich in history, natural character and scenic beauty, the World Heritage Site is the premiere cultural heritage resource and natural feature in the Town and provides opportunities for heritage education and appreciation, tourism, enjoyment, recreational pursuits, and as a place to live and work. Conservation and sustainable use and

development of the Canal and *adjacent lands* will ensure that it will contribute to the conservation of world heritage and to the quality of life for residents and visitors to the Town for generations to come. The policies of this Section shall apply to all development and *site alteration* adjacent to the Rideau Canal.

### ***Policies – Rideau Canal***

The Town supports the protection of the Rideau Canal and will contribute to the conservation and sustainable development of the lands adjacent to the Rideau Canal through the following policies:

- CD-7.1** The Town shall work with Parks Canada to ensure that any development or *site alteration* will not alter the size, shape, or configuration of the Canal system.
- CD-7.2** Construction of in-water structures such as docks will not be permitted in narrow channels, defined as a waterbody where the distance from shore to shore is 100 metres or less, or an entrance to a lockstation where a hazard to navigation would result, as identified by Parks Canada. Similarly, to protect the natural and scenic value of the canal, minimum water setbacks may be increased for new development along narrow channels.
- CD-7.3** Development and/or *site alteration* on lands adjacent to the Rideau Canal must demonstrate that *significant* cultural heritage resources will be *conserved*. A heritage impact assessment prepared by a qualified professional may be required to demonstrate this, as appropriate.
- CD-7.4** The Town will work with Parks Canada to identify the cultural heritage resources, natural heritage, and scenic features and vistas of the Canal landscape, and may protect those values through appropriate land use designation, land division policies, cultural and natural heritage policies, view protection policies, and zoning.
- CD-7.5** The Town will refer to the Rideau Canal Landscape Strategy (RCLS) Landscape Character Assessment Report and its 10 principles for good development, as applicable, for new development along the shoreline of the Rideau Canal. The intent is to protect certain areas, such as lands adjacent to lock stations, narrow channels and scenic shorelines, important vistas, and sightlines from development that could impair the character or understanding of the heritage values of these areas and to capture heritage within new development.
- CD-7.6** Applications for Official Plan amendments, re-zoning, minor variance, severance, or subdivision of land (including plans of condominium) will be circulated to

Parks Canada for comment, and will be reviewed in the context of the protection of the natural, cultural, and scenic values of the Rideau Canal.

- CD-7.7** No development or *site alteration* will be allowed in the 30 metre buffer zone adjacent to the Rideau Canal National Historic Site and UNESCO World Heritage Site, other than that prescribed in this Plan. The buffer is to protect the integrity of the Rideau Canal shoreline and corresponds to the 30 metre setback for all development and *site alterations* adjacent to water bodies.
- CD-7.8** Council intends to conserve the natural, cultural, and scenic character of the diverse lands located adjacent the Rideau Canal based on the results of the 2012 landscape character study.
- CD-7.9** For existing lots of record, retain natural vegetation 15 metres from the shoreline in areas that are not currently hardscaped, and allow only 25% of the shoreline or 15 metres, whichever is less, to be developed. For new lots created in accordance with the policies of this Plan, retain, as a minimum, all natural vegetation 30 metres from the shoreline in its natural state and only allow access to the waterfront by way of a natural path with minimal disturbance to the natural features.
- CD-7.10** Require site plan control for all waterfront development along the Canal.
- CD-7.11** As part of site plan control, identify locations of access to the shoreline, the extent to which vegetation within 30 metres of the shoreline will remain undisturbed, and mitigation measures to be implemented where previous alteration or disturbance of the shoreline has occurred as a result of proposed development. This policy shall be reflected in the Zoning By-law.
- CD-7.12** Under the federal *Historic Canals Regulations*, Parks Canada (Rideau Canal Office) oversees all in-water works along the Canal system. An approved in-water permit must be obtained prior to construction, and work must adhere to the Rideau Canal Policies for In-Water and Shoreline Works and Related Activities.

### **6.3.5 Land Use Compatibility**

There are a wide range of land uses in the Town of Smiths Falls, and these policies are in place to ensure that compatible uses are located in proximity to one another, while incompatible uses are appropriately separated. Compatibility is based on a range of criteria, and is especially important to address when new development is taking place, particularly via *intensification*.

## ***Policies – Land Use Compatibility***

- CD-8.1** In reviewing any development application, the Town shall be satisfied that the proposed use will be, or can be made to be compatible with surrounding uses in accordance with the Ministry of Environment, Conservation and Parks (MECP)'s Land Use Compatibility Guideline (e.g. D-1, D-2, D-4 and D-6 series).
- CD-8.2** Compatibility may be achieved in a variety of ways, including, an appropriate separation distance, buffering features, such as berms, walls, or fencing, or a combination of features, as appropriate. It may also consist of an intervening land use that would be compatible with both of the conflicting uses.
- CD-8.3** Where buffering provisions are the means to be used to ensure compatibility, such provisions will be determined through the implementing Zoning By-law and site plan approval process. Buffering may also be achieved by the natural physical features of the land.
- CD-8.4** The concept of an influence area is recognized as a means to provide mutual protection from encroachment by incompatible uses for either *sensitive land uses* or existing or proposed operations (e.g. *agricultural uses*, industrial, aggregate related, etc.). Recommended separation distances found throughout this Plan serve to address public health and safety concerns, environmental impacts, land use impacts, and any other *adverse effects*.

## ***Policies – Noise, Vibration, Dust, and Odours***

Generally, potential noise problems are best addressed through land use planning approaches that separate noise-generating uses from housing and other noise-*sensitive land uses*.

Noise, vibration, dust, and odour impacts shall be addressed for new *sensitive land uses* adjacent to existing highways, waste management sites, industries, or other stationary or line sources where noise and vibration may be generated.

- CD-9.1** The assessment and mitigation of noise impacts from stationary and transportation sources is complex as it involves a broad range of land uses and activities. For this reason, noise levels will be per the MECP's "*Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning*, (Publication NPC-300)", dated August 2013.
- CD-9.2** Council will require a noise and/or vibration control study for development applications that propose new noise-sensitive uses in proximity to existing stationary and transportation noise sources, such as industrial uses or electrical generating

stations. If existing noise or vibration levels exceed the sound level criteria, then mitigation measures will be required before the development can be approved.

- CD-9.3** Council will require a noise and/or vibration control study for development applications that entail construction or expansion/alteration of a use which generate *significant* stationary or transportation noise or changes in land use that may introduce new noise from stationary or transportation sources in proximity to existing noise-sensitive *land uses*. If projected noise levels exceed the sound level criteria for stationary or transportation sources, then mitigation measures will be required.
- CD-9.4** Council will require a noise/vibration study using Provincial guidelines and completed by a qualified consultant for all proposed *sensitive land uses* within 75 metres of a railway corridor or rail yard to properly mitigate *adverse effects*.
- CD-9.5** Where studies are not economically or practically feasible, due for example to the scale of the new development or the absence of an available mechanism to secure a study, reasonable and practical measures should be undertaken to minimize potential vibration impacts, such as increased building setbacks, perimeter foundation treatment (i.e. thicker foundations) and/or other vibration isolation measures.

## **6.4 Housing (H)**

The Town of Smiths Falls has developed the following policies to enable it to provide housing that minimizes the consumption of natural resources and advances the Town's fiscal, climate change mitigation, and environmental goals while meeting the housing needs of residents.

### ***Policies – Housing – Social Equity and Diversity***

- H-1.1** Support the provision of housing sites and structures across location, type, price, and status as rental or ownership that respond to the needs of all economic and demographic segments of the community including low income households, older persons, families, people experiencing homelessness, and individual with special needs.
- H-1.2** Where possible, diverse housing will be provided withing walking distance of schools, libraries, lands designated commercial, parks and recreational facilities, and have convenient access to other community *infrastructure*.
- H-1.3** Encourage flexibility for a range of housing typologies as a means of addressing housing need, including, but not limited to, enabling the development of small single

detached dwellings on smaller-sized lots. The Town will continue to plan for a range of low, medium, and high-density housing.

- H-1.4** Create housing opportunities and accessible living environments that allow older persons to age in place, either in the same home, assisted living facilities, continuing care facilities, or other housing types within the community.
- H-1.5** Encourage the location of housing designed for older persons in neighbourhoods where health and community facilities and services are within a reasonable walking distance.
- H-1.6** Facilitate the development of multi-generational housing in compact form that meets the needs of families living together.
- H-1.7** Foster the production of housing to serve the “starter” housing market by encouraging suitable building typologies, such as stacked townhouses, townhouses, semi-detached dwellings, and smaller single detached dwellings.
- H-1.8** Comply with laws prohibiting discrimination in housing and that support fair and equal access to housing.
- H-1.9** The County of Lanark, the Local Service Manager for the Town of Smiths Falls, will be consulted when considering the housing needs of residents.
- H-1.10** Facilitate the development of *complete communities* as a step toward improved social equity and overall quality of life for the people of Smiths Falls, regardless of age, ability, or income, and including members of equity-deserving groups.

#### **6.4.1 Affordable Housing**

The Town of Smiths Falls seeks to increase, conserve, and improve its *affordable* housing stock. As a general principle of inclusion, incorporating *affordable* units within larger developments is encouraged.

##### ***Policies – Affordable Housing***

- H-2.1** Facilitate the production of low to moderate-income housing by maximizing use of appropriate policies, financial resources and incentives at different government levels and through various other programs.
- H-2.2** Integrate *affordable* housing throughout the Town, consistent with the policies of this Plan.

- H-2.3** Encourage the development of additional residential units in accordance with existing legislation, to take advantage of this potential source of *affordable* housing and to assist the Town in meeting its housing needs.
- H-2.4** Support strategies from the Housing and Homelessness Plan - Lanark County (as amended from time to time), to end homelessness by supporting the Plan's *affordable* housing objectives, creating permanent housing solutions combined with medical, educational, and employment services.

***Policies – High Quality Housing and Great Places***

- H-3.1** Require the development or *redevelopment* of housing that incorporates the highest possible level of amenities, urban design, and architectural quality.
- H-3.2** Design higher density residential and mixed use development, to:
1. Create and maintain safe and pleasant walking environments to encourage pedestrian activity throughout and in between sites.
  2. Allow residents to conduct routine errands close to their residence, especially by walking or biking.
  3. Integrate with surrounding uses to become a part of the neighbourhood rather than being an isolated project.
  4. Use architectural elements from the surrounding neighbourhood, when appropriate.
  5. Accommodate amenity spaces that enhance the quality of life of residents and is harmonious with surrounding spaces.

***Policies – Housing – Environmental Sustainability***

- H-4.1** Encourage green building principles in the design and construction of housing and related *infrastructure*.
- H-4.2** Minimize the contribution of housing to greenhouse gas emissions, and locate housing consistent with the Plan's goals and policies, to reduce vehicle trips and auto dependency.
- H-4.3** Encourage the development of higher residential densities throughout Smiths Falls to provide complete, mixed-use, walkable and bikeable communities to reduce energy use and greenhouse gas emissions.

## **6.5 Parks, Open Space, and Recreation (PR)**

Parks, Trails, Open Space, and Recreation policies recognize the importance of these amenities in creating complete neighbourhoods, providing recreation opportunities for residents and visitors, and enhancing the liveability and the social and environmental quality of Town.

Recognizing the function that trails play in the Town's *multimodal transportation system*, Trail Network Policies are included in the Land Use and Transportation section of the Plan. Because of their recreational component, some Policies related to trails are incorporated into this section as well. Principles that shaped the development of the policies in this section include:

- Parks, trails, open space, and recreation amenities are an integral part of building complete neighbourhoods. Access to parks, trails, open space, and recreation amenities promotes healthful living and supports a strong visitor economy.
- Parks policies encourage the provision of these facilities and amenities in close proximity to the populations they serve.
- High-quality parks and recreation facilities promote tourism and attract new residents and workers to Smiths Falls, thus promoting an innovative economy.

### ***Policies – Provide an Equitable Park System***

- PR-1.1** Provide equitable access to parks, trails, open space, sports fields, dog parks, and other amenities to the greatest extent feasible in order to provide a high quality of life for our residents.
- PR-1.2** Provide equitable access to an existing or future neighbourhood park, a community park, recreational school grounds, open space lands, and/or major trails within a 500 metre radius of all Smiths Falls' residents or, where not possible, provide safe connections to these facilities.
- PR-1.3** Improve park and amenity access for all residents through community and park spaces created as part of large private development projects, to add value to these new developments by recognizing that a home requires more than just a place to live. Where practical, these private realm improvements should be planned to best leverage adjacent public open spaces.

### **6.5.1 Community Identity**

The Official Plan establishes a vision for Smiths Falls' future, and details how Smiths Falls may enhance its image as "The Heart of the Rideau". The Town's parks and recreation facilities play a key role in creating a community identity. As such, the Town should capitalize on existing

amenities, such as the Rideau Canal and its related assets, and promote these assets as a means to grow, expand, and enhance its identity.

### ***Policies – Community Identity***

- PR-2.1** In the design of parks, public spaces, and other amenities, consider providing features that promote visitation and make Smiths Falls an attractive location for economic development as well as serving the needs of residents.
- PR-2.2** Promote Smiths Falls' unique location along the Rideau Canal as a regional attraction/destination by incorporating facilities, programs, and events with regional draws and marketing these to a regional audience.

### **6.5.2 Sustainable Parks and Recreation**

Smiths Falls' parks and recreation amenities embrace environmental and fiscal sustainability as guiding principles. The Town seeks to provide environmentally sustainable programs, facilities, and *infrastructure* assets, supported by a network of trails and pathways to allow for alternate means of transportation around Smiths Falls.

### ***Policies – Sustainable Parks and Recreation***

- PR-3.1** Partner with the community to promote environmental stewardship.
- PR-3.2** Develop trails, parks, and recreation facilities in an environmentally sensitive and fiscally sustainable manner that can contribute to the *natural heritage system*.
- PR-3.3** Expand Smiths Falls' trail network and, where feasible, develop interconnected trails with bike lanes to facilitate bicycle commuting, recreational uses and visitation.
- PR-3.4** Encourage environmentally sustainable connections (such as pedestrian/bike trails, bike lanes and routes, etc.) between community elements like schools, parks, recreation areas, libraries, etc.

### **6.5.3 Interconnected Parks System**

Interconnection of homes, workplaces, stores, restaurants, and recreational amenities plays a *significant* role in the quality of life of Smiths Falls' residents. The Town supports improvements to its parks and recreation amenities, particularly its trail and bike network, as a means to provide interconnections for its residents and visitors.

## ***Policies – Interconnected Parks System***

- PR-4.1** Condition land development and/or purchase property along identified Trails and Pathway Corridors in order to provide sufficient trail right-of-way and to ensure that new development adjacent to the trail and pathways corridors does not compromise safe trail access nor detract from the scenic and aesthetic qualities of the corridor. In accordance with trail management plans (where they exist) and where safe and appropriate, access to the trail from the development should be encouraged in order to best leverage the transportation and recreation opportunity.

## Section 7 Land Use And Transportation

The Land Use and Transportation section meshes together all other sections of the Smiths Falls 2051 Official Plan. This section provides the fiscally, economically, and environmentally sustainable land use and transportation policies necessary to support the goals set out in the previous sections.

Land Use and Transportation policies support: a diverse and innovative economy; sustainable transportation modes; avoidance of hazards, appropriate separation of land uses; vibrant, safe, accessible, and complete streets and neighbourhoods; conservation of the Town's historical resources; and recreational opportunities to increase the quality of life in Smiths Falls.

Land Use Policies in this section guide new and existing development. They also establish a framework for the implementing Zoning By-law.

Historically, commercial and industrial areas were segregated from residential areas, with exception for the Downtown. Land Use Policies in this section promote a gradual shift away from the historic pattern of land use separations and allow for more mixing of uses, particularly residential and commercial uses. This approach supports the fiscal and economic goals of the Plan.

Smiths Falls is dedicated to the enhancement of its transportation, including rail, trails, roadways, waterways, bicycling, and pedestrian *infrastructure*. Policies recognize that trails and the Rideau Canal serve an important role in Smiths Falls providing *significant* environmental, economic, and recreational benefit, as well as contributing to its *natural heritage system*.

