

2.0 BASIS OF THE OFFICIAL PLAN

2.1 General

On May 14, 1997 the Township of Lavant, Dalhousie and North Sherbrooke, the Township of Lanark and the Village of Lanark were amalgamated to form a restructured municipality. The Township of Darling completed the restructuring by joining Northwest Lanark on July 1, 1997 to create the new Township of Lanark Highlands.

In the fall of 1999 the Council of the restructured Township of Lanark Highlands initiated a review and consolidation of the Official Plans for the former Township of Lavant, Dalhousie and North Sherbrooke, Township of Lanark, Township of Darling and the Village of Lanark.

The following is a list of the existing Official Plans along with the associated approval dates:

1. The Township of Lavant, Dalhousie and North Sherbrooke Official Plan was adopted September 10, 1996 by By-law 504 (96).
2. The Township of Lanark Official Plan was adopted February 18, 1980 by By-law No. 5-80.
3. The Township of Darling Official Plan was adopted February 1980.
4. The Village of Lanark Official Plan was adopted February 1980.

2.2 Provincial Planning System

The *Planning Act* sets out the ground rules for land use planning in Ontario. Section 3 of the *Act* provides the basis for the *Provincial Policy Statement* which sets out land use matters that are of provincial interest. The *Provincial Policy Statement* promotes a policy-led system intended to:

1. Manage change and promote efficient, cost effective development and land use patterns which stimulate economic growth and protect the environment and public health.
2. Protect resources for their economic use and/or environmental benefits; and
3. Reduce the potential for public cost or risk to Ontario's residents by directing

development away from areas where there is a risk to public health or safety, or of property damage.

This policy statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the *Planning Act* and various *Ontario Regulations* enacted under the authority of the *Act*.

In addition, this Plan recognizes the responsibilities and opportunities the Province has or may empower or delegate to the Township of Lanark Highlands in decision-making on land use planning matters. These include but are not limited to land consents, exempting official plan amendment approvals, regulating and controlling land uses through zoning, site plan control, other planning tools and municipal plan review.

This Plan also recognizes the role of Federal and County legislation, and implements, where required and permitted, the objectives of these other levels of government. The jurisdiction of a municipality is limited and this Official Plan should not be viewed or interpreted in isolation from other government plans, policies and regulations.

2.3 Guiding Principles

The following guiding principles reflect the general aspirations of the community and form the basis upon which the goals, objectives and policies in this Plan are formulated:

1. To preserve and enhance the unique rural and small town character of the community.
2. To manage growth within the capacity of the municipality to provide or deliver municipal services and infrastructure i.e. roads, water and sewer, waste disposal, fire protection, recreation and cultural services, planning and economic development.
3. To ensure that public services have the capacity to serve existing and new development.(See **Sections 4.1, 10.4.1** and **Appendix 1, Section 3.**)
4. To develop a healthy diversified local economy which provides opportunities for employment and which strengthens the property tax base.
5. To preserve and enhance unique natural features and environmentally significant resources and to promote environmentally sensitive and responsible practices and development. This includes the conservation and management of water resources.
6. To ensure a safe and secure environment for the community through measures such as the Flood Contingency Plan and the Emergency Response Plan.

7. To promote the development of an affordable transportation system that supports the safe and efficient movement of community residents and business traffic, that minimizes disruption to communities and the environment, and that is integrated with the plans of other transportation authorities.
8. To foster a community identity which recognizes and builds upon its strong and unique characteristics.
9. To promote the provision of a diversity of active and passive recreational opportunities which reflect the range of lifestyle interests, ages, and states of health and mobility of community residents.
10. To ensure that the density of development in all settlement areas does not lead to the need for communal water and sewer services. However, in Lanark Village, the intent of the Plan is to provide for communal water and sewer services as an incentive to growth and economic development and the protection of public health.
11. To prohibit or restrict development on land with environmental hazards and/or physical limitations such as poor drainage, organic soils, flood susceptibility, erosion or steep slopes.
12. To ensure that appropriate mitigation measures for air and noise pollution are implemented for all new development given the nature of the local economy and the predominantly rural form of the municipality.
13. To provide for the stewardship and development of the areas renewable and non-renewable resources (agriculture, mining, mineral aggregates, forestry).
14. To conserve the cultural heritage and archeological resources of the Planning Area.

