

THE CORPORATION OF THE CITY OF PEMBROKE


BY-LAW NUMBER 2016 – 03

A BY-LAW TO AUTHORIZE THE ADOPTION OF THE NEW
OFFICIAL PLAN FOR THE CITY OF PEMBROKE


The Council of the Corporation of the City of Pembroke, under Section 17 (22) of the Planning Act, R.S.O. 1990, c.P13, as amended, hereby enacts as follows:

1. The Official Plan of the City of Pembroke Planning Area, as adopted by By-law 2008-18, be hereby repealed.
2. The Official Plan of the City of Pembroke, consisting of the attached Schedules A, B, C and D and explanatory text, is hereby adopted.
3. The Chief Administrative Officer is hereby authorized to notify each person or public body prescribed or that requested such notification under Section 17(23) of the Planning act, R.S.O. 1990, c.P.13, as amended, and to notify and make application to the Minister of Municipal Affairs and Housing, the approval authority, for approval of the Official Plan of the City of Pembroke.
4. This by-law shall come into force and take effect upon the date of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 5th DAY OF JANUARY, 2016.

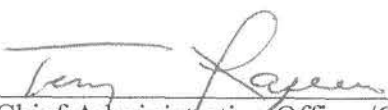


Chief Administrative Officer/Clerk




Mayor

READ A THIRD TIME AND PASSED THIS 5th DAY OF JANUARY, 2016.



Chief Administrative Officer/Clerk



Mayor

**OFFICIAL PLAN FOR THE
CITY OF PEMBROKE**

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Schedule "A" – Land Use Plan

Schedule "B" – Neighbourhoods and Roads

Schedule "C" – Community Improvement Policy Area

Schedule "D" – Natural Heritage System

OFFICIAL PLAN FOR THE CITY OF PEMBROKE

SECTION 1 - INTRODUCTION

1.1 The Planning Area

The Planning Area comprises the whole of the City of Pembroke.

1.2 The Planning Act, Authority for an Official Plan

1. Authority

The *Planning Act*, Section 17 (14) provides the enabling authority for the preparation of an Official Plan and Section 26 provides for the required five year review and update of the Plan. Section 16 of the *Act* sets out the 'contents of an Official Plan':

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

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

Council of the Corporation of the City of Pembroke, under Section 17 of the *Planning Act*, is charged with the responsibility of preparing and adopting an Official Plan for the City of Pembroke. Council is also charged with the responsibility of reviewing the Plan from time to time.

2. Purpose of the Official Plan

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

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

3. Scope of the Official Plan

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

1.3 Provincial Policy Statement

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

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

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

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

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

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

The Provincial Policy Statement includes definitions of numerous significant terms used in its policies. These definitions will apply to instances in this Plan where the same terms are used, for instance in reference to “development,” “adjacent lands,” or “Sensitive land uses,” among others and are shown in ***bold italics***. Where this Plan employs a different meaning for a term defined in the Provincial Policy Statement, this will be specifically identified in the text of the Plan.

1.4 An Overview of the Community

Pembroke's early years were tied to its strategic location on the Ottawa River, a major transportation artery in early Canadian History, to the legacy of the white pine industry, which has provided stable employment, and to the railway. It is a community with many stately and historically significant buildings, not the least of which is City Hall itself (1889).

It is a multi-cultural community that evolved from Scottish and Irish pioneer stock. This City of 14,360 (2011 Census) is the largest commercial/service centre between Ottawa and North Bay and is situated at the confluence of two major highways (17 and 41).

The life of a community is rarely confined to its political borders and urban development in Pembroke has spilled over to the neighbouring rural townships in the County of Renfrew. The affinity with the rural hinterland is a contributing factor to the demand for city services by rural residents.

The City's population has experienced modest growth over the past two census periods, with approximately 3% growth in both the 2006 and 2011 censuses. This growth has returned population levels to those previous to the 2001 census, which saw a sharp decrease of 4.8% during the 1996-2001 period. Persons per household figures continue to decline at a rate of approximately .02 persons per year, which is consistent with the overall provincial trend of decreasing household size.

The institutional sector in particular has seen significant increases over the past five years, including the construction of a new 50,000 square foot medical centre in 2009, the construction of the new Algonquin College Waterfront Campus in 2011, and the current construction of a new 22,000 square foot Ontario Provincial Police headquarters. Job creation and retention remains key to maintaining the current rate of growth over the 20 year planning period of this Plan.

In consideration of historic population and building trends, the population of the City of Pembroke has been projected to grow at a rate of just under 0.5% per annum, reaching approximately 16,006 people by the year 2034.