The Town is also supportive of passenger and commuter rails to and from Smiths Falls. Policies in this section support a balanced *transportation system* and encourage a reduction in motor vehicle trips.

The Transportation Policies in this section carefully integrate the Land Use Policies, in part by reducing travel distances with compact, mixed-use development. They enhance *infrastructure* for walking, bicycling, and create incentives for these modes of transportation. Driving will remain a *significant* transportation mode in Smiths Falls. These Transportation Policies address this reality and seek to maximize the efficiency of Smiths Falls' existing street system for personal and commercial vehicular movement while still promoting "complete streets" that provide for pedestrians and cyclists. The Transportation Network Schedule illustrates this integrated roadway network.

## 7.1 Land Use (LU)

Land Use Policies identify appropriate and inappropriate uses in various areas of the Town. They protect the integrity and historical character of some lands and provide some flexibility for uses in others areas.

This Plan includes five categories of land use designations – Residential, Commercial, Employment, Major Institutional, and Open Space. The Commercial designation includes a sub-set of designations – Neighbourhood Servicing Commercial, Corridor Commercial, Downtown Core, Downtown Fringe, and Uptown Mixed-Use – that further define the intended planned function of Commercial lands; there are also specific policy areas and overlays across all designations. The policies related to each land use designation establish the uses that are contemplated in each designation. Together, the designations describe where uses such as housing, employment, stores, services, open space, institutions and recreation are contemplated to be located and where a mix of uses is desired or required.

This Plan contemplates a greater mixing of uses than has been planned historically in Smiths Falls. Specifically, categories within Residential and Commercial designations speak to maintaining a primarily residential or commercial function while defining a mix of supporting uses that provide opportunities for people to live, work, learn, and play in close proximity. In certain areas such as the Downtown Core, supporting uses may be permitted to be developed as a freestanding use on a site, or as ancillary uses which are intended to be secondary uses on a site and required to be located within a mixed-use building or on a mixed-use site. Opportunities for a mixing of uses on sites designated Employment are more limited in order to support the objective of ensuring a long term supply of employment uses and limit other supporting uses to varying degrees, as defined within the individual land use designations.

Together, these Land Use Policies promote the fiscal sustainability of the Town by protecting employment lands and achieving the forecasted increase in jobs. These Land Use Policies foster environmentally sustainable development, restricting growth in natural heritage areas, protecting open spaces, and encouraging *intensification*.

## 7.2 Residential

The Town will plan for a full range of residential neighbourhoods that meet the needs of its residents. The Town's residential neighbourhoods, depending on their era, vary in their planned function, context, and intensity of land use. The residential land use designation of this Plan provides opportunities for a range of housing forms and densities. As the Town looks to meet growing residential needs, *intensification* within established neighbourhoods shall be permitted in line with the policies contained herein and per the provisions of the Zoning By-law, while still looking to retain the existing residential character of established neighbourhoods.

The residential categories allow ancillary uses, with higher residential categories permitting a broader range of ancillary uses. The intent of this structure is that higher density residential projects have the ability to incorporate an appropriate range of non-residential uses, thereby facilitating mixed-use development and increasing densities. The non-residential ancillary uses support the *complete community* concept by providing local access to day to day goods and services.

All residential development should have regard for the Town's urban design guidelines and will be consistent with the Town's other standards and guidelines documents, as approved by Council.

## **7.2.1 Residential Land Use Policies**

### ***Policies – General Policies***

- LU-1.1** Lands designated Residential are shown on **Schedule 'A' – Land Use Plan**. Residential land use designations serve a range of functions as described in the policies of this section. The Residential land use designations includes areas developed for low, medium, and higher density residential uses.
- LU-1.2** Approval of residential subdivisions in the vacant new Residential areas will be subject to the availability of schools, parks, recreation facilities, *infrastructure*, and all other services and public works required to service the proposed development to the standards of the Town and authorities having jurisdiction.
- LU-1.3** The Town shall use various tools and processes at its disposal to implement the residential land use policies of this Plan, including, but not limited to zoning, site plan control, subdivision approval, condominium approval, development permit systems, determination of complete applications, and property standards.

### ***Policies – High Quality and Innovative Design***

- LU-1.4** The Town encourages innovation in the design of residential areas and in the design and construction of residential units, where such innovation will:
1. Incorporate sustainable design;
  2. Maintain compatibility with surrounding non-residential land uses and complement the existing character of the surrounding neighbourhood;
  3. Reduce municipal expenditure;
  4. Support Smiths Falls' development as a *complete community*; and,
  5. Protect natural features and their *ecological functions*.

## ***Policies – Intensification***

The Town encourages *intensification* within residential areas in order to offer a mix of housing types, efficiently use land, and to promote complete, compact communities. Intensification also allows Smiths Falls to optimally use existing *infrastructure* and public services. The local character of each residential area will influence the type and scale of *intensification* that takes place.

There are a few different ways to achieve *intensification*. These include:

- Infill development, which can involve lot creation;
- Developing vacant lots or redeveloping underutilized lots;
- Constructing additional residential units;
- Expanding or converting existing buildings; and,
- Redevelopment, which includes *brownfield sites*.

**LU-1.5** The efficient use of land through increased *intensification* is encouraged.

**LU-1.6** It is a target of this Plan that 25% of new units will occur through *intensification* within the built-up residential area.

**LU-1.7** Most new residential development is expected to locate in the vacant Residential areas. The full range of dwelling types from low to high density uses are permitted.

**LU-1.8** Intensification should improve and/or enhance existing neighbourhood conditions and bringing infill properties into general conformance with the quality and character of the surrounding neighbourhood.

**LU-1.9** New infill development should be blended into the existing neighbourhood pattern, continuing and, where applicable, extending or completing the existing street network. Where possible, effort should be made to enhance community connectivity and promote community interaction through elements including porches, benches, and other street furniture. Entrances should face public streets and parking areas should be at the rear.

**LU-1.10** Except in specific circumstances, such as Downtown, along arterial roads, and in identified Opportunity or Specific Policy Areas, building heights should not exceed three or four storeys.

## ***Policies – Residential Density***

- LU-1.11** In order to plan for the availability of medium and high density housing sites, and to assist in the achievement of the planned densities for a given area, the Zoning By-law will incorporate performance standards intended to minimize the re-subdivision of sites intended for multiple housing forms to lower density housing and the subsequent under-development of sites.
- LU-1.12** Council recognizes the importance of achieving sufficient minimum levels of density to economically provide municipal services and contribute toward the achievement of established density targets.
- LU-1.13** In order to meet projected housing needs, based on anticipated population growth through to 2051, Smiths Falls will aim to achieve a denser housing mix than in the past, as follows:
1. Low Density (single and semi-detached): 55% of the net Residential land area
  2. Medium Density (townhouses): 20% of the net Residential land area
  3. High Density (apartments): 25% of the net Residential land area
- LU-1.14** Encourage development of a variety of lot sizes to provide flexibility in housing types and density, including considering innovative zoning tools and different forms of housing.
- LU-1.15** It is intended that new residential development will continue to be monitored on the basis of the foregoing distribution, as one of the means by which the *affordable* housing policies of this Plan are to be achieved. However, this policy does not imply that the foregoing distribution is a mandatory target for individual projects, but rather that it serve as a monitoring device by which the Town can track and direct future development activity.
- LU-1.16** Medium and High Density residential uses and the permitted non-residential uses should have direct access to Arterial or Collector Roads without having to pass through Low Density residential areas.
- LU-1.17** The Plan is intended to guide development in terms of character, scale and intensity of use and built form. In addition, this Plan provides a framework for the Town to plan *infrastructure* requirements over the long-term, ensure properties develop at appropriate densities for the property size, and foster land use compatibility.

**LU-1.18** Development applications proposing to zone lands to a Medium Density or High Density Residential area may be contemplated based on the following:

1. The proposed density contributes to an appropriate height and density transition by buffering or being buffered from existing development in the neighbourhood;
2. The proposal achieves the applicable performance standards set out in this Official Plan and implementing Zoning By-law;
3. Cultural heritage resources are *conserved*;
4. The proposal identified and implements any required transportation improvements;
5. Infrastructure capacity is not exceeded;
6. If applicable, safe access, flood protection, and geotechnical stability is achieved to the satisfaction of the Town; and,
7. The proposal satisfies all other applicable policies of this Official Plan.

***Policies – Second Residential Units***

**LU-1.19** The Town will permit additional residential units within all land use designations that permit residential uses as follows:

- a. two residential units in a detached house, semi-detached house or rowhouse if all buildings and structures ancillary to the detached house, semidetached house or rowhouse cumulatively contain no more than one residential unit;
- b. three residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi- detached house or rowhouse contains any residential units; or,
- c. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

**LU-1.20** The Zoning By-law shall establish appropriate standards for additional residential units such as, but not necessarily limited to, parking, lot size, frontage, floor area, and scale.

**LU-1.21** Any regulation concerning additional residential units shall limit the size of the additional residential unit to be clearly secondary to the primary dwelling unit.

**LU-1.22** Additional residential units will not be counted in the calculation of net residential density.

## ***Policies – Affordable Housing***

- LU-1.23** Where a development application, excluding site plan applications, proposing residential uses is submitted for a site containing two hectares or more of developable lands, a minimum of 30 percent of new residential units will, wherever appropriate, be planned in forms other than single detached and semi-detached units, such as townhouses and multi-unit residential buildings.
- LU-1.24** Regard shall be given to an adequate mix of rental and ownership units for a wide variety of household sizes when considering development applications, excluding site plan applications.
- LU-1.25** The Town may provide a range of planning and regulatory incentives that encourage *affordable* housing, with an emphasis on encouraging *affordable* units in larger developments. Such incentives may include:
1. Fast-tracking development applications that contain an *affordable* housing component;
  2. Adoption of a community benefits charges bylaw, as per Section 37 of the *Planning Act*;
  3. Collaborating with community partners to foster the provision of *affordable* housing; and,
  4. Providing financial incentives through the existing Community Improvement Plan (CIP).
- LU-1.26** The Town shall pursue the implementation of an inclusionary zoning by-law, should the *Planning Act* change to permit Smiths Falls to authorize inclusionary zoning (Under the current legislation, a municipality that is not prescribed by an Order of the Minister to implement inclusionary zoning may only provide inclusionary zoning in a protected *major transit station area* (MTSA) or an area subject to a Development Permit System, as ordered by the Minister).

## ***Policies – Group Homes***

- LU-1.27** It is recognized that group homes provide care for persons with physical, social, mental, or emotional disabilities and shall be permitted in all designations that permit residential uses.

### ***Policies – Rooming Houses***

- LU-1.28** It is recognized that rooming houses are an important part of the housing continuum. Rooming houses are allowed throughout the residential designation, subject to the requirements of the Zoning By-law.

### ***Policies – Shelter Accommodations***

- LU-1.29** It is recognized that shelter accommodations can offer much needed temporary, emergency and/or transitional housing, and as such they are permitted throughout the residential designation, subject to the requirements of the Zoning By-law.

### ***Policies – Commercial and Complimentary Uses in the Residential Designation***

- LU-1.30** Lands designated Residential may permit a limited range of locally-oriented and appropriate commercial and *institutional uses* that cater to pedestrian, bicycle, and non-vehicular travel and are intended to support the primary residential uses. Particular regard shall be given to site and building design that give priority to pedestrian and other non-vehicular movements and that provide for adequate and safe vehicular circulation, vehicular parking and site services to be located away from the street, while maintaining a pedestrian-friendly streetscape and human-scale form of development that is cohesive with the surrounding community.

- LU-1.31** Lands designated Residential may be zoned to permit the following complimentary uses, subject the provisions of this Official Plan, provided they are harmonious with their adjacent built environment and do not impact the ability of the lands to achieve the goals, objectives, and policies of the Plan:

1. Assisted Living Facility;
2. Community Uses;
3. Day Care Facilities;
4. Long-Term Care Homes;
5. Supportive Housing – domiciliary hostels;
6. Places of Worship;
7. Pre-schools; and,
8. Retirement Homes.

## ***Policies – Home-Based Business***

- LU-1.32** Home-based business may be permitted in land use designations that permit residential uses, as set out in the implementing Zoning By-law. Where a class or classes of home-based business are not permitted in the Zoning By-law, a Zoning By-law Amendment shall be required, and shall demonstrate that:
1. The home-based business is accessory to the residential use and compatible with adjacent residential uses with respect to built form, noise, odour, fumes, hours of operation, dust, glare, traffic, and parking;
  2. There is no outdoor storage of goods associated with the home-based business;
  3. No exterior alterations are to be made to the dwelling other than those made to enhance the residential use of the structure;
  4. There are no proposed outside storage and display areas, and exterior lighting and signage is restricted to avoid impacting adjacent land uses;
  5. The home occupation fulfills the requirements governing such matters as permitted uses, allowable floor space, parking, and signage as may be provided in the Zoning By-law and the Sign-By-law; and,
  6. No *significant* delivery or shipment of goods or materials to or from the dwelling is required by the home-based business.

## ***Policies – Bed and Breakfast Establishments***

- LU-1.33** It is recognized that bed and breakfast establishments complement the Town's tourism industry by providing short-stay, temporary accommodations for the travelling public.
- LU-1.34** Bed and breakfast establishments may be permitted on lands designated Residential.
- LU-1.35** Regulations for bed and breakfast establishments may be established in the Zoning By-law and Sign By-law. Regulations shall require sufficient off-street parking to meet the demands of the use.
- LU-1.36** Bed and breakfast establishments are encouraged to locate in dwellings where the use does not necessitate the expansion of the dwelling.

## ***Policies – Short-Term Rentals***

**LU-1.37** A short-term rental is all or part of a dwelling unit rented out for a period of 28 days or less, typically through a short-term rental platform. Hotels and bed and breakfast establishments are not considered short-term rentals.

**LU-1.38** Short-term rentals may be subject to licensing by the Town at such time as Council seeks to adopt a short-term rental accommodation by-law.

### **7.2.1.1 Specific Policy Area 1 (Lombard Street)**

The area located along Lombard Street next to the Canal is designated Specific Policy Area 1. This area is intended to be developed primarily for retail, service, and other similar uses which serve and support the Town's tourism. The intent of the designation is to take advantage of the area's location both on the Rideau Canal and on one of the main roads passing through Town. To implement this policy, the area shall be zoned in a separate category which permits such retail and personal service uses and which prohibits or restricts such uses as offices to upper storeys. Given the residential land use patterns in the area, mixed-used development with upper storey residential, as well as townhouses and low rise apartments, shall be permitted. While this special designation envisions the evolution of this area to accommodate mixed use *intensification*, Council acknowledges that the legacy parcel fabric constrains this type of development. As such, the Plan would support parcel consolidation that would enable *intensification* as well as allow for parking to be accessed from side streets.

The area located at 7 and 9 Abel Street may be used for the existing aluminum and glass production business, in addition to all of the permitted uses in Specific Policy Area 1.

### **7.2.1.2 Specific Policy Area 2 (Ferguson/Ferrara Opportunity Area)**

The undeveloped lands bounded by Ferguson Drive and Ferrara Drive (the Ferguson and Ferrara Opportunity Area) are designated Specific Policy Area 2. This area is intended to be developed with a mix of residential and commercial uses to take advantage of its location near established commercial nodes, residential areas, and the Trans-Canada Trail. Development on these lands shall be permitted to be solely residential, solely commercial, or a mixed-use residential and commercial development. To make the most use of developable lands, low density residential or commercial forms of development will be discouraged, and in light of the proximity to nearby commercial and public uses, the implementing Zoning By-law may establish relaxed parking provisions. In particular, Council encourages housing forms that serve a *complete community*, including *affordable housing options*.

To make use of the vacant, forested lands in the Specific Policy Area, and the Trans-Canada Trail surrounding the area, trail access and open space provisions shall be strategically

*conserved* and incorporated into a future development. Tree cover and green spaces should be maintained where practical. Pedestrian pathways in the area should link to the Trans-Canada Trail, allowing a seamless transition from commercial to residential areas.