2.4 The Vision

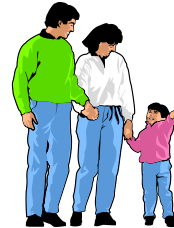
The vision of the future of the Township is based upon factual data and trends identified in the background research undertaken prior to the preparation of this Plan in combination with input gained from the public consultation process.

1. This Plan has been prepared to guide the future of development in the Township for an approximate period of twenty (20) years (2001-2021).
2. Population in the Township has increased since the early 1970's at a rate slightly

above the Provincial average. This gradual increase, along with the trend of generally higher aged population, is expected to continue through the next 15 - 20 years. This rate of growth could, however change with spin-offs from the hi-tech industry in Ottawa.

The current permanent population is estimated at approximately 5,000 persons (Strategic Projections Inc.) while the seasonal population is estimated to be 6,000. This population is distributed across the urban settlements and the rural area. Within the urban settlement areas the population (2001) is as follows:

- Middleville - 85
- Hopetown - 74
- Elphin - 51
- Watson's Corners - 58
- McDonald's Corners - 107
- Lanark Village - 815



At the current rate of increase, the population in the Township by the year 2021 is expected to be in the order of 6,490 permanent residents. The existing demographic profile of the Township is not expected to change significantly over the next 10-15 years. A gradual increase in the seniors population is expected with a concurrent decline in the youth and working aged population. This Plan, therefore, recognizes that employment opportunities, a range of housing types including affordable housing, and additional commercial, recreational and institutional facilities will be required in the future and sets out flexible policies to promote the provision of such necessities.

It is projected that there will be a need for an additional 680 housing units required to serve the increase in population over the Planning Period (2001-2021).

3. Increased population will necessitate the provision of an increasing level of soft services such as social, recreational and health care programs. The financial impact of these services on the municipality should be considered whenever proposed residential development is reviewed.
4. The Village of Lanark and the Hamlets of McDonald's Corners, Elphin, Watson's Corners, Hopetown and Middleville enjoy a historical relationship with the surrounding rural community as centres providing basic services. It is a premise of this Plan that the Village and these Hamlets will continue to function as residential, business and service centres for the Township. To this end, measures shall be taken to protect and consolidate their place and function. Accordingly, this Plan sets out policies to provide for the infilling and limited expansion of the Village once piped water and sewer services are installed. The Plan makes provision for the servicing of Lanark Village with piped water and sewer services.

However, the Plan does not encourage a density of development that would require the installation of "piped" municipal services in the Hamlets or in other areas where development may be concentrated. Additional studies may be required where the density of development may approach a level that cannot be sustained by private services.

5. The Village of Lanark is the largest urban centre and, as a 'hub' for the Township, provides an opportunity as well as the potential to be a major tourist destination. The Plan sets out a framework for Community Improvement for the village as well as urban design, heritage conservation and economic development policies designed to enhance its image and attractiveness. These tools are dependent on a cohesive effort by civic leaders, the business community and residents alike to design, implement and promote a plan to develop the village as a vibrant and healthy community.
6. It is recognized that the many water bodies located in the Township are not only a valuable natural resource but are also a source of revenue and a focal point of residential and recreational activity. This is expected to continue. The policies contained in this Plan, while providing for development, mandate the preservation of the water quality of water bodies and the retention of the natural features of adjacent shorelines through development controls. For certain water bodies the location and number of additional dwellings permitted is limited. The municipality also recognizes that watersheds are a shared resource amongst municipalities and that there is a need for coordination and cooperation in managing water quality on an upstream and downstream basis.
7. Much of the Township is forested and rural in nature. There are some 332 farm properties although the capability of the agricultural land base varies substantially across the municipality. This Plan recognizes the importance of maintaining the existing agricultural base and contains policies which encourage the maintenance of farmland especially the stands of maple trees which provide seasonal revenue from the maple syrup industry as well as tourism.
8. The intent of this Plan is to manage renewable and non-renewable natural resources, conserve energy and water as well as promote the reduction, re-use and recycling of waste in the Township. In order to assist economic growth the Plan contains policies which are flexible in terms of land use in the Rural area. However, the proposed location of all new forms of development shall be considered in order to minimize costs associated with the provision of municipal services and school bussing.
9. There are extensive Crown Land areas within the Township (19,426 ha) which are under the jurisdiction of the Ministry of Natural Resources, as well as other

forested areas which are owned by the County of Lanark (3,518 ha). Eighty-eight per cent of the County forests are located in the Township but are managed by Lanark County. This Plan recognizes the importance of these areas and encourages cooperation between the Municipality, and the County with assistance from the Ministry in the management of these lands. This Plan also recognizes the importance of County Lands in the overall development strategy of the Township and encourages liaison and cooperation between the Municipality, the County and the Ministry in the management of these lands. Crown Lands which form part of Ontario's Living Legacy are also recognized.