Population projections are as follows:

Year	2016	2021	2026	2031	2034
Population	14,783	15,147	15,492	15,818	16,006

Total new residential construction in the planning period is expected to be approximately 38 units per year.

Low density housing is expected to continue to account for the majority (60%) of housing completions. The demographic shifts anticipated in the population profile (aging of population), along with the natural pace of urban growth, suggest a continued shift toward higher density housing demand in the City of Pembroke over the next three decades. It is expected that medium and high density housing will account for about 40% of the total residential construction in the future.

Typical of an urban area, the City provides for development on full municipal water and sewer services. A major expansion to Pembroke's Pollution Control Plant was completed in the Fall of 2006. The expansion of the existing sewage treatment facility

has been designed with the future in mind, featuring plenty of capacity for growth. Police, fire and recreational services are considered adequate.

The available inventory of residential land can accommodate the projected population growth, which is based on projected demand for housing over the 20-year planning period. The inventory of approved and potential new residential lots includes some 2,267 units (March 2014) encompassing a full range of housing types. This inventory is sufficient to accommodate any potential influxes in population that may result from personnel changes at major federal government employers including Garrison Petawawa and Chalk River Laboratories.

The non-residential (ICI) supply is also substantial. Based on the up-take of approximately 32,062 ft.² annually, (2009-2013), there is a minimum twenty year supply.

Pembroke is blessed with many excellent community services, ranging from parks to schools to social service organizations. With respect to parks and recreation services, the most significant asset is the Ottawa River waterfront, a veritable playground for residents and visitors alike. The City is implementing a comprehensive waterfront development plan to take advantage of this asset (e.g. amphitheatre, boardwalk, gazebos, and restaurant complex).

The City is a full service community providing local residents and the region (County of Renfrew) with educational, medical, social, recreational and transportation services (transit and air included). This is complemented by a mature municipal administrative structure that delivers local government services, including land use planning and economic development.

1.5 How to Use This Plan

To use this Plan, the reader should first locate the parcel of land affected on **Schedule 'A', Land Use Plan**. This **Schedule** will indicate the land use designation that applies. Reference should then be made to the land use policies that apply to that designation for guidance as to how the land may be developed or redeveloped. These policies are generally contained within **Section 4 - Land Use Policies**. It is also important to consider other policies that may affect development. **Section 3 - General Policies** outlines policies to review development applications. The extent to which these apply varies depending on the location, land use designation and nature of the application.

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

Section 7 - The Tools of Implementation sets out the policies for implementing the Plan (e.g. community improvement, zoning, subdivision, consents, site plan control, property standards, etc.).

Section 8 - Interpretation is intended to help the reader on how to interpret the Plan.

Other important Sections of the Plan include **Section 6**, which sets out the community's strategy for economic development, and **Sections 1 and 2**, which outline the authority and basis for the Plan.

For the convenience of the reader, all federal and provincial statutes referred to in this Plan are shown in *italics*. Cross references are shown in **bold script**. Words shown in ***bold italicized script*** are key words that have specific definitions in the Provincial Policy Statement.

SECTION 2 - BASIS AND OBJECTIVES OF THE PLAN

2.1 Planning Period

This Plan is intended to guide development within the City to the year 2034. However, the City will review and update the Plan every five years as per the requirements of *Section 26 of the Planning Act*.

2.2 Other Relevant Factors

Pembroke serves as a market and service centre for an area approximately 80 km [50 miles] in diameter. This includes a large part of Renfrew County.

Pembroke is largely self-reliant, since it is not located within commuting distance of a major urban centre. Cultural, social, recreational and commercial facilities to serve the City and the surrounding area must be provided, to a large degree, within Pembroke.

Pembroke is a small City with an economic base that is in transition and in need of strengthening and diversification. Future residential development will depend on factors such as: new employment opportunities; the availability of transportation both within the City and to Garrison Petawawa and the Chalk River Laboratories; the cost of serviced land; and the quality of life in the City. Industrial and commercial development will depend largely on: high-speed telecommunications, accessibility (road, air); an adequate supply of serviced land; a labour pool; housing, and the quality of the amenities provided in the community. The development of a successful tourism/convention industry in Pembroke will depend upon: the quality of urban development in the City; the improvement and emphasizing of such attractions as riverfront parks, a vibrant and well maintained downtown linked to suburban shopping areas and historical buildings; and the quality of facilities to serve tourists coming into the region, i.e., accommodation, food and fuel service facilities, parking, hospitality and information services.