While development in this Area may happen as a single project or several phased projects, the new neighbourhood will be integrated into the surrounding urban fabric through street linkages, pedestrian connections and the Trans-Canada Trail. Development of the site may necessitate the relocation of the Trans-Canada Trail within the site, however the Trail's function and accessibility will be preserved as part of the site's integration into the urban built form. The development approval process may identify traffic-calming and pedestrian safety measures to reduce the possibility for conflict between users. Phasing may also be informed by traffic and servicing investigations undertaken to support the future development of the site, and any on and off-site improvements that may be required.

### **7.3 Commercial**

The Town will plan for an appropriate amount of commercial land uses to meet the needs of residents, employees, and businesses. A full range of commercial goods and services will be distributed throughout the community, with emphasis on providing day-to-day goods and services in close proximity to where people live and work. The Town will plan for pedestrian-supportive commercial development, wherever possible, while also planning for automobile-oriented commercial development in appropriate locations.

Providing convenient access to local goods and services is intended to reduce the length for all modes of travel within our community, in turn reducing impacts on the natural environment while enhancing public health and social interaction. A key component of this involves planning for convenient local neighbourhood shopping, including access to small to mid-size food stores.

Commercial areas will accommodate a range of retail, office, service, and commercial uses.

All commercial development will be consistent with the Town's urban design guidelines and supporting implementation documents, as approved by Council.

#### **7.3.1 Commercial Land Use Policies**

**LU-2.1** Lands designated commercial are shown on **Schedule 'A' – Land Use Plan**. The commercial designation is further divided into a series of commercial areas. Commercial land use designations serve a range of functions as described in the following policies and includes:

- Downtown Core
- Downtown Fringe

- Uptown Mixed-Use
- Neighbourhood Serving Commercial
- Corridor Commercial Designation

**LU-2.2** The predominant use of land within the designation is commercial, and it envisions a broad range of uses including retail, office, and service uses. It is not the intent of this Plan to permit all commercial uses in every commercial designation, and permitted uses within commercial categories will be further defined in the following sections of this Plan and in the Zoning By-law.

**LU-2.3** The Town will ensure that Commercial areas are used to their highest and fullest potential.

#### Complimentary and Ancillary Uses

**LU-2.4** Complimentary uses may be permitted as freestanding uses on a site provided their function will not conflict or interfere with the satisfactory operation and development of the area for primarily commercial land use categories designations.

**LU-2.5** A range of community uses shall generally be permitted as complimentary uses on lands designated Commercial, subject to the policies of this Plan and the provisions of the Zoning By-law. Community uses are places, facilities, amenities and services to support the health, educational, recreational, social and cultural needs of the community.

**LU-2.6** Ancillary uses may be permitted as secondary uses within a mixed-use building. Ancillary uses will be defined for individual commercial land use designations.

#### Residential Uses Within Commercial Designations

**LU-2.7** Residential uses will generally be located above the ground floor in a multi-storey, mixed-use building.

**LU-2.8** Where residential uses are permitted in commercial areas, the construction of residential units above existing mall structures will be encouraged as a means of enhancing the function of existing commercial space rather than replacing it.

**LU-2.9** Group Homes will be permitted in commercial areas which permit residential uses, subject to the provisions of the Zoning By-law.

## Drive-Through Facilities in Commercial Designations

**LU-2.10** Drive-through facilities are normally associated with restaurants, banks, and other similar commercial uses. Provisions to permit and/or regulate drive-through facilities will be included in the Town's implementing Zoning By-law. Where permitted by way of the Zoning By-law, drive-through facilities shall be subject to approval of site plan application. In the review of such applications, particular attention shall be given to sites which abut residential uses, with an objective of mitigating impacts on residential uses. New drive-through facilities shall not be constructed in the Downtown Core or Downtown Fringe designations. Effort should be made for existing drive-through facilities to not impede on the pedestrian flow.

## Existing Uses

**LU-2.11** Existing commercial and industrial uses are permitted to continue and may be altered, expanded, or replaced by new uses. In such circumstances, careful attention shall be paid to minimizing potential adverse impacts on the adjacent residential uses through the development approval process.

### **7.3.2 Downtown**

Smiths Falls seeks to promote its downtown as a key destination for growth and visitation, and to achieve this, the downtown has been divided into two land use designations: Downtown Core and Downtown Fringe. It is the intention of this Plan that the Downtown Core designation make up the commercial heart of Smiths Falls, while the Downtown Fringe focus on mixed-use, low impact uses and the promotion of higher density residential development. Policies for the Downtown speak to the urban, pedestrian-oriented nature of this area. As such, uses that serve the automobile should be carefully controlled in accordance with the Downtown Land Use Policies.

#### **7.3.2.1 Downtown Core**

It is the intent of this Plan to strengthen the Downtown Core and encourage its development as a vital component of the Town's commercial structure. The area is planned to serve as a government, community use, and cultural centre for the Town, supported by regional-serving retail, office, entertainment, recreation, and tourism activities together with residential uses. In addition to serving as the Town's focal point, the area will also serve a local retail, service and administrative function for the surrounding neighbourhoods.

The Downtown Core will be planned to provide a vibrant and human-scaled environment, with a range of uses providing support for *active transportation*. Architectural integrity, heritage

conservation and opportunities to improve access to open space will be key considerations in planning for the growth of a vital Downtown Core.

This designation includes and prioritizes active ground floor commercial uses such as hospitality, retail, service, entertainment and cultural uses that generate pedestrian traffic and street vitality. Redevelopment should be at higher intensities, unless incompatible with other policies of the Plan (i.e. historic conservation). All development within this designation should enhance the “*complete community*” in downtown, and support pedestrian and bicycle circulation.

Residential projects within the Downtown Core designation must incorporate ground floor commercial uses. This designation does not have a minimum residential density range in order to facilitate mixed-use projects that may include small amounts of residential in combination with non-residential use(s).

### ***Policies – Downtown Core***

**LU-3.1** Lands within the Downtown Core shall be designated as such on **Schedule ‘A’ – Land Use Plan**.

**LU-3.2** Density: Up to 60 units per net hectare; FAR Up to 3.0 (height 2 to 6 stories). Mixed-use projects should be developed with a FAR range of up to 3.0.

**LU-3.3** Lands designated Downtown Core shall be zoned to permit a broad range of commercial, employment, entertainment, accommodation, community, and residential uses, such as:

- Retail uses;
- Commercial services;
- Personal service uses;
- Office uses;
- Medical clinics;
- Banks and financial services;
- Restaurants;
- Entertainment uses;
- Residential uses, provided the residential uses are located above the ground floor in a multi-storey, mixed-use building;
- Hotels;
- Community uses;
- Child care centres;
- Arts, cultural, recreational uses;

- Academic uses;
- Places of worship;
- Commercial school;
- Parking facilities;
- Funeral Homes;
- Bed and breakfast establishments; and,
- Other similar uses consistent with the policies of this designation.

- LU-3.4** Provide flexibility in mixing uses throughout the Downtown Area. Support employment, entertainment, cultural, community, and residential uses in compact, intensive forms to maximize social interactions; to serve as a focal point for residents, businesses, and visitors; and to further the Vision of the Smiths Falls Official Plan.
- LU-3.5** Support Downtown as an employment centre in the region, especially for financial institutions, insurance companies, government offices, and professional services.
- LU-3.6** Support development of retail and service establishments in the Downtown, and support regional and local-serving businesses.
- LU-3.7** Aim to foster a vibrant Downtown Core through more retail and tourism uses along Main Streets, whenever possible.
- LU-3.8** Support the development of the Downtown as an arts, cultural, and entertainment centre for Smiths Falls and the region. Promote special events, parades, celebrations, festivals, etc.
- LU-3.9** Balance the need for parking with the need to minimize its impact to support a vibrant pedestrian environment.
- LU-3.10** Provide for the needs of bicyclists and pedestrians, including adequate bicycle parking areas and design measures to promote bicyclist and pedestrian safety.
- LU-3.11** Restrict uses that serve occupants of vehicles (such as drive-through windows) and discourage uses that serve vehicles (such as car washes and service stations), except where they do not disrupt pedestrian flow, are not concentrated, and do not break up the building mass of the streetscape.
- LU-3.12** Support wayfinding and information kiosks in strategic locations.

### 7.3.2.2 Downtown Fringe

While the Downtown Core is designed to serve as the commercial heart of Smiths Falls, the Downtown Fringe designation has been implemented to promote more mixed-use development and higher density housing in close proximity to the Core to support the primary function of the Core and support a cohesive spatial transition to surrounding residential areas. The area is planned to provide retail, office, entertainment, and recreation activities together with residential uses.

The Downtown Fringe is intended to complement the Downtown Core and will be planned to provide a vibrant and human-scaled environment, with a range of uses providing support for *active transportation*. Where single detached dwellings are adjacent to the perimeter of the area designated as Downtown, new development should serve as a transition to lower-intensity use while still achieving appropriate urban densities.

Residential projects within the Downtown Fringe designation are encouraged to have, but do not require, ground floor commercial uses. This designation does not have a minimum residential density range in order to facilitate mixed-use projects that may include small amounts of residential in combination with non-residential use(s).

#### ***Policies – Downtown Fringe***

**LU-4.1** Lands within the Downtown Fringe shall be designated as such on **Schedule ‘A’ – Land Use Plan**.

**LU-4.2** Lands designated Downtown Fringe shall be zoned to permit a broad range of retail, employment, community, and residential uses, such as:

- Retail uses;
- Personal service uses;
- Office uses;
- Medical clinics;
- Banks and financial services;
- Restaurants;
- Entertainment uses;
- Residential uses;
- Community uses;
- Child care centres;
- Arts, cultural, recreational uses;

- Academic uses;
- Places of worship;
- Parking facilities; and,
- Other similar uses consistent with the policies of this designation.

- LU-4.3** Promote residential *intensification* in the Downtown Fringe designation.
- LU-4.4** Support development of retail and service establishments in the Downtown Fringe.
- LU-4.5** Encourage commercial development to concentrate at intersections within the Downtown Fringe.
- LU-4.6** Require new residential development in Downtown Fringe to have human-scale entries, including outside entrances for ground floor units.
- LU-4.7** Balance the need for parking with the need to minimize its impact to support a vibrant pedestrian environment and achieve desired densities.
- LU-4.8** Provide for the needs of bicyclists and pedestrians, including adequate bicycle parking areas and design measures to promote bicyclist and pedestrian safety.
- LU-4.9** Promote the retention of large trees in the Downtown Fringe and look to strengthen policies for retention and replacement of the tree canopy so as to contribute to the character of the area.
- LU-4.10** The existing character-defining built form of the Downtown Fringe shall be *conserved* through zoning, as established in the Smiths Falls Downtown Area Heritage Conservation District Study (2024). Per the Study, non-residential development in the Downtown Fringe should not exceed 15 metres in height, and have a minimum front yard setback of 6 metres.

#### **7.3.2.2.1 Specific Policy Area 3 (Canal District)**

The area known as the Canal District, as outlined in the June 2024 Canal District Master Plan is designated Specific Policy Area 3. The designation is in place to help promote the policies in the Canal District Master Plan, to enable the *redevelopment* of these lands as an extension of the downtown to serve as its connection to the historic Rideau Canal.

The intention for the Canal District lands is to provide Smiths Falls with access to a continuous public waterfront edge, connection the Downtown Core, and to the Rideau Canal. A range of potential *redevelopment* opportunities have been identified for these lands that would be compatible with the adjacent uses while transforming the area into a place to interact with the water's edge and adjacent businesses.

A mix of Residential and Downtown Core uses shall be permitted on the site, including mid-rise residential and mixed-use development, with a range from 3 to 6 storeys. A full range of mid-rise commercial uses includes hotels, restaurants, cafes, retail, offices, and mixed-use with residential upper storeys. Residential-only development may be permitted if it provides a pedestrian-friendly streetscape. Streets within the Canal District will aim to be vibrant, enabled by buildings that are oriented to frame public streets, with human-scale design and view corridors. To efficiently use space in the area and allow more space for people, shared parking between buildings shall be encouraged.

The Canal District Master Plan includes a number of proposed street extensions to develop a street network that facilitates pedestrian movement and safety, and enhances the walking experience. Acquisition of the lands necessary to develop this street network shall be prioritized.

Open Space will also be *conserved*, particularly along the waterfront and areas of strategic views, to allow the creation of parks, trails, boardwalks, marinas, and additional recreational uses that increase opportunities for interaction with the Rideau Canal and general enjoyment of nature.

### **7.3.3 Uptown Mixed-Use**

Lands designated Uptown Mixed-Use are located in the general vicinity of the Smiths Falls' Station Theatre and along Cornelia Street West entryway, which are envisioned as transition areas into future mixed-use neighbourhoods. To support the continued vitality of the Downtown as a community focal point, this Plan contemplates that lands designated Uptown Mixed-Use will accommodate and encourage mixed-use development that includes commercial, employment, and residential uses in a broad range of forms. Development on portions of land within this designation near the waterfront should take advantage of the proximity by encouraging a "live-work-play" environment, where residents' needs are met within their neighbourhood. Development should be leveraged and improved as needed to seamlessly link key destinations between uptown and downtown, fostering a cohesive and active urban environment. The existing paths and trails found throughout the designation make it suitable for development that prioritizes pedestrian and cyclist connectivity. Noting that most of the waterfront in this area comprises Provincially Significant Wetlands, any recreational uses shall consist of boardwalks or other compatible conservation or interpretive uses, as identified in Policy NH-2.1. Water access will be carefully managed in accordance with the Plan's Natural Heritage policies and applicable approvals.

Lands within the Uptown Mixed-Use designation will be planned to accommodate medium to high density mixed-use areas that include residential and commercial uses in freestanding or mixed-use buildings, and shall be well connected to the Downtown Core.

This designation is intended to accommodate a mix of commercial and residential uses with an emphasis on residential activity with commercial activity permitted in a secondary role. Low impact industrial uses are also appropriate if they are compatible and do not pose a hazard to nearby uses.

### ***Policies – Uptown Mixed-Use Designation***

- LU-5.1** Lands within the Uptown Mixed-Use Designation shall be shown on **Schedule ‘A’ – Land Use Plan**.
- LU-5.2** Density: Up to 50; FAR 0.5 to 3.0 (1 to 6 stories).
- LU-5.3** Lands designated Uptown Mixed-Use Designation shall be zoned to permit a broad range of commercial, employment, entertainment, accommodation, community, and residential uses.
- LU-5.4** Development in the portions of the Uptown Mixed-Use Designation near the waterfront is encouraged to leverage this proximity to promote a “live-work-play” environment, wherever possible.

#### **7.3.3.1 Specific Policy Area 4 (2 Gould Street)**

The area located on the east side of Elmsley Street at Gould Street is designated Specific Policy Area 4. This area is intended to be developed with a mix of residential and commercial uses; however, in recognizing that the lands within the Specific Policy Area have frontage on local streets and have a history of *institutional use*, medium-density residential uses may predominate. In order to encourage a mix of land uses, development of a property within this Specific Policy Area will include commercial space. Commercial activity should generally occur in an existing building or in new buildings orienting to Elmsley Street North. Commercial activity in mixed-use buildings with residential uses shall be oriented to provide services to the neighbourhood, or be compatible with residential uses. Residential development shall be permitted at a density of up to 50 units per gross hectare.

#### **7.3.3.2 Specific Policy Area 5 (Mazie /Cornelia Opportunity Area)**

The land intersected by Mazie Street West and Cornelia Street West, adjacent to the Rideau River, local hospital, and Railway Museum of Eastern Ontario, is designated Specific Policy Area 5. The site contains various commercial, service, and residential properties. The area is intended to be developed with a mix of Residential and Downtown Core uses, including a mix of residential density, and commercial uses which are considered to be compatible with the surrounding residential community. Development will take an urban form that spatially connects through development and transportation patterns to surrounding neighbourhoods and the nearby downtown area.

This area abuts the Swale Provincially Significant Wetland (PSW) is partially within the PSW's buffer. The Plan encourages the development of small scale, active amenities for local residents to promote "live-work-play" opportunities in the Specific Policy Area. Where possible, the creation of trails adjacent to the PSW buffer to promote activity shall be encouraged, and water access managed through the Natural Heritage policies of this Plan and applicable approvals. The mix of density will allow for townhomes or walk-up apartments along William Street West while maintaining the existing land use pattern of more spread out development on Mazie Street West, to continue to support the light industrial in the area.