10. The mineral and mineral aggregate resources in the Township are non-renewable natural resources. The Tatlock quarry, for example, is recognized as a resource of significance on an international scale. Wherever possible, the policies of this Plan are structured to balance the rights of property owners as well as to provide for the extraction of this resource.
11. The Township contains many pockets of land which are poorly drained and which are wet either seasonally or permanently. Some of these wetlands have been classified as provincially significant by the Ministry of Natural Resources. Other wetland areas have been identified in this Plan which have not yet been evaluated or are considered to be locally significant. The Township recognizes the ecological importance of wetlands and the policies contained in this Plan prescribe that important locations of this resource be protected from the effects of development wherever possible.
12. Existing private and public structures which are substandard shall be repaired or removed for health, safety or environmental reasons. Property Standards By-Laws and redevelopment projects are tools which the municipality together with the public can utilize to retrofit and renew properties and municipal services in the Township.
13. Due to its low population density and forested landscape, the Township provides excellent habitat for various forms of wildlife and fish. The Township wishes to protect these ecological resources and will cooperate with public bodies having jurisdiction in reviewing development applications. Impact assessments are required where development may have an impact on wildlife and fish habitat.

See also Section 2.7 - Statement of Environmental Principles.

In Summary, the intent of this Plan is to create a sensible framework for decisions on land use for a rural area with a number of small urban communities or clusters.

2.5 Planning Tools

Reference is made in this Plan to various planning tools such as zoning, site plan control, holding zones, temporary use by-laws and land division (consents and subdivision control). These tools may be used where they assist Council to enhance or provide for orderly development and to ensure compatibility with adjacent land uses (see **Section 10.0 - Tools of Implementation** and **Appendix 2**).

2.6 Existing Uses

Nothing in this Plan shall affect the continuance of uses legally established under the provisions of any zoning by-law in force on the date of approval of this the Plan or other legally established land uses including uses that do not conform with the land use designations as shown on the **Schedules "A1, A2, A3, A4 and A5", Land Use Plan**. Nothing in this Plan shall prevent the reconstruction of legal non-conforming uses which are inadvertently destroyed by a natural cause e.g. fire, flood, earthquake, subsidence. This shall not prevent Council and the Mississippi Valley Conservation Authority from encouraging residents to rebuild where there is a threat to public health or safety from a hazard e.g. relocating dwellings outside of a flood plain. Replacement or reconstruction of existing habitable structures shall be subject to the policies of **Section 8.1- Flood Plains** of this Plan.

It is the intention of this Plan, that non-conforming uses, where they exist, should eventually cease to exist. It may be desirable, however, to permit the extension, enlargement or change of a non-conforming use to a similar or more compatible use subject to the following criteria:

- The extension or enlargement does not aggravate the non-conforming situation or the enjoyment of neighbouring uses. The use of buffering or screening techniques may be used to mitigate the impacts of development;
- The extension or enlargement is in reasonable proportion to the existing use and to the land on which it is to be located;
- The proposed extension or enlargement will not create undue noise, vibration, fumes, smoke, dust, odours, glare from lights, environmental hazards or other public health or safety concerns;
- Traffic and parking conditions in the vicinity will not be adversely affected and traffic impacts will be kept to a minimum by the appropriate design of ingress and egress points to and from the site and by improvement of site conditions especially in proximity to intersections;

- Adequate provisions have been or will be made for off-street parking and loading facilities where they apply;
- Infrastructure and public services where applicable, such as roads, waste disposal, school bussing, fire protection etc. are adequate or can be made adequate. (Example: *upgrading, extending or widening a road to provide safe access or to carry increased volumes of traffic arising from an extension, expansion or change in a non-conforming use.*)

2.7 Statement of Environmental Principles

The Council will consider the following Statement of Environmental Principles as a key component to the Basis of the Plan in making decisions on land use and development:

1. Water is a precious resource and is vital to all life. Consequently, Council will undertake to protect, maintain or enhance the quality and quantity of ground water and surface water through the measures identified in **Sections 3.6.3, 3.6.4, 3.6.5 4.2, 4.3, 8.1 and 9** of this Plan. The benchmark for such measures will be the Provincial Water Quality Objectives and Guidelines of the Ministry of the Environment and Ontario's Safe Drinking Water Regulation.
2. Council will utilize Best Management Practices (BMPs) as a means to ensure that there is 'no net decrease' in water quality or quantity e.g. land use activities should not lead to a deterioration in water quality from increased nutrient or chemical loading of surface or groundwater nor should it result in a reduction in the supply of water for domestic and other uses.. This will involve a balance between using the best available technology economically achievable, and the application of the planning policy approaches set out in this Plan.
3. In the design, construction, maintenance and rehabilitation or repair of infrastructure, Council will undertake to protect or maintain the natural environment by evaluating and proposing solutions which minimize or mitigate adverse effects (as defined in the *Environmental Protection Act*), if any, on the natural environment.
4. Council recognizes that natural heritage features (i.e. wetlands, wildlife and fish habitat, areas of natural and scientific interest, endangered or threatened species, significant woodlands and significant valleylands) are important for their environmental, economic and social values to local residents and on a regional or provincial scale and are an integral component of the physical landscape of the Planning Area (municipality). Council will undertake to protect these features through the measures set out in **Section 7.5 - Natural Heritage Features** of this

Plan. Council recognizes the need to work with residents, the Mississippi Valley Conservation Authority and provincial authorities since there is a joint responsibility for the effective stewardship of these resources by private as well as public interests.

5. Renewable and non-renewable resources (i.e. minerals, mineral aggregates, agricultural lands, forests) contribute to or have the potential to strengthen the economic base of the municipality. It is a principle of Council to ensure that the Plan provides an opportunity for the development and use of renewable and non-renewable resources while providing for the compatibility of adjacent land uses and assuring that environmental values are sustained. This includes the application of protective measures which conserve environmental features during the design, development and operation of extractive, harvesting or production processes and the progressive rehabilitation or restoration of lands to their former condition, and in the case of forestry and farming practices, the long term sustainability of the resource base. These principles will be maintained through a partnership approach in recognizing that the administration of applicable legislation (e.g. *Mining Act, Environmental Assessment Act, Crown Forest Sustainability Act, Environmental Protection Act, Aggregate Resources Act etc.*) are dependent on the co-operation of the private sector, local and senior levels of government and other jurisdictions.
6. Council will endeavour to raise the awareness of the public as to the benefits and importance of environmental management through the day-to-day administration of this Plan, the review of planning applications and education as part of public meetings. This will also include referral to technical agencies such as the Mississippi Valley Conservation Authority, Ministry of Natural Resources, Ministry of the Environment and to technical publications that may assist the public in designing and developing property with an eye to conserving or minimizing negative impacts on the natural environment. Council will also encourage and support private sector initiatives directed at conserving or enhancing environmental or natural heritage features within the municipality (see reference box below).
7. Council will from time-to-time review the policies of this Plan (see **Section 1.6 - Planning Period, Review and Amendments**) and their impact on the environment and will institute changes as may be required to support the above principles in making land use planning decisions.

Examples of planning applications where Technical Agency referrals may apply:

Mississippi Valley Conservation Authority:

- Natural Hazards: development on or near flood plains and lands subject to erosion, unstable slopes or on organic soils
- Natural Heritage Features: evaluation of impacts on fish habitat
- Stormwater Management: design of facilities, construction mitigation plan, best management practices

Ministry of the Environment:

- Environmental impacts and approvals: large scale sewage disposal systems including communal systems, water taking permits, noise and vibration studies, development within the influence areas of landfill sites, industrial land uses, pits and quarries and the location of portable asphalt/concrete plants

Ministry of Natural Resources:

- Natural Heritage Features: technical reports, wetland data records, ANSI checklists, etc.
- Regulatory approvals for shoreline alterations, dredging and filling of lake or stream beds, alterations to stream flows, construction of docks and wharves

Department of Fisheries and Oceans:

- Approvals affecting fish habitat (alteration, compensation plans)
- Crown Forest Sustainability Act, Aggregate Resources Act, etc. that affects the management of Crown lands and associated natural resources. In addition, other legislation such as the Fisheries Act, Mining Act, Environmental Assessment Act, etc. may also affect the resource activities undertaken on Crown land.

Ministry of Tourism, Culture and Recreation:

- Determination of archeological potential, archeological impact assessment, development impacts on burial sites
- Establishment of heritage conservation districts and designation of heritage properties
- Use of trust funds, heritage conservation easements, density transfers, tax incentives