Cornelia Street West and William Street West are both currently arterial streets with road bike facilities; as the area is built up, the Town will look to give these two streets a more urban feel, with compact development located closer to the street. Cornelia Street West, with existing industrial uses, will maintain its arterial use.

The area features some barriers to larger-scale development, including the lack of piped services along Mazie Street West. To leverage this area's central location, the Town will work to improve servicing in the area to enable development.

#### **7.3.4 Neighbourhood Servicing Commercial**

Lands designated Neighbourhood Serving Commercial are commercial areas that provide a focal point or destination to meet the day-to-day commercial needs of the adjacent residential neighbourhood(s) or business area(s). As neighbourhood destinations, areas designated Neighbourhood Serving Commercial will be planned to accommodate safe and convenient pedestrian and cyclist travel to, from, and within the site, and connecting it to the surrounding local neighbourhood. The areas are intended to create opportunities for residents to obtain commercial goods and services within a reasonable walking and cycling distance to reduce the needs for automobile trips and to promote the concept of *complete communities*.

This designation supports a very broad range of commercial activity, including commercial uses that serve the neighbouring areas, such as neighbourhood retail and services and commercial/professional office development. Neighbouring Serving Commercial uses typically have strong connection to and provide services and amenities for the nearby community, and should be designed to promote that connection with an appropriate urban form that supports walking.

#### ***Policies – Neighbourhood Serving Commercial***

**LU-6.1** Neighbouring Serving Commercial areas are shown on **Schedule 'A' – Land Use Plan**.

**LU-6.2** Density: FAR Up to 2 (height 1 to 4 stories)

- LU-6.3** The Neighbourhood Serving Commercial designation shall be zoned to permit a range of small to mid-size commercial uses and may include the following primary uses:
- Retail uses, not exceeding an individual unit size of 1,000 square metres;
  - Commercial services;
  - Personal service uses;
  - Offices;
  - Medical clinics;
  - Banks and financial services; and,
  - Restaurants.
- LU-6.4** Lands designated Neighbourhood Commercial may permit the following complimentary uses, provided they do not restrict the development of primary uses and are not obnoxious by reason of noise, vibration, odour, smoke, and may include:
- Residential uses;
  - Community uses;
  - Child care centre;
  - Automobile gas station;
  - Commercial recreation;
  - Commercial school; and,
  - Arts, cultural, recreational uses.
- LU-6.5** Promote new commercial uses and revitalize existing commercial areas in convenient and safely accessible areas in order to create *complete communities*.
- LU-6.6** Locate Neighbourhood Serving Commercial uses throughout the Town to facilitate pedestrian access to a variety of commercial establishments and services that meet their daily needs.
- LU-6.7** Encourage new and *intensification* of existing commercial development, including stand-alone, vertical mixed-use, or integrated horizontal mixed-use projects, consistent with the Land Use Plan and Transportation Network.
- LU-6.8** Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections; and including secure and convenient bike storage.

- LU-6.9** Require pedestrian and vehicular connections between adjacent commercial properties with reciprocal-access easements to encourage safe, convenient, and direct pedestrian access and “one-stop” shopping.
- LU-6.10** Encourage and facilitate shared parking arrangements through parking easements and cross-access between commercial properties to minimize parking areas and curb-cuts.
- LU-6.11** Encourage and facilitate the upgrading, beautifying, and revitalization of existing strip commercial areas and shopping centres. Minimize the visual impact of large parking lots by locating them away from public streets and where that is not possible, by incorporating landscaping (which can include functional amenities such as stormwater management) to break up the visual impact.
- LU-6.12** Encourage retail, restaurant, and other active uses as ground-floor occupants in locations with high concentration of development.
- LU-6.13** Encourage outdoor cafes and other outdoor uses in appropriate commercial areas to create a vibrant public realm, and maximize pedestrian activity.
- LU-6.14** Do not locate adult entertainment (i.e. adult entertainment and stores) within close proximity of residential uses, schools, or one another.

### **7.3.5 Corridor Commercial Designation**

The Corridor Commercial Designation is intended to primarily accommodate automobile-oriented commercial uses, directing such uses predominantly along Arterial and Collector Roads, which generally include:

1. commercial uses which cater to customers specifically arriving by vehicle ;
2. uses which require the transportation exposure and vehicular accessibility afforded by Arterial Roads given their retailing of large or bulky goods;
3. a restricted range of commercial uses whose size requirements are such that they are not generally compatible, nor economically viable, in the Downtown Core or other categories within the commercial land use structure; and,
4. commercial uses which rely on business from the travelling public.

This category allows a *significant* amount of flexibility for the development of a varied mixture of compatible commercial and industrial uses. Development intensity can vary *significantly* in this designation based on the nature of specific uses likely to occur in a particular area. Larger big-box type developments may be allowed because they mix elements of retail commercial and warehouse forms and uses.

While this designation potentially accommodates a wide variety of uses and building forms, more specific guidance should be provided in the implementing Zoning By-law in order to establish use and form standards. The Corridor Commercial building typology should be diverse and varied from other commercial offerings, to complement rather than compete with the Downtown Core.

### ***Policies – Corridor Commercial Designation***

**LU-7.1** Corridor Commercial areas are shown on **Schedule ‘A’ – Land Use Plan**.

**LU-7.2** Density: FAR Up to 3.0 (1 to 6 stories)

**LU-7.3** The Corridor Commercial designation shall be zoned to permit automobile-oriented commercial uses and may include the following primary uses:

- Retail uses, limited to automotive/vehicle related products and services, large or bulky goods such as furniture and domestic appliances, home entertainment goods, home improvement materials, hardware, nursery or garden supply products, office equipment; and the limited sales of goods in association with a wholesale use;
- Wholesale uses;
- Offices;
- Medical clinics;
- Accommodation uses;
- Restaurants;
- Entertainment uses;
- Commercial recreation; and,
- Banquet halls.

**LU-7.4** To differentiate from the downtown, the Corridor Commercial designation is intended to provide a location for high-volume retail and/or commercial franchises that can support the specialized layouts and distinct architectural expression of these uses.

**LU-7.5** Minimize the visual impact of large parking lots by locating them away from public streets and where that is not possible, by incorporating landscaping (which can include functional amenities such as stormwater management) to break up the visual impact.

## **7.4 Employment**

The Town will plan for *employment areas* that provide a range of employment opportunities to meet the needs of the Town’s employees, businesses, and residents. Complementary uses,

where permitted, are intended to directly support the primary employment use on the lands and adjacent area. Ancillary uses, where permitted, are intended to permit uses that directly support the primary employment use on the lands and adjacent area.

Lands identified as Employment Areas are intended to meet the long-term business and economic activity needs of Smiths Falls. The Town will ensure that Employment Areas are used to their fullest and highest potential.

Smiths Falls will guide the development of Employment Areas with the following policies.

### ***Policies – Employment Areas***

**LU-8.1** Employment Areas as shown on **Schedule ‘A’ – Land Use Plan**. Employment areas are areas designated for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities.

**LU-8.2** Conversion of *employment areas* to non-employment uses, and removal of lands designated Employment may occur at any time, provided that the following requirements have been met:

- It has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.
- The proposed uses would not negatively impact the overall viability of the *employment area* by
  - avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 6.3.5.
  - maintaining access to major goods movement facilities and corridors.
- The existing or planned *infrastructure* and *public service facilities* are available to accommodate any proposed uses.
- There are sufficient employment lands to accommodate projected employment growth.

**LU-8.3** The Town shall prohibit the encroachment of incompatible uses into Employment Areas, and prohibit sensitive uses which would result in the imposition of additional operational restrictions and/or mitigation requirements on *employment area* users due to land use incompatibility issues.

**LU-8.4** The Town prohibits residential uses, commercial uses, *institutional uses* and *public service facilities* from Employment Areas. The Town prohibits retail and office uses not associated with primary employment use from Employment Areas. The Town

shall prohibit any other *sensitive land uses* that are not ancillary to uses permitted in the Employment Area.

- LU-8.5** The Town shall work to avoid, or where avoidance is not possible, minimize and mitigate land use incompatibilities within 300 metres of Employment Areas to protect public and environmental health and safety and to avoid impacts on the long-term economic viability of employment uses. Measures shall be incorporated in accordance with provincial guidelines to minimize *negative impacts* when new uses are proposed in proximity to existing Employment Areas.
- LU-8.6** The target employment density for jobs in Employment Areas is a minimum of 20 jobs per net hectare, and this target should be considered when targeting investment attraction activities and land sale decisions. Encourage the development of a diversity of new Employment Areas with varied parcel sizes, and protect existing Employment Areas to accommodate projected employment growth and meet the target employment density.
- LU-8.7** Reserve industrial areas for compatible support uses, while recognizing that industrial uses come in a variety of types and forms. Allow non-industrial uses which are only incidental to and totally compatible with industrial uses in the industrial area. Consider allowing supportive, non-industrial activities, such as retail sales of materials manufactured or stored on site.

### ***Policies – Land Use Compatibility***

- LU-8.8** Regard shall be made to matters of land use compatibility for development within *employment areas*. Decision making shall have regard to compatibility between mixed land uses, potential impacts related to *intensification*, and measures to mitigate impacts to the extent possible. In accessing compatibility, the Town shall consider the detrimental impacts of employment growth on neighbouring uses. These impacts may include, but are not limited to: dust, fumes; hazards; lighting; noise; odour; refuse or waste; shadowing; signs; traffic; unsightly appearance; unsightly storage or display; and vibration.
- LU-8.9** In addition to any mitigation measures required under Provincial legislation to control fugitive emissions from certain facilities, it is a policy of this Plan to adequately buffer incompatible *employment areas* from *sensitive land uses*. Site designs shall ensure adequate buffering between incompatible land uses, and may use techniques such as building placement, massing, yard setbacks, landscaping, berming, fencing or screening to achieve such buffering.

**LU-8.10** Refer to the Ministry of Environment published Land Use (“D-Series”) Guidelines (“Guidelines”) to provide guidance and direction in assessing land use compatibility when considering development applications that require permission to rezone and/or re-designate land uses.

## **7.5 Institutional**

The Town will plan for an appropriate amount of institutional land uses to meet the needs of residents, employees, and businesses. A full range of *institutional uses* will be distributed throughout the community, with emphasis on providing day-to-day services in close proximity to where people live and work, while avoiding oversupply of facilities.

All institutional development will be consistent with the Town’s urban design guidelines and supporting implementation documents, as approved by Council.

Community uses may be permitted within the Residential, Commercial, and Major Institutional land use designations. Community uses include: schools, libraries, fire stations, water treatment facilities, and government offices. This category can also include lands used by private schools, daycare centres, and private community gathering facilities, including those for religious assembly.

### **7.5.1 Major Institutional**

The Major Institutional designation is designed to provide a wide range of *institutional uses* within the Town. The Major Institutional designation is intended to encompass individual buildings or groups of buildings related to health care, recreation, social service, education, justice uses, all of which serve to strengthen the community.

Major Institutional uses are expected to be distributed throughout the Town.

#### ***Policies – Major Institutional***

**LU-9.1** Lands designated Major Institutional are shown on **Schedule ‘A’ – Land Use Plan**.

**LU-9.2** The Major Institutional designation is a designation in which the predominant use of land is large-scale, *institutional uses*. Lands designated Major Institutional may be zoned to permit a broad range of *institutional uses*, including:

- Major health care and government uses;
- Social service, cultural, community, recreational uses;
- High school (secondary schools); and,
- Other similar uses consistent with the goals, objectives, and policies of this Plan.

**LU-9.3** In addition to the permitted uses above, lands designated Major Institutional may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the goals, objectives, and policies of this Plan:

- Administrative offices that directly serve the major *institutional uses*;
- Limited retail commercial and service uses that directly serve the major *institutional use*, provided that the use is located on the same property as the major *institutional use*;
- Parking facilities;
- Residential uses, where they are intended to provide accommodation for persons associated with the major *institutional uses*, provided that the use is located on the same property as the major *institutional use*; and,
- Community uses.

**LU-9.4** The Town shall collaborate with school boards to facilitate early and integrated planning for schools and associated childcare facilities to meet current and future needs.

**LU-9.5** The Town, should, in collaboration with school boards, consider and encourage innovative approaches in the design of schools and associated childcare facilities in areas with a *compact built form*.

## **7.6 Open Space, Parklands, and Habitat Areas**

This Plan encourages a high-quality urban environment of which Open Spaces land uses are an important component. The Open Space designation is intended to protect the ecologically *significant* natural features and to provide a comprehensive and connected open space system that balances the needs of the community in terms of recreation/leisure, culture, transportation, *infrastructure*, and environmental management.

The Town's open space will be conveniently accessible from the Town's neighbourhoods, and will be planned and designed to serve the needs of a diverse number of user groups (age and ability). Open spaces will often be multi-purpose spaces, and may accommodate four-season activities. To ensure that residents have an appropriate level of park-based recreational and leisure opportunities, the Town will strive to acquire land for park and trail purposes consistent with the Smiths Falls' Parklands Master Plan (to be developed). It is recognized that some Open Space lands, such as stormwater management facilities, hydro corridors, conservation areas, environmental reserves, natural features, buffers associated with natural features, cemeteries, current or past landfills, and golf course are not managed as parkland and may not be owned by the Town. These lands are identified as Open Space as they provide important connections and green space, which contribute to the connectivity of the comprehensive open space system.

Natural heritage features throughout the Town are valued for their contribution to its character and high quality of life, their *ecological functions*, as well as the scientific and recreational role these areas provide.

### 7.6.1 Open Space Designation

#### ***Policies – Open Space Designation***

- LU-10.1** Open Space areas are shown on **Schedule ‘A’ – Land Use Plan**. However, policies related to trails and open space network are included in the Transportation section of this Plan and shown on **Schedule ‘B’ – Transportation Network**.
- LU-10.2** Within the Open Space land use designation, the predominant use of land is open space and the designation envisions a broad range of uses, including municipal parks and other green areas, active and passive recreation uses, trails, municipal facilities, community gardens, campgrounds, elements of the natural system, cemeteries, and golf courses.
- LU-10.3** Where privately owned open space lands are proposed to change land use or to be sold, consideration may be given by Council to acquire or protect the area through such means as acquisition, agreement, negotiation, regulation within the Zoning By-law, or conveyance.
- LU-10.4** In order to balance the need for environmental sustainability with other demands, the Town will continue to identify open space areas for active and passive uses as well as for protecting elements of the *natural heritage system*, which will be planned to accommodate little or no human use.
- LU-10.5** When considering the location of parks and trails, the Town shall examine the potential for integration of natural features, hedgerows, *hazardous lands* and *sites*, where appropriate. Planning for park activity will incorporate consideration of environmental sensitivities.

#### Parks and Other Green Areas

- LU-10.6** Parks and Other Green Spaces are generally permitted within the Residential designation as well as Open Space areas. These may include municipal parkland and trails, as well as other open space such as hydro corridors, stormwater management facilities, conservation areas, environmental reserves, natural features, and buffers associated with natural features. Although some of these areas may be privately owned and are not intended to be maintained or managed as parkland, they serve an important role in contributing to the connectivity and comprehensive nature

of the open space system. These areas should be located in easily accessible walkable areas and close to community trails.

**LU-10.7** The Town will plan, design, operate, and maintain a wide range of municipal parkland intended for, and accessible to, a range of users, giving consideration to:

- Four season use;
- Street Frontage;
- Active and passive use; and,
- Partnerships with *institutional uses* to facilitate joint usage of park spaces.

**LU-10.8** Municipal parkland in the Town of Smiths Falls will be developed as per the classifications set out in the Parks and Recreation Master Plan (2021) to include:

- Waterfront Parkland (varied sizes depending on geographic features and location plus the shape of the land): Waterfront parks are to accommodate town-wide recreation and leisure interests, and provide facilities for major events or tourism-related activities. They provide the same facilities as Community Parkland (listed below), as well as linkages by way of trails or walking paths to other parks or retail areas.
- Community Parkland (minimum size 4 ha): Community parks are designed to accommodate recreation and leisure interests. They provide facilities for organized sports, for play, and passive open space for leisure activities.
- Local Parkland (0.5 – 2.0 ha): Local parks are neighbourhood-oriented parks designed to accommodate residential interests. Facilities include small play structures, park benches, and open space for active or passive recreation.

**LU-10.9** The municipal parkland classification, as further detailed in the 2021 Parks and Recreation Master Plan, shall form the basis of municipal parkland acquisition. Municipal parkland shall be acquired in accordance with the *Planning Act*.

**LU-10.10** Parkland blocks will have a trail connection to promote connectivity via on-street or off-street trails connecting blocks, open spaces and other points of interest.

**LU-10.11** Wherever possible municipal parkland should be developed adjacent to institutional areas in co-operation with the appropriate agencies.

**LU-10.12** The Town will anticipate some potential shift from children and youth activities toward adult-oriented recreation and leisure in certain areas of the Town as the Town's population ages.

**LU-10.13** Council will promote the continuance and development of the Lower Reach Park. In developing this Park, Council will ensure that the overall design and use is integrated into the overall development plan for the adjacent federally-owned Open Space lands. Such uses as pedestrian and bicycle paths will be integrated into Parks Canada's lands to establish a walking tour which incorporates all of the publicly-owned lands along the Canal.

**LU-10.14** The primary use of hydro corridors is for the provision of electricity services. However, the extent and linear shape of these provides excellent trail connections between areas and can contribute to the overall connectivity of the open space system. Any proposed secondary land uses on hydro corridors must ensure continued public safety and the reliability of the system and, where appropriate, will comply with the principles of the Provincial Secondary Land Use Program.

**LU-10.15** Stormwater management ponds provide an important function for the Town by capturing and retaining stormwater runoff to aid in the management of water quality and quantity. Wherever feasible and appropriate, such lands shall be designed to provide a park-like setting or the character of a natural wetland. However, stormwater management facilities shall not be accepted as parkland under the parkland dedication provisions of the *Planning Act*.

## **7.6.2 Wetlands**

The Wetland designation has been placed on Provincially Significant Wetlands as classified by the Ministry of Natural Resources. These lands are described in greater detail in Section 4.1.2.

## **7.7 Eastern District (ED)**

### **7.7.1 361 Queen Street – Mixed Use and Specific Policy Area 6 Designations**

The Specific Policy Area 6 and 361 Queen Street – Mixed Use designations are placed on the former Rideau Regional Centre (RRC), also formerly known as the “Gallipeau Centre”, as shown on **Schedule ‘A’ – Land Use Plan** of this Plan.

Since its closure, there have been a number of studies undertaken to identify potential new use(s) for the site and whether the existing buildings and facilities are suited to the potential new use(s). The property itself is under-utilized in terms of an urban land use, as distinct from the campus setting of the former RRC use.

The former RRC lands envisioned for *redevelopment* are designated Residential and Corridor Commercial within Specific Policy Area 6, which are well-positioned lands to address growing residential need.

- ED-1.1** The intent of Specific Policy Area 6 is to enable the development of a *complete community*, wherein residential and non-residential uses will coexist and will eventually be integrated into the broader urban fabric of the Town.
- ED-1.2** A concept plan shall be prepared in support of any proposed *redevelopment*, in addition to any other studies or plans required by this Plan.
- ED-1.3** On lands designated as 361 Queen Street - Mixed-Use, the permitted uses are those from the Uptown Mixed-Use designation, which include a full range of residential and non-residential uses. Considering the property's history and the potential re-use of certain buildings and structures, permitted uses in the Major Institutional designation will also be permitted. The 361 Queen Street - Mixed-Use area could be redeveloped as a single project or as a series of individual projects. The adaptive re-use of existing buildings is encouraged; however, it is recognized that some buildings may need to be demolished and replaced.
- ED-1.4** Any *redevelopment* of lands within the 361 Queen Street designation shall, as a condition of approval, require the creation of parkland or payment of cash in lieu.
- ED-1.5** Notwithstanding the Specific Policy Area 6 designation, it is recognized that the Queen Street frontage of the property is also well suited to Corridor Commercial development and may be developed in accordance with those policies and this section accordingly.

Again, it should be noted that Corridor Commercial development along Queen Street may extend further into the property than illustrated on **Schedule 'A' – Land Use Plan** in order to accommodate larger development proposals.

- ED-1.6** The Corridor Commercial lands along Queen Street present a unique opportunity to establish a gateway to the southeastern part of the Town that leverages the scenic attributes of the area and supports the future development at the interior of the site. In this area, public, institutional (including Long Term Care Homes) and secondary residential uses may be permitted alongside compatible and appropriate commercial uses. In order to implement the design intent of the gateway area, the following design policies shall be considered and implemented in regulatory by-laws and development approvals, as the case may be:
1. Incorporate appropriate landscaping strategies to enhance the image of the development by breaking up the appearance of the parking lot(s) and complement and reinforce the architectural appearance of the buildings;
  2. Situate new buildings close to Queen Street, where possible;
  3. Where possible, consolidate entrances on Queen Street.

4. Integrate *active transportation* connections and pedestrian access within developments and to *adjacent lands* within the gateway and elsewhere within the designation; and,
5. Plan and design development in consideration of adjacent and planned residential uses, including consideration of impacts related to shadows, noise, lighting, parking and privacy.

**ED-1.7** In order to ensure the cultural heritage value and the *heritage attributes* of the site are *conserved* and potentially enhanced through *redevelopment*, the following additional principles will be considered:

- Careful land use planning is required to minimize impacts to the complex's *significant* cultural heritage resources;
- A planning study will be completed, which shall examine future land uses, servicing, phasing of development, transportation, and impact assessment on the cultural heritage; and,
- Any *redevelopment* proposal will respect the Art Moderne style of the complex, the campus layout with its interconnections, the alley from Highway 43, the general framing of the property with meadows and open field, and have regard to the Heritage Trust Study, unless a heritage easement affecting the lands has established less onerous requirements in which case those shall prevail.

**ED-1.8** Any *redevelopment* of the 361 Queen Street lands shall take into consideration the need for environmental protection.

**ED-1.9** Within the Residential lands, small scale Neighbourhood Servicing Commercial uses can be accommodated in central areas and along collector roads and planned through zoning and subdivision approval processes.

**ED-1.10** The Town recognizes 361 Queen Street's status as a *protected heritage property* and will thus conserve the cultural *heritage attributes* through any *redevelopment* that occurs to the site and/or to *adjacent lands*, as per PPS sections 4.6.1 and 4.6.3.

**ED-1.11** To allow *redevelopment* of the site, where applicable, the Town shall grant a re-zoning with a holding provision, subject to the rescindment of the heritage easement on the property as a condition of the hold.

**ED-1.12** Noting that *redevelopment* of these lands is to be a phased process, the Town shall, at its Official Plan review/update intervals, re-examine this designation and reconsider what changes need to be made to the lands included in this area, if any.

### 7.7.2 Specific Policy Area 7 (Lorne Street Extension)

The lands designated as Specific Policy Area 7 have been identified as part of recommended changes to the Town's urban boundary to accommodate forecasted growth. The Town seeks to develop residential and employment uses on these lands, based on compatibility with surrounding uses, including the adjacent residential enclave in the Township of Montague, existing industrial activities, and the 361 Queen Street lands.

- ED-2.1** These lands will be developed for a mix of residential and employment purposes. A 300 metre transition area is identified surrounding the Employment Area designation to ensure land use compatibility is maintained between *employment area* uses and non-employment uses, as identified on **Schedule A**.
- ED-2.2** Studies required to achieve the policies of this Plan (i.e. servicing, environmental, etc.) will be completed as part of the subdivision plan for this area. The process will require a consultation process with the community to identify opportunities, issues and potential solutions. Costs incurred by the Town associated with the subdivision approval process will be recovered from the development proponent.
- ED-2.3** Where the development plan impacts multiple landowners, it is their responsibility to collaborate on the preparation of the plan and to agree on how parks, stormwater ponds and any other facilities will be located and costs shared. The Town may require a landowners' agreement addressing these matters prior to the review of development applications.
- ED-2.4** Proponents of development will complete, to the satisfaction of the Town, studies and a plan of sufficient detail to:
1. Identify the location, timing and cost of roads and transit facilities, water and wastewater services, public utilities, stormwater management facilities, etc. required on-site and off-site to service the area.
  2. Identify the *natural heritage system* on the site independent of the potential developable area. Typically an environmental management plan will be prepared where a subwatershed study does not exist or does not provide sufficient guidance to identify the environmental features on the site and their functions, which together constitute the *natural heritage system*. No development is permitted within this system, which is to be conveyed to the Town before development of the area is approved;
  3. Identify Recreational Pathways;
  4. Evaluate the adequacy of community facilities existing or planned for the area in consultation with School Boards and other providers of community facilities;

5. Show how the plan will achieve other policies of this Official Plan including, but not limited to, *affordable* housing and design, and protection of *employment areas* from sensitive uses in accordance with the PPS; and,
6. Meet the requirements of Phase 1 and 2 of the *Environmental Assessment Act*, where required.

**ED-2.5** Proponents of development will prepare a Financial Implementation Plan and commit to providing:

1. The on-site and off-site servicing systems described above through development charges or at the expense of the developer;
2. The Recreational Pathways as identified in this Plan or as part of the community design plan through development charges or at the expense of the developer.

### **7.7.3 Specific Policy Area 8 (Lorne Street Extension Development Reserve)**

The lands designated as Specific Policy Area 8 are within the municipal boundary of the Town of Smiths Falls. However, they are not currently required for development in order to meet the projected growth forecasted by this Plan. The lands in this area are not currently serviced by municipal water and sanitary sewer services. In the future, as population growth requires it, these lands will be developed primarily for residential purposes, following an amendment to this Plan to permit their inclusion in the Town's *settlement area*.

### **7.7.4 Specific Policy Area 9 (Hydro Corridor)**

The lands designated as Specific Policy Area 9 contain the hydro corridor and shall only be used for hydro corridor purposes, or *infrastructure* subject to the approval of the applicable authorities.

## **7.8 Special Land Use Designations And Overlays**

The following Designations provide additional information about the uses supported by the Plan for a specific property or area, or identify important Land Use /Transportation Schedule features that inform the determination of land uses.

### **7.8.1 Specific Policy Areas**

Certain areas have been placed in a Specific Policy Area designation in order to recognize unique situations such as the pattern of development, servicing or other forms of constraints, development or *redevelopment* opportunities, etc. These Specific Policy Areas will be included within the applicable Land Use Designation, where required.

## 7.8.2 Flood Plain

The Flood Plain designation shown on **Schedule ‘C’** is an overlay designation that identifies those *flood plain* areas which have been mapped as the 1:100 year flood by the Rideau Valley Conservation Authority (RVCA).

## 7.8.3 Rideau Canal

The lands located adjacent the Canal are recognized as a *Special Policy Area* in recognition of their association with the Rideau Canal. In this area, Council intends to conserve the natural, cultural and scenic character of this area in accordance with the 10 principles for good development included under **Section 6.3.4**.

## 7.9 Transportation Network Designations (TR)

### 7.9.1 Transportation Policies

The transportation policies aim to provide a transportation network that is safe, efficient, and sustainable (minimizes environmental, financial, and neighbourhood impacts). In combination with land use goals and policies, these transportation goals and policies promote *active transportation* to employment, housing, shopping, entertainment, schools and parks and create a Town where people are less reliant on driving to meet their daily needs. Smiths Falls’ Transportation Goals and Policies aim to establish circulation policies that increase bicycle and pedestrian travel, while reducing motor vehicle trips.

#### 7.9.1.1 Balanced Transportation System

Smiths Falls seeks to provide a safe, efficient, fiscally, economically, and environmentally sensitive *transportation system* that balances the needs of bicyclists and pedestrians while also providing for the safe and efficient movement of automobiles, buses, and trucks.

#### ***Policies – Balanced Transportation System***

- TR-1.1** Accommodate and encourage use of non-automobile transportation modes to achieve Smiths Falls’ goals and reduce vehicle trip generation.
- TR-1.2** Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or *infrastructure* projects.
- TR-1.3** Design, construct, operate, and maintain public streets to enable safe, comfortable, and attractive access and travel for motorists and for pedestrians and bicyclists of all ages, abilities, and preferences.

- TR-1.4** Require needed public street right-of-way dedication and improvements as development occurs. The ultimate right-of-way shall be no less than those required to meet the Transportation Network shown on **Schedule 'B' – Transportation Network**, except when a lesser right-of-way will avoid *significant* social, neighbourhood or environmental impacts and perform the same traffic movement function.
- TR-1.5** Additional public right-of-way, beyond that designated on **Schedule 'B' – Transportation Network**, may be required in specific locations to facilitate turning lanes and bus pullouts in order to provide additional capacity at some intersections and other specific circumstances.
- TR-1.6** Consider options for using waterways as part of the Town's transportation network.
- TR-1.7** Review and/or update the Town's engineering specifications manual for public and private streets based on the Plan's street typologies to incorporate the concept of "complete streets".
- TR-1.8** The Town will develop a traffic calming policy to provide a sound engineering basis and consistent designs for implementing traffic calming measures within the Town. The policy will also provide the guideline, procedure, and criteria for the initiation, investigation, and implementation of traffic calming measures within existing residential neighbourhoods. The policy will ensure safety concerns related to speeding and excessive volume are handled in a fair, transparent, and efficient manner.
- TR-1.9** Prepare a Transit Feasibility Study to advance the discussion and inform how a local transit service may feasibly be provided in the Town that will be sustainable in the fullness of time.
- TR-1.10** Update the Smiths Falls Transportation Master Plan every five years.
- TR-1.11** To ensure regional traffic operations are not adversely affected and that all relevant provincial standards and requirements are met, the Town of Smiths Falls may be required to consult early with the Ministry of Transportation for certain proposed developments (e.g., pedestrian grade crossings or utility line installation) on or adjacent to Highway 15 as required by applicable legislation.
- TR-1.12** Should a *planned corridor* be identified in the Town, the Town shall not permit development in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New development proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should

be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impact on and *adverse effects* from the corridor and transportation facilities.

### **7.9.1.2 Walking and Bicycling**

The pedestrian environment affects us all, whether we are walking to a store or school, or simply getting from a parked car or a bicycle rack to the entrance of a building. Pedestrian improvements, together with land uses that promote pedestrian activities, can help increase walking as a means of transportation, recreation, and exercise. Compatible and complete street design recommendations that benefit pedestrians also contribute to the overall quality, vitality, and sense of community in Smiths Falls' neighbourhoods.

Construction of a comprehensive, safe, direct, and well-maintained area-wide bikeway network with support facilities, such as bicycle parking at employment locations and other destinations, could greatly increase the mode share of bicycling. Reducing the number of vehicle trips by shifting some of those trips to bicycling or walking would help improve circulation, minimize the need for additional vehicle parking, contribute toward a healthier community, and reduce greenhouse gas emissions.

### ***Policies – Walking and Bicycling***

- TR-2.1** Complete build-out of the Town's Active Transportation system per its Active Transportation Network as shown on **Schedule B –Transportation Network**. Give priority to bicycle and pedestrian safety and access improvements at street crossings.
- TR-2.2** The Town will implement and expand the pedestrian and bicycle network to enhance connectivity throughout the Town by using four different approaches, as applicable:
1. As part of new development, through the development review process;
  2. As part of street construction/ reconstruction projects, through a complete street approach;
  3. As retrofit projects, to fill in "missing links" of the existing pedestrian and cycling networks; and,
  4. As other capital projects.
- TR-2.3** Ensure sidewalks, curbs and pedestrian crossings meet provincial accessibility standards (AODA) for all street construction or re-construction work, and Accessible Pedestrian Signals be provided where new pedestrian signals are being installed or existing pedestrian signals are being replaced..

- TR-2.4** The minimum unobstructed sidewalk width shall be 1.5m for all new or reconstructed sidewalks.
- TR-2.5** Sidewalks shall be required on both sides of all collector and arterial roads, where achievable. On local roads, sidewalks will be provided on at least one side, as determined based on local conditions.
- TR-2.6** Encourage walking and bicycling and increase pedestrian and bicycle safety through education programs.
- TR-2.7** Integrate the financing, design and construction of pedestrian and bicycle facilities with street projects. Build pedestrian and bicycle improvements at the same time as improvements for vehicular circulation and integrate wayfinding signage.
- TR-2.8** Coordinate and collaborate with local School Boards to provide enhanced, safer bicycle and pedestrian *infrastructure*.
- TR-2.9** Update the Smiths Falls Active Transportation Plan every five years.
- TR-2.10** Conduct a Town wide survey to identify pedestrian and bicyclist barriers on key routes or access points and then identify how and when these barriers could be removed.
- TR-2.11** Identify funding sources for regular maintenance (street sweeping, pothole patching, etc.) and capital upgrades to bicycle and pedestrian facilities as part of the Town's operation budget, and prioritize regular maintenance for streets with bike facilities.
- TR-2.12** Periodically review intersection signal timing plans to enhance pedestrian safety and ensure sufficient pedestrian crossing times.
- TR-2.13** Continue identifying potential pedestrian crossing locations as the Town's needs and travel patterns change.
- TR-2.14** Pedestrian crossing reviews should be supported by Ontario Traffic Manual Book 15, which provides a Decision Support Tool to aid in determining the need for and selection of the appropriate pedestrian crossing control.
- TR-2.15** Continue to install bicycle parking on Town-owned land, including within the right-of-way, municipal parking lots, and at parks and community facilities.
- TR-2.16** Consider creating a program to collaborate with the private sector to install bicycle parking on private property.

- TR-2.17** Establish end user facility requirements for commuter cyclists (such as showers and bike lockers) at larger new non-residential developments.

### **7.9.1.3 Vehicular Circulation and Parking**

Increases to automobile vehicle trips, trip length, and increased reliance of the private automobile is a reality even with increases in non-automobile mode shares envisioned in the years ahead. To this end, policies focus on maximizing efficiency of the existing street system and making minor capacity enhancements, without negatively affecting other modes.

#### ***Policies – Vehicular Circulation***

- TR-3.1** Develop and maintain a roadway network that categorizes streets according to function and type, considers the surrounding land use context, and incorporates the concept of “complete streets”.
- TR-3.2** Small projects, generating fewer than 100 peak hour trips (inbound and outbound combined) are exempted from a Transportation Impact Study.
- TR-3.3** In recognition of the unique position of the Downtown as the centre for financial, business, institutional and cultural activities, development within the Downtown is exempted from traffic mitigation requirements. Notwithstanding this exemption, developments will be required to assess and address transportation matters related to site access, loading, circulation and safety, and impacts to transit, active transportation and the broader transportation network, to the satisfaction of the Town.
- TR-3.4** Maintain and enhance the interconnected network of streets and short blocks that support all modes of travel, provide direct access, calm neighbourhood traffic, reduce vehicle speeds, and enhance safety.
- TR-3.5** Require that new development, which includes new public or private streets, connect these streets with the existing public street network.
- TR-3.6** Complete build-out of the Town’s street system per its Transportation Network as shown on **Schedule ‘B’ – Transportation Network**.
- TR-3.7** Consider implementing a default 40 km/h speed limit on Residential Streets.
- TR-3.8** Design all new roads as well as major rehabilitation and reconstruction projects with geometry (ex. chicanes, speed humps/tables, curb extensions/bump-outs, roundabouts, etc.) that encourages slower speeds, matching the posted and desired maximum speeds.

**TR-3.9** Discourage the construction of cul-de-sacs in new developments due to restricted pedestrian connectivity, traffic flow, and emergency vehicle access.

**TR-3.10** Encourage the construction of shorter block lengths to promote walkability and improve pedestrian experience.

***Policies – Parking Strategies***

**TR-3.11** Balance business viability and land resources by maintaining an adequate supply of parking to serve demand while avoiding excessive parking supply that encourages automobile use.

**TR-3.12** Discourage the provision of parking spaces *significantly* above the number of spaces required by the zoning by-law for a given use.

**TR-3.13** Allow reduced parking requirements for mixed-use developments and for developments providing shared parking facilities.

**TR-3.14** Consider adjacent on-street and Town-owned off-street parking spaces in assessing need for additional parking required for a given land use or new development.

**TR-3.15** Update the zoning by-law (or develop an engineering standard) to restrict on-street parking based on seasonality and roadway pavement width.

**7.9.1.4 Goods Movement**

An effective and efficient goods movement system is essential to the economic livelihood of the Town. Policies for goods movement address all transportation facilities' abilities to accommodate the effective and efficient movement of goods, while balancing the needs of other travel modes.

***Policies – Goods Movement***

**TR-4.1** Minimize potential conflicts between trucks and pedestrian, bicycle, and vehicular access and circulation on streets with truck travel.

**TR-4.2** Develop a permissive truck route system to direct truck traffic to /from commercial and industrial areas of the Town while dissuading through traffic on local and collector roads in areas designated for residential use.

**TR-4.3** Plan industrial and commercial development so that truck access through residential areas is avoided.

- TR-4.4** Design freight and unloading for new or rehabilitated industrial and commercial developments to occur off of public streets, where feasible. In Downtown, and on small commercial properties, more flexibility may be needed.
- TR-4.5** Support the efficient and safe movement of goods by rail where appropriate and promote continued operation of freight rail lines that serve industrial properties.
- TR-4.6** As part of the project development review process, ensure that adequate off-street loading areas in new large commercial, industrial developments are provided, and that they do not conflict with adjacent uses, or with vehicles, pedestrians or bicycles.

#### **7.9.1.5 Passenger Rail Service**

- TR-5.1** Support the development of *transit-supportive* land use, development types, and intensities that increase daily ridership on VIA Rail and provide positive fiscal, economic, and environmental benefits to the community.
- TR-5.2** Consider enhancing the first mile, last mile connections to the VIA rail station.
- TR-5.3** Work cooperatively with Via Rail and other rail authorities to ensure that rail corridors and yards within the town are planned and constructed in a manner that enhance the character of the surrounding neighbourhoods.
- TR-5.4** Work cooperatively with the Federal Government to ensure that the proposed high-speed rail service from Toronto to Quebec City stops in Smiths Falls. Should this occur, this Plan will need to be amended in order to accommodate changes to the community's transportation needs, land use and growth pressures to plan for this new connection.

#### **7.9.2 Street Typologies**

To ensure a balanced, *multimodal* transportation network, The Smiths Falls 2051 Official Plan organizes streets and other transportation facilities to “typologies”. Street typologies build upon their functional classifications that consider street context and prioritize certain travel modes. Street typologies reflect a roadway’s adjacent land uses, appropriate travel speeds, and the need to accommodate multiple travel modes.

The typologies are intended to support a network of “complete streets” that accommodates the various users of the street network. “Complete streets” describes a comprehensive approach to the practice of mobility planning, recognizing that transportation corridors have multiple users with different abilities and mode preferences (i.e. driving, biking, and walking). By addressing the needs of all users of the *transportation system*, “complete streets” not only improve safety and promote strong communities, but also address climate change, by increasing accessibility

and viability of travel modes other than the automobile. The “complete streets” concept applies to all types of roads from downtown pedestrian streets to high-capacity commercial corridors, and it considers the range of users, including children, adults, people with disabilities, and older persons.

The overall transportation network is consistent with the existing and/or proposed transportation network of adjoining municipalities, and with the County and Provincial highway systems.

The street typology of the existing and future transportation network are shown on **Schedule ‘B’ – Transportation Network** and as defined in accordance with the hierarchy as set out below.

For the purpose of engineering and design applications, refer to the Town’s specifications manual.

#### **7.9.2.1 Arterial Streets**

Arterial Streets serve as major transportation corridors that carry relatively high volumes of intra-municipal and inter-regional traffic, including truck traffic, through the Town. These streets typically establish connections to County roads and Provincial highways outside of the Town. Access to adjacent land uses is limited along arterial corridors and on-street parking and loading may be prohibited or at minimum restricted during peak hours.

Arterial Streets shall have a minimum right-of-way width of 26.0 metres, wherever possible, including sufficient width for left turn lanes at major intersections.

When identified as feasible and appropriate, separate bicycle facilities may be constructed as part of the arterial street right-of-way. Sidewalks are to be provided on both sides of Arterial Streets.

#### **7.9.2.2 Collector Streets**

Collector Streets serve as transportation corridors that carry moderate volumes of traffic within and through the Town’s Neighbourhoods and Employment Areas. Access is allowed to abut properties and some on-street parking may be permitted. Trucks shall be restricted from Collector Streets, except for local deliveries and in Employment Areas.

Collectors contribute to the Town’s overall identity through cohesive design along the boulevard. Within the public right-of-way, special features could include enhanced landscaping, distinctive and attractive lighting, and identification banners.

Collector Streets shall have a minimum right-of-way width of 20.0 metres but may be increased up to 26.0 metres in certain areas, such as industrial or business parks, where there may be *significant* truck traffic associated with goods movement.

Wider lanes or separate cycling facilities shall be constructed as part of the collector street right-of-way. Sidewalks are to be provided on both sides of Collector Streets.

### **7.9.2.3 Main Streets**

Main Streets are roadways that play an important commercial and social role for the local neighbourhood area, supporting retail and service activities and providing an urban streetscape for social community gathering and recreational activities. Main Street locations are envisioned to have an increased density of commercial and residential development. Main Streets should reflect the key characteristics of the surrounding neighbourhood, while also contributing towards a sense of place, the facilitation of social interaction, and the improvement of adjacent land values through careful attention to the design of streetscapes and adjoining public spaces.

The Main Street's physical form promotes pedestrian activity and should also be a "complete street", designed and operated to enable safe, attractive, and comfortable access and travel for all users, so that pedestrians, bicyclists, and motorists are able to safely and comfortably move along and across a Main Street roadway. Sidewalks should be wide with ample pedestrian amenities, including street trees, quality landscaping, pedestrian curb extensions or bulb-outs, enhanced street crossings, and pedestrian-oriented signage identifying trails and points of interest. Pedestrian signals and crossings should have a high priority at intersections. Building frontages should be pedestrian oriented and pedestrian scale, with buildings and entrances located adjacent to public sidewalks. The Town may entertain lease agreements to permit uses such as patios within the right-of-way.

### **7.9.2.4 Residential Streets (Local)**

Residential Streets primarily provide access to property but also serve as local transportation corridors that carry low volumes of traffic to collector and arterial streets. Through traffic is discouraged. Neighbourhood traffic management strategies to slow and discourage through traffic may be appropriate. Trucks shall be restricted from Residential Streets, except for local deliveries and in Employment Areas.

Residential Streets shall have a minimum right-of-way width of 20.0 metres, however a reduced right-of-way width of 18.0 metres may be permitted on certain residential streets such as cul-de-sacs and crescents.

Sidewalks are to be provided on both sides of Residential Streets, including cul-de-sacs with 30 or more residential units, and any cul-de-sac having a through pedestrian connection.

#### 7.9.2.5 Private Roads

Private Roads shall only be permitted in plans of condominium so that they are maintained in accordance with the approved plan of condominium. Such roads are intended to function as residential streets. The Town shall establish minimum design and construction standards for these roads either by way of a by-law or at time of development review.

#### 7.9.3 Active Transportation Network

All existing and planned pedestrian and cycling facilities are designated on **Schedule 'B' – Transportation Network**. The planned facilities located on Arterial Streets and Collector Streets shall be considered to be Designated Roads for the purpose of obtaining road widening dedications through the site plan approval process. As such, Designated Roads are intended to have a minimum road allowance width of 26 metres and 20 metres, respectively, unless decided otherwise through the approval process. Any required widening would be measured from the centreline of the roadway and would be an equal widening on both sides of the right-of-way.

#### 7.9.4 Proposed Road Widenings

All existing Arterial Streets and Collector Streets are designated on **Schedule 'B' – Transportation Network**. These shall be considered to be Designated Roads for the purpose of obtaining road widening dedications through the site plan approval process. As such, Designated Roads are intended to have a minimum road allowance width of 26 metres and 20 metres, respectively, unless decided otherwise through the approval process. Any required widening would be measured from the centreline of the roadway and would be an equal widening on both sides of the right-of-way.

The Town may require the dedication or acquisition of lands necessary to implement planned transportation improvements and/or to protect the function and safety of the transportation network. Such lands may include, but are not limited to, road widenings, intersection improvements, daylight triangles/sight triangles, turning lanes, turning tapers, active transportation facilities, and other transportation infrastructure requirements.

#### 7.9.5 Trail Network (TN)

The Trail Network policies focus on continuing to improve the quantity and quality of trails in Smiths Falls to increase their use for transportation and recreation purposes. The policies recognize the important connections that trails provide and that these connections also encourage people to use trails to commute to work or school, visit the community and to access a range of destinations that meet their daily needs.

Building on their connective nature, trails provide alternatives to automobile transportation and are important amenities for recreation. The Town's location at and near the terminus of multiple regional trail networks enhances this opportunity and provides opportunity for cycling tourism. Trails further the environmental, social, and transportation goals of this Plan. Trail access and usage can also be important components to encouraging a more active and healthful lifestyle.

The policies in this section work together with other transportation Policies and with the Parks, Open Space, and Recreation policies to promote bicycling and walking for both transportation and recreational purposes in Smiths Falls.

### ***Policies – National Model for Trail Development and Use***

- TN-1.1** Support use of innovative design practices, materials, and construction techniques to improve the development, operation, and safety of trails.
- TN-1.2** Minimize environmental disturbance in the design, construction, and management of trails.
- TN-1.3** Design trail system alignments to minimize impacts and enhance the environment within sensitive riparian and other natural areas.
- TN-1.4** Provide trail amenities, including parking spaces (regular and accessible), washrooms, waste receptacles, signage, public art, lighting, canopies, and benches/seating along trails to promote use and enhance the user experience.
- TN-1.5** Provide services and information that expand knowledge about, encourage use of, and promote the Trail Network as a transportation and recreation facility for all segments of Smiths Falls' diverse community and its visitors.

### ***Policies – Trails as Transportation***

- TN-2.1** Support off-street travel by interconnecting individual trail systems to each other and to regional trail systems.
- TN-2.2** Provide direct, safe, and convenient bicycle and pedestrian connections between the trail system and adjacent neighbourhoods, schools, *employment areas*, and shopping areas.
- TN-2.3** Add and maintain necessary *infrastructure* to facilitate the use of trails as transportation.

**TN-2.4** New developments should install trail connections to existing trails to strengthen linkages between neighborhood destinations and the Town's *active transportation* network.

**TN-2.5** Coordinate and connect the trail system with the on-street bikeway system.

***Policies – Accessible, Safe, and Well-Functioning Trails***

**TN-3.1** Design new and retrofit existing trails to provide a variety of trails that meet the needs of users of different abilities, such as commuters, families with children, or persons with disabilities.

**TN-3.2** Design new and retrofit existing public and private developments to provide *significant* visibility of and access to existing and planned trails to promote safety and trail use.

**TN-3.3** Require any new all-access trails to have a minimum width of 3.0 m, and a minimum 2.4 m width in constrained conditions only. Natural and naturalized trails can be smaller, to the extent that the location and context allow it.

**TN-3.4** Require all new trails be designed in accordance with provincial accessibility standards (AODA), where feasible.

**TN-3.5** Continue to consider pedestrian crossings (including pedestrian crossovers (PXO)) at all new trail crossings of roadways.

## Section 8 Implementation

All substantial new development activity within Smiths Falls should conform to the Land Use and Transportation Network Schedules. Smiths Falls' Official Plan 2051 land use designations indicate the Town's intent for the appropriate future land use and development character and transportation network facilities for designated areas.

This section outlines the procedures and by-laws the Town will use to implement the Official Plan. It also addresses the requirements for various development processes and what is required for development applications.

### 8.1 Review, Amendments, and Consolidations

1. Council shall review this plan every five years or whenever a fundamental change occurs in the basic growth, development, demographic, social, economic, environmental, or technical assumptions upon which the Plan is based, or if there is a need to conform to Provincial plans or policies, whichever comes first.
2. Prior to initiating any review, Council shall consult with the Ministry of Municipal Affairs and Housing and other public bodies to discuss any revisions that may be required in the Plan.
3. Review shall ensure that the Official Plan:
  - a. Conforms with provincial plans or does not conflict with them, as the case may be;
  - b. Has regard to matters of provincial interest; and,
  - c. Is consistent with policy statements issued by the Province.
4. When an amendment is proposed to update the Official Plan (as detailed in Section 26 of the *Planning Act*), Council shall hold at least one open house for the purpose of giving the public an opportunity to review and ask questions. Such an open house shall be held at least seven days prior to the Formal Public Meeting.
5. Any amendment to this Plan must:
  - a. Be consistent with the Provincial Planning Statement, and,
  - b. Not conflict with another other policies and the general intent of this Official Plan.
6. Minor corrections to this Plan are permitted if the proposed change is of a technical or administrative nature, undertaken for the purpose of correcting formatting of text or map schedules (e.g., font, boldface, italics, capitalizations, notations, layout, colors, symbols, etc.), spelling or grammar errors, page numbers or section numbers, headings, sections cross-references, or any other minor technical errors that do not impact the interpretation of policy.
7. An effort will be made to consolidate amendments to the Plan annually so they can conveniently be made available to the public along with the Plan. It should be noted that such consolidations are for reference purposes only.

### **8.1.1 Zoning By-law**

1. Zoning By-Laws will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the provisions of the Planning Act.
2. Within three years of the approval of this Plan, the existing Zoning By-Laws shall be reviewed and amended, or a new Zoning By-Law prepared and approved, to conform to the policies of this Plan.

### **8.1.2 Holding Provisions**

1. Pursuant to Section 36 of the *Planning Act*, the Town may use holding provisions in situations where it is necessary or desirable to zone the lands for development, but where development must be delayed. Holding provisions consist of holding “h” symbols placed over individual properties or “h” overlays placed over geographic areas.
2. Holding provisions may be placed on lands where the principle of a development is supported but development is delayed pending completion or realization of one or more of the following:
  - a. Availability of municipal infrastructure (including any required extension of services);
  - b. A Record of Site Condition being submitted to the Province;
  - c. Measures to appropriately conserve cultural heritage resources;
  - d. Phasing of development;
  - e. Completion and registration of any Development Agreement under Section 37 of the *Planning Act* that is satisfactory to the Town;
  - f. Completion and registration of any Cash-in-lieu of Parking Agreement under Section 40 of the *Planning Act* that is satisfactory to the Town;
  - g. Measures to appropriately protect the natural environment; and,
  - h. Demonstrating compliance with the Provincial D-6 Guideline “Compatibility Between Industrial Facilities and Sensitive Land Uses” where there are potential land use compatibility issues associated with existing industrial uses operating in areas designated for mixed-use development that may include residential or other sensitive land uses; and,
  - i. Any technical study or subsequent development application, to the satisfaction of the Town.
3. The holding Zoning By-Law shall specify the land uses to be permitted in the interim while the holding symbol is in effect, as well as any regulations applying to these lands affected by the holding provisions.
4. To provide clarity, implementing Zoning By-Laws approved under Section 36 of the *Planning Act* shall set out the following:

- a. The nature of the condition(s) or requirement(s) that are responsible for the application of holding zone controls;
  - b. The actions which must be taken in relation to such condition(s) or requirement(s) in order for the removal of the holding zone symbol to be considered by Town Council; and,
  - c. The level of government responsible for providing clearance that the condition or requirement for removing the holding provision has been met, as well as the named official or designate responsible for providing such clearance.
- 5. Implementation of holding provisions may be by way of site-specific Zoning By-Laws, which may include one or more properties.
- 6. Landowners can apply to have these holding zones lifted in order to proceed with development. Notice of intent to Lift a Holding Zone must be given in accordance with the *Planning Act* and the corresponding By-law must be approved by Town Council, unless that authority is delegated pursuant to the applicable provisions of the *Planning Act*.

#### **8.1.3 Interim Control By-laws**

- 1. The Town may pass Interim Control By-laws to control the use of land, buildings or structures within designated areas of the Town 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 the Town. Any Interim Control By-law approved by the Town shall initially be in effect for a period of up to one year from the date of passing of the By-law, but may extend for a maximum of one additional year.

#### **8.1.4 Temporary Use By-laws**

- 1. Temporary use by-laws may be used to permit the temporary use of lands, buildings or structures for a purpose that would otherwise not be permitted in the Zoning By-Law and/or this Plan.
- 2. Any temporary use by-law may authorize the use of lands, buildings or structures for a period of up to ten years.
- 3. Temporary use by-laws shall be processed pursuant to Section 39 of the *Planning Act*.

4. Council, at their sole discretion, may grant extensions of the temporary use. Any extension shall be granted by way of by-law, and shall not exceed ten years.
5. Landowners can apply for a temporary use by-law and any extension, in order to proceed with development. Notice of a Temporary Use By-law must be given in accordance with the *Planning Act* and the corresponding By-law must be approved by Town Council.

#### **8.1.5 Site Plan Control**

1. For the purposes of Site Plan Control, development shall have the same meaning as defined in Section 41 of the *Planning Act*.
2. Council will control the provision of certain site-related facilities and features associated with all development through the mechanism of the Site Plan Control By-law as provided for in the *Planning Act*. Site Plan Agreements provided for in the *Planning Act* may also be required and may be registered on title.
3. The Site Plan Control Area shall constitute all of the lands contained within the Official Plan of the Town of Smiths Falls and shall govern all types of development.
4. The Town of Smiths Falls' Council may, by by-law, exempt one or more land uses from Site Plan Control.
5. Approval of site plans will be required prior to the issuance of building permits for all development located in the Site Plan Control Area and not exempt from Site Plan Control as set out in the Site Plan Control By-law. Building permit drawings shall reflect the approved site plan building elevations
6. Elevation drawings showing plan, elevation and cross section views may be required for all proposed development and for all residential development containing 25 or more residential units, in accordance with Section 41 of the *Planning Act*.
  - a. Elevation drawings shall include matters of massing, conceptual building design, interior walkways and the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access, as well as the sustainable design elements on any adjoining street or highway under the Town's jurisdiction set out in Section 41(4)(e) of the *Planning Act*. Matters relating to exterior access to each building that will contain affordable housing units shall also be included.
7. Widening of roads shall be required as a condition of site plan approval for development within the Site Plan Control Area abutting those roads shown on **Schedule 'B' – Transportation Network**. The extent of such widening is outlined in the policies of this Official Plan.

8. When considering applications for any site plan approval within the Town of Smiths Falls, it is the policy of Council that such applications with any building six storeys or greater in height, be accompanied with a statement or analysis from a qualified professional addressing the wind, snow deposition and shadow impacts created by the proposed building on pedestrian comfort levels and setting out the appropriate design measures to reduce or mitigate any such adverse impacts. Impact study criteria shall be established by the Town and implemented through the site plan process.

#### **8.1.6 Subdivision Control**

1. Council of the Town of Smiths Falls has the authority to approve subdivisions. Council shall use the Subdivision Plan approval process in accordance with the provisions of the *Planning Act* to ensure that developing areas conform to the policies of this Plan.
2. Consent to sever individual parcels of land shall only be permitted when it can be demonstrated that a plan of subdivision is not necessary to implement the policies of this Plan or a more detailed planning study.
3. The part-lot control provisions of the *Planning Act* allow a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot without requiring the approval of the lands division committee. Council may pass by-laws to exempt properties from Part-Lot Control for:
  - a. Creation of townhouse lots within a Registered Plan of Subdivision;
  - b. Creation of semi-detached lots which are to be split within a Registered Plan of Subdivision;
  - c. Creation of parcels in Employment Areas within non-residential subdivisions;
  - d. Lot realignments within non-residential plans of subdivisions;
  - e. Mechanical severances, such as additions to lots, easements, land dedications, etc.; and,
  - f. Adjacent lands within a Registered Plan of Subdivision.

#### **8.1.7 Property Standards By-law**

1. Council supports the maintenance and rehabilitation of existing buildings and property in order to extend the useful life of the individual properties, conserve energy and to enhance the quality of Planning Districts and/or neighbourhoods.

2. Council recognizes that the existence of physical deterioration and neglect within communities serves to erode confidence in those communities. Council may, therefore, pass a Property Standards By-law subject to the provisions of the *Building Code Act* and such By-law may apply:
  - a. To any defined area or areas within the Town;
  - b. To commercial, employment, residential, institutional, vacant, or open space properties;
  - c. To the physical appearance of yards and passageways including the accumulation of debris and rubbish;
  - d. To the adequacy of sanitation including drainage and garbage;
  - e. To the physical condition of all buildings or structures; and,
  - f. To the occupancy of the buildings.
3. Enforcement and administration of a proposed Property Standards By-law will generally be undertaken on a complaint basis, however systematic enforcement of the By-law may be applied for certain classes of property or within certain areas.
4. Property Maintenance and Occupancy Standards By-law provisions will be utilized wherever possible for the protection of cultural heritage resources. Council shall ensure that the application of this by-law is not detrimental to the conservation of cultural heritage resources. Council may also amend this by-law to prescribe minimum standards for the maintenance of heritage attributes for properties designated under the *Ontario Heritage Act*.

#### **8.1.8 Development Charges By-law**

1. The Town of Smiths Falls shall collect Development Charges in accordance with the provisions of the Development Charges By-law and the Development Charges Act.
2. Development charges are collected by the Town to finance to construction of new capital *infrastructure*, as a result of the growth stemming from land development in the Town.

#### **8.1.9 Parkland Dedication**

1. As per the Parkland Strategy outlined in the Parks and Recreation Master Plan (June 2022), the Town shall investigate the development of a Parkland Dedication Bylaw. The bylaw may ensure that a greater quantum of local parkland is acquired through the subdivision approval process for future residential areas over 300 units. A bylaw shall be in accordance with the policies of this Section, the Parks and Recreation Master Plan, and the policies included in the Open Space designation.
2. Parkland dedication policies shall not apply to lands that are within a plan of subdivision approved under the provisions of the *Planning Act*, if the land in the plan has already

been conveyed to the Town for park or public purposes *or* a payment in lieu of such conveyance has already been accepted by the Town.

- a. Additional parkland dedication above and beyond what may have been previously required may be applicable in the case of re- designation of commercial or industrial lands to a use with a higher parkland dedication rate, as set out in policy below.
3. It is a policy of this Plan that lands for park or other public recreational purposes shall be conveyed to the Town, or cash-in-lieu of the conveyance of such lands for park or other public recreational purposes shall be paid to the Town, as a condition of development of lands for residential, industrial, commercial, and institutional purposes, pursuant to the provisions of the *Planning Act*, at the rate of:
  - a. 2% of the lands to be conveyed to the Town for park or other public recreational purposes as a condition of commercial and industrial development and 5% of the lands to be conveyed to the Town for park purposes or other public recreational purposes as a condition of all other uses unless the alternative parkland dedication rate applies.
  - b. An alternative parkland dedication rate of up to 1.0 hectare per 300 units will be set out within the parkland dedication by-law and may be applied at the Town's discretion to proposals for residential development as well as residential portions of mixed-use developments, exempting subdivisions proposed for non-profit housing, as per the provisions of the *Planning Act*.
  - c. Cash-in-lieu of parkland to be paid to the Town for the value of the required conveyance where, in the opinion of the Town, the need for local parkland can be met by the existing supply within 800 metres of the farthest residential land parcel, or the site would not be practical to develop, or the required land dedication would not offer sufficient development as a park, whether due to reasons of size, shape, or location, as per the Parks and Recreation Master Plan.
4. The amount of cash to be accepted in lieu of parkland dedication shall be an amount based on the appraised market value of the land as set out in the *Planning Act*. For convenience, the Town of Smiths Falls may establish an appropriate fixed amount of cash to be paid for residential, industrial, commercial, and institutional sites that are proposed for development. Any established fixed amount shall be updated every five years, at a minimum.
5. Where the Town accepts cash-in-lieu of land conveyance to satisfy the parkland dedication requirements of the *Planning Act*, the funds shall be paid into a special account and shall primarily be spent on land acquisition for additional parks in developing or redeveloping areas and to develop the newly acquired lands. Funds may also be considered to support upgrading of existing parks/facilities, provided the need to upgrade is due to *intensification* of the surrounding neighbourhood.

6. For the purposes of parkland dedication, acceptability of the parkland shall be determined by the Town, however at a minimum shall be graded flat by the developer prior to conveyance. Any parkland proposed to be dedicated to the Town shall, in the opinion of Council, be suitable for development and use by the Town as parkland and satisfy the following criteria:
  - a. Such lands shall be free of stormwater drainage issues;
  - b. Such lands shall not form part or all of a stormwater management facility unless designed as a dry facility large enough to provide for safe recreational opportunities;
  - c. Such lands generally are not encouraged adjacent to an Arterial road as designated on **Schedule 'B' – Transportation Network**, if the intended use is a neighbourhood playground;
  - d. Such lands should generally be located in proximity to the areas of highest population density and pedestrian accessible;
  - e. No environmental contamination has occurred on the lands, the lands have been satisfactorily restored or that a Record of Site Condition is provided;
  - f. Lands are of a suitable size, shape and in a location appropriate for the development of park facilities and amenities in accordance with the parks hierarchy and development guidelines as set out in this Plan and supporting implementation documents; and,
  - g. Lands are not considered to be a Natural Heritage Feature (or associated area), *hazardous lands* or *hazardous sites* as defined in this Plan.

#### **8.1.10 Committee of Adjustment**

1. The Committee of Adjustment shall be guided by the policies of this Plan in making decisions regarding the granting of minor variances, consents for the division of land, or regarding legal non-conforming uses pursuant to provisions of the Planning Act.
2. The Committee of Adjustment may grant a minor variance from provisions of the Zoning By-law, provided the Committee is satisfied that the minor variance meets the four tests of the Planning Act. The four tests are as follows:
  - a. That the general intent and purpose of the Official Plan are maintained;
  - b. That the general intent and purpose of the Zoning By-law are maintained;
  - c. That the variance is desirable for the appropriate development of the land, building, or structure; and,
  - d. That the variance is minor in nature.
3. Prior to recommending approval of a variance for a new multiple residential building, or an extension or enlargement of an existing multiple residential building, where the proposed development does not conform to the Zoning By-Law, the Committee of Adjustment shall

place a higher priority on the provision of adequate contiguous and usable landscaped open space relative to the provision of parking. The criteria by which adequate landscaped open space will be assessed include:

- a. Ability to provide a front yard depth capable of supporting large calliper trees;
  - b. Ability to provide screening, using trees and other landscaping, on properties that abut low density residential areas; and,
  - c. Ability to provide snow storage on site.
4. For clarity, the following are key considerations for staff in reviewing residential intensification projects that seek relief from the Zoning By-Law:
  - a. Whether the property is overbuilt, or there are other opportunities elsewhere to accommodate the identified form of intensification;
  - b. Existing services can support intensification in the affected area; and,
  - c. The identified form of residential intensification recognizes and enhances the housing mix, scale and density within the neighbourhood by having regard to natural vegetation, lot frontages and areas, parking requirements, building height, coverage, mass, setbacks, privacy and overview.
5. The Town recognizes the importance of source water protection in sustaining the Town's municipal drinking water. As such the Committee should be mindful of the cumulative effect of such changes when considering the application.

#### **8.1.11 Non-Conforming Land Uses**

##### ***Properties Not Conforming to the Official Plan***

1. Any land use existing on the date of approval of this Plan that does not conform to the land use designations as shown on **Schedule 'A' – Land Use Plan** or the policies related thereto should, as a general rule, cease to exist in the long term.
2. Where the land use does not conform to the policies of this Plan, Council may acquire and hold, sell, lease, or redevelop a property in accordance with the provisions of the *Planning Act*. Special attention will also be given to the possibility of re-establishing the use in a location consistent with the policies of this Plan.

##### ***Properties Not Conforming to the Zoning By-law***

1. Any land use that does not conform to the provisions of the Zoning By-law should, as a general rule, cease to exist in the long term.
2. In special instances, however, it may be desirable to permit the extension or enlargement of a building or structure in order to avoid unnecessary hardship. It is the intention of this

Plan that any such extension or enlargement shall be processed as a site specific amendment to the Zoning By-Law or an application to the Committee of Adjustment pursuant to the provisions of the *Planning Act*, whichever is applicable.

3. The Committee of Adjustment shall consider the following prior to considering approval of an application for the extension or enlargement of a building or structure, where the existing land use does not conform to the Zoning By-Law:

- a. The proposed extension or enlargement will not have negative impacts on surrounding lands or uses;
- b. The proposed extension or enlargement will not significantly impact the ability of the existing land use to cease to exist in the future;
- c. The proposed extension or enlargement represents a reasonable increase to the size of the building or structure;
- d. Characteristics of the existing building or structure and the proposed extension or enlargement will be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, traffic generating capacity, and risk to life and property;
- e. Surrounding lands will be afforded reasonable protection by the provision of landscaping, buffering or screening; appropriate setbacks for buildings or structures; and devices and measures for reducing nuisances;
- f. Traffic and parking conditions in the vicinity will not be adversely affected;
- g. Adequate provisions will be made for off-street parking and loading facilities; and,
- h. All municipal services such as water, sewers, and roads will be adequate.

4. Pursuant to the provisions of the *Planning Act*, the Committee of Adjustment may permit a use of the property that is similar to the purpose for which it was used, or a use that is more compatible with the uses permitted by the Zoning By-Law. The Committee of Adjustment shall consider the following when reviewing such applications:

- a. The proposed use should be an improvement over the existing use in terms of appearance and function in relation to the surrounding area, and more closely approach the intent of the policies of this Plan and provisions of the Zoning By-Law;
- b. The proposed use should be viewed as an interim use and should be considered in relation to the economic life of the use and structure; and,
- c. The proposed use should not create or cause an increase of nuisance factors such as noise, vibration, fumes, smoke, dust, odours, lighting, or traffic so as to result in the incompatibility of the use with its surrounding area.

5. Where the use does not conform to the Zoning By-Law, Council may acquire and hold, sell, lease or redevelop a property in accordance with the provisions of the *Planning Act*.

Special attention will also be given to the possibility of re-establishing the use in a location consistent with the policies of this Plan.

#### **8.1.12 Staging of Development**

1. Staging of development shall generally adhere to the following servicing principles:
  - a. To promote the completion of development in serviced areas, where possible, prior to servicing undeveloped areas;
  - b. To give priority to development areas that are adjacent to existing developments and support the achievement of minimum *intensification* targets within the built up area; and,
  - c. To give priority to development of areas most easily and economically serviced.
2. This Plan recognizes the need to maintain an ongoing supply of employment areas to act as an incentive for economic growth. Circumstances may arise which warrant the extension of services to new employment areas prior to the substantial completion of existing employment areas.
3. Council through its Capital Expenditure Forecast will schedule the provision and construction of municipal services. This forecast will be reviewed and/or revised on an annual basis, at which time Council shall have regard for the long and short term schedule of servicing requirements set out in the most current Smiths Falls Development Charge Study and the staging of anticipated developments.
4. To determine status of developments, Council shall have regard to the scheduling and processing of Plans of Subdivision for residential, industrial, and commercial development and will take the following into consideration:
  - a. Existing servicing capacity;
  - b. Uncommitted servicing capacity;
  - c. Servicing improvements necessary to accommodate household growth to 2051; and,
  - d. Implementation of servicing improvements.

#### **8.1.13 Complete Development Applications**

1. A complete development application includes required plans and/or drawings, forms, fees, prescribed information and material as required under the *Planning Act* and associated regulations, any other information prescribed by Provincial authority, a covering letter, and all supporting information identified through the pre-application consultation, as set out in this policy section, deemed necessary to assess the implications of an application for approval under the *Planning Act*. In order to ensure that all the relevant and required

supporting information pertaining to a planning application is available at the time of submission, the Town of Smiths Falls may request applicants to submit reports and/or studies in support of the application(s) before the development application(s), would be considered complete under the *Planning Act*.

2. Applicants are encouraged to consult with municipal staff prior to submitting an application by requesting a pre-consultation meeting, the purpose of which is for the applicant to discuss their proposal with staff (and other public agencies as required prior to the submission of their development application(s)). The meeting shall also allow the Town to determine what supporting information (i.e. reports and/or studies) is required as part of a complete development application submission.
3. A pre-application consultation meeting with the Town will be required prior to the submission of an application for an Official Plan Amendment, a Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, and/or Site Plan. The pre-application consultation by-law could include classes of development which are exempt from a pre-application consultation.
4. Notwithstanding, applicants may consult with the Town before submitting any other requests under the *Planning Act* (i.e. consent or minor variance).
5. In addition to information prescribed by a Provincial authority, the following supporting information, at a minimum, shall be required as part of a complete development application:
  - a. Prescribed application fee(s);
  - b. Completed application form(s);
  - c. Prescribed information and material as required under the *Planning Act* and associated Regulations;
  - d. Covering letter, which outlines the nature of the application(s) and details of the pre-application consultation meeting(s) with Town staff and other agencies (if applicable);
  - e. Appropriate plans and/or drawings;
  - f. Any studies required by the policies of this Plan; and,
  - g. Any studies identified through pre-application consultation.
6. The following supporting information may be required as part of a complete development application to be determined through pre-application consultation with Town staff and other public agencies:
  - a. Planning Justification Report;
  - b. Transportation Impact Study;
  - c. Servicing Report;
  - d. Stormwater Management Plan;

- e. Tree Preservation Report and Plan;
  - f. Hydrogeological Study;
  - g. Watershed or Sub watershed Study;
  - h. Floodline Delineation Study;
  - i. Architectural/Urban design Report;
  - j. Environmental Site Assessment;
  - k. Ministry of the Environment, Conservation and Parks (MECP) Record of Site Condition (RS(C);
  - l. A Technical Standards and Safety Authority (TSSA) Contaminant Management Plan;
  - m. Ecological Site Assessment;
  - n. Environmental Impact Statement or Scoped Environmental Impact Statement;
  - o. Archaeological Assessment;
  - p. Heritage Impact Assessment;
  - q. Shadow Impact Study;
  - r. Wind Study;
  - s. Noise Study;
  - t. Odour Impact Assessment;
  - u. Vibration Study;
  - v. Geotechnical Study;
  - w. Slope Stability Study;
  - x. Construction Dewatering Plan;
  - y. MOECC Permit to Take Water;
  - z. Market/Retail Impact Study or Retail Analysis;
  - aa. Concept *Site Plan* and Building Elevations;
  - bb. Erosion and Sediment Control Plans;
  - cc. Recreation and Leisure Impact Assessment;
  - dd. Notice from the Risk Management Official; and,
  - ee. Other studies or reports identified through pre-application consultation.
7. These broad categories of reports and studies (supporting information) are not intended to preclude Council and its delegated approval authorities from requiring additional reports and studies as part of a complete development application, or from identifying reports or studies during the planning process if circumstances necessitate the need for such information as part of the decision making process. The more specific scoping of reports and studies to be submitted by an applicant will be identified by appropriate staff at the pre-application consultation meeting.
8. The Town may request electronic versions of all of the supporting information submitted with a complete development application, and may stipulate the format of the digital submission.

9. All supporting information submitted in accordance with these policies must be conducted by a qualified professional retained by and at the expense of the applicant. The Town may refuse to accept the supporting information if it considers the quality of the submission unsatisfactory.
10. The Town may require a peer review of any supporting information submitted in accordance with these policies by an appropriate agency or qualified professional at the applicant's expense.
11. The Town may require applicants who amend complete development applications to participate in an additional pre-application consultation meeting or meetings and may require the submission of revised or additional supporting information before the Town would consider the amended application complete under the *Planning Act* and statutory decision making timelines begin to apply.

#### **8.1.14 Community Planning Permit System**

The Town may adopt a Community Planning Permit System (CPPS) as a tool to streamline the traditional planning approval process. The CPPS combines zoning by-law amendments, minor variances, *site alteration*, and site plan controls into one application and approvals process, pursuant to the *Planning Act*. When a CPPS is established, comprehensive policies shall be developed by way of amendment to this Plan to:

1. Identify one or more areas as Community Planning Permit Areas and subject them to the Community Planning Permit By-law.
2. Clearly define the scope of authority that may be delegated under the Community Planning Permit By-law, if Council intends to delegate authority.
3. State the goals, objectives, and policies of a CPPS for the given area(s).
4. Clearly define the permitted uses and development standards, and additionally outline the classes of development, if any, exempt from requiring a Community Planning Permit.
5. Set out the conditions that may be included in the Community Planning Permit By-law, which are defined in O.Reg 173/16.

#### **8.1.15 Community Benefits Charges By-law**

1. As per the provisions of the *Planning Act*, the Town may prepare a background strategy and enact a By-law to facilitate the collection of capital cost associated with specific Community Benefits. A background strategy will more fully identify what these community benefits charges may apply to, which might include:
  - a. Streetscape Improvements;

- b. Public Realm;
  - c. Conservation of architectural, historic, archeological and scenic features;
  - d. Parks and Trails;
  - e. Affordable Housing; and,
  - f. Community Facilities.
2. A Community Benefits Charges By-law can apply to the Town as a whole, or to specific areas within the Town.

#### **8.1.16 Other Relevant By-laws**

1. By-laws passed by the Town under the authority of the *Municipal Act* or any other *Act* may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, trailers or signs may be passed by the Town where considered appropriate. Any such By-law shall conform to this Official Plan.
2. Council will review and monitor existing and future legislation contained in the *Planning Act*, the *Municipal Act*, and other relevant Provincial statutes and where appropriate, amend existing by-laws or pass new by-laws to ensure uses of land are regulated and controlled in accordance with the policies of this Plan.

#### **8.1.17 Implementation of the Mississippi-Rideau Source Protection Plan**

1. By February 1st of each year, the Town will report to the Source Protection Committee on steps taken in the previous calendar year to implement the Source Water Protection Plan.
2. In accordance with the SPP, the Risk Management Official may confirm to the Town that the following transition policies apply to a drinking water threat activity that is established or commences after the date the SPP takes effect and is to be considered as existing and is subject to SPP policies addressing existing activities when:
  - a. The activity is related to a development proposal that had received approval under the *Planning Act* or *Condominium Act*, including any approvals required to implement these approvals;
  - b. The activity is related to an application made or an approval was obtained under the *Building Code Act* before the effective date of the SPP; and,
  - c. The activity is related to an application made, or an approval was obtained for the issuance or amendment of a Prescribed Instrument before the effective date of the SPP.
3. In accordance with the SPP, the Risk Management Official may confirm to the Town that the following policies apply to a drinking water threat activity that resumes after an interruption or expands after the effective date of the SPP and is to be considered as an existing use for the SPP when:

- a. It is usually occurring on the property but has been interrupted for a maximum of 24 months due to temporary circumstances such as fire, renovation, change of ownership or due to the seasonal nature of the activity,
- b. It involves an expansion of an existing activity but the expanded activity would be more protective of the drinking water source,
- c. It involves an expansion of the existing physical space but does not result in an expansion of the existing activity,
- d. It involves an expansion of the existing activity that is minor such that:
  - i. It does not require regulatory or planning approvals; and
  - ii. It is not part of, or was not preceded by, an expansion of the physical space that required regulatory or planning approvals.

### **8.1.18 Community Improvement Plans**

Under Section 28 of the *Planning Act*, Council may by By-Law designate part of, or the entire Town, as a Community Improvement Project Area. It is the intent of Council to utilize Community Improvement Plans to promote and focus public and private sector investment into maintenance, rehabilitation, and *redevelopment* activities that improve the living and working conditions in the Town.

1. The goals of community improvement are to:
  - a. Conserve, redevelop and rehabilitate the built environment, including residential, commercial, industrial, and mixed-use areas;
  - b. To make efficient use of existing community uses and other amenities;
  - c. To ensure private and public community improvement activities are coordinated;
  - d. To address existing land use conflicts, and minimize or mitigate future land use conflicts;
  - e. To assist the Town in identifying priorities for municipal expenditure regarding community improvement projects; and,
  - f. To participate, wherever possible, in Federal and/or Provincial programs that facilitate community improvement.
2. Community Improvement Plans may be prepared for various situations with an identified community need. The designation of a community improvement project area, and creation of a community improvement plan, is entirely at the discretion of Council.
3. For an area to be designated as a Community Improvement Project Area, it must satisfy one or preferably more than one of the following criteria:
  - a. Building stock or property in need of rehabilitation or redevelopment;

- b. Opportunities exist to realize energy efficiency improvements or expand housing opportunities through redevelopment or conversion of residential lands and/or buildings;
  - c. Opportunity for accessibility improvements to enhance public access to public spaces;
  - d. Known or perceived contamination of land or buildings;
  - e. The presence of incompatible land uses or activities, including non- conforming uses, that disrupt the land use and/or lifestyle of the citizens of the area due to factors such as noise, odour, vibration, parking, loading, and traffic circulation;
  - f. Deterioration or deficient community infrastructure, such as, but not limited to, road, sanitary and storm sewers, water mains, curbs and sidewalks, community facilities, open spaces, parks, streetscapes, and utilities;
  - g. The presence of cultural heritage resources which would benefit from enhancement;
  - h. Deteriorated or insufficient parking facilities, road access or traffic circulation;
  - i. Built form and/or streetscapes being incoherent or detracting from a neighbourhood; and,
  - j. Other significant environmental, social or community economic development reasons for community improvement.
4. The Town may create Community Improvement Plans to address the goals and objectives of these policies, and may include any of the following actions within defined Community Improvement Project Areas:
- a. Strategically use public monies to repair or upgrade community infrastructure;
  - b. Utilize public monies to fund grants and/or loans to owners of land and their assignees for the purposes of carrying out the Community Improvement Plan, including rehabilitation of contaminated properties;
  - c. Municipal acquisition, and subsequent clearance, rehabilitation, redevelopment or sale/lease or otherwise dispose of land and buildings;
  - d. Support of the conservation of cultural heritage resources through authorities provided in the *Ontario Heritage Act*, and the use of funding programs under that *Act*; and,
  - e. Participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purpose of community improvement, including application for financial assistance from such senior government programs.
5. The phasing of community improvements shall be prioritized according to:
- a. The ability for the Town to fund community improvement projects;

- b. The availability of senior level government programs that provide assistance for community improvement; and,
  - c. The alignment of required capital expenditures to undertake community improvement with departmental priorities and associated capital budgets.
- 6. In developing Community Improvement Plans, Council will ensure that the public is involved in the planning process.

## **8.1 Public Involvement**

### **8.2.1 General Public Involvement Policies**

1. Council recognizes that citizen and stakeholder engagement is an essential component of decision making, and will seek methods to improve citizen and stakeholder participation, while balancing the need to process applications within the timelines prescribed by the Province. To those ends, Council will:
  - a. Encourage all people to provide input, and support public participation in the decision-making process, where individuals are treated fairly and without bias in an open, orderly and impartial manner;
  - b. Promote citizen and stakeholder awareness of applications, studies and initiatives by involving and informing citizens and stakeholders early and as often as practical;
  - c. Make available to the public, the Official Plan, Zoning By-Laws, and other planning policies and guidelines of Council, to foster greater awareness and knowledge of planning matters;
  - d. Appoint Committees of Council as a means to provide strategic advice and recommendations to Council on a range of issues. All meetings held by Committees of Council shall be open to the public;
  - e. Make outreach to those who have not historically participated in traditional consultation events or who, for reasons of timing, economics and technology, require alternative means of engagement;
  - f. Utilize community networks, such as neighbourhood associations, as a means of engaging citizens at the neighbourhood level.
2. It is recognized that decisions of Council with respect to the adoption of Official Plans or amendments thereto or Zoning By-Laws or amendments thereto, are subject to the provisions of the *Planning Act*.

### **8.2.2 Indigenous Engagement Policies**

In addition to involving the general public, Council specifically recognizes the importance of targeted engagement and collaboration with Indigenous peoples to foster ongoing, meaningful

relationships. Council will seek to involve these groups, as inherent rights holders, in participatory processes, and incorporate their feedback into ongoing projects. When engaging with Indigenous communities, Council will:

- a. Engage early and meaningfully to consider the perspectives of Indigenous rightsholders from the outset of projects.
- b. Seek to understand what areas of significance to local Indigenous communities and organizations are located within or near a proposed development;
- c. Be open to hearing from members of Indigenous communities whose traditional territory makes up part of a development about any concerns they may have;
- d. Make available to Indigenous leadership the Official Plan, Zoning By-Laws, development applications, and other planning policies and guidelines of Council, to foster greater awareness and knowledge of how planning matters interplay with their rights and interests.