Pembroke is located on the Ottawa River at the mouth of the Muskrat River, approximately 150 km (93 miles) northwest of Ottawa. The exceptionally attractive setting offers a pleasing visual quality to be maintained and enhanced (see **Section 4.1.2(3)** for **Waterfront Development**).

2.3 Objectives of the Plan

1. To provide guidelines for urban development within the City of Pembroke in the period up to 2034 subject to review and update at five-year intervals with regard to changing economic, social and technical developments, and to future Provincial Government planning policies and guidelines.
2. To form a basis for coordinating public and private development.

3. To designate land uses in suitable locations and in sufficient quantity to accommodate development and redevelopment in the City having regard for the health, welfare, safety and convenience of the present and future inhabitants.
4. To provide for a compact and energy efficient land use pattern that optimizes the use of available infrastructure (roads, water, sewer, waste disposal) and public service facilities (schools, hospitals, recreation and cultural facilities, fire and police services), and which utilizes densities and development standards that are cost effective and supportive of active transportation.
5. To allow development where it can adequately be serviced within the capacities of the City's existing facilities or within the City's financial capability to expand such facilities.
6. To protect fish and wildlife and all lands having inherent environmental hazards, including the Ottawa River waterfront and flood-vulnerable lands in the valleys of the Muskrat and Indian Rivers in accordance with sound principles of conservation and preservation, and to provide for the cleanup of brownfield sites.
7. To protect sensitive land uses (dwellings, day care facilities, schools, health care facilities) from incompatible land uses.
8. To provide and maintain an adequate supply of open space and recreational facilities in suitable locations to conveniently serve the changing needs of all age groups.
9. To protect, restore, and promote the City' natural heritage system including ***natural heritage features and areas***.
10. To ensure that the growth of the City occurs in a balanced fashion through the provision of sufficient land for residential, industrial, commercial, public service and open space uses, and in a manner that will not impose an undue financial burden on the residents of Pembroke.
11. To provide for a full range of housing types and densities to meet demographic and market requirements of current and future residents of the City while maintaining at all times at least a ten year supply of land designated and available for new residential development and residential intensification.
12. To provide encouragement and support to promote federal, provincial and local opportunities for the provision of affordable and supportive housing.
13. To provide encouragement and support to facilitate private, public and local partnerships in the provision of affordable and supportive housing.
14. To maintain the well-being of downtown as the community centre for the City and surrounding area by facilitating the further development of the downtown to provide a wide range of activities, including offices for municipal government and branches of the senior governments, the major shopping district for the region, an increased amount and density of housing, tourist and conference facilities, and adequate off-street parking.

15. To encourage the growth of light industry, service and administrative activities, the tourism and convention industry, and limited heavy industry.
16. To provide a sufficient amount of serviced industrial land to maintain a wide choice of site sizes and locations at reasonable land prices, and thereby to encourage the development of employment opportunities and economic functions to make the City as diversified and self-sufficient as possible.
17. To limit the use of lands abutting the Ottawa River waterfront and within and abutting the valleys of the Muskrat and Indian Rivers to uses compatible with the open space character of these areas.
18. To provide an adequate road system within the City to support the amount and distribution of urban development proposed in this Plan and to facilitate automobile and truck movements with a minimum of inconvenience, congestion, accident potential and air pollution.
19. To encourage the development and maintenance of an efficient and pleasant environment for the residents of the City.
20. To sustain a high quality of life for residents based on the provision of public services, land use planning that considers the element of 'human scale', conservation of the natural environment and open space amenities of the City, and the application of sound environmental standards.
21. To conserve the cultural heritage and archaeological resources of the community.
22. To support redevelopment and development that is designed to be sustainable, pedestrian-oriented and supportive of public transit service.
23. To support the protection of existing employment lands.

SECTION 3 - GENERAL POLICIES

3.1 Public Service Uses and Infrastructure

Public service uses and infrastructure shall be permitted in all of the land use classifications of this Plan subject to the policies of **Section 3.1.1 - Development Criteria**.

Public service uses and infrastructure consist of: public parks, playgrounds, and play fields; public utilities, such as water supply, storm and sanitary sewerage, telephone, hydroelectric and natural gas services, including their distribution; transformer, pumping and/or regulating stations; roads; and other public or institutional uses that provide services to the general public.

Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:

1. financially viable over their life cycle, which may be demonstrated through asset management planning; and
2. available to meet current and projected needs.

Public service facilities (i.e. land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services) shall be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

Despite the generality of the foregoing; however, where a use is specified as a permitted use in a land use category in **Section 4** of this Plan, then such use shall only be permitted within the specific land use category.

3.1.1 Development Criteria

Approval of the development of a **Public Service Use** will be granted on the following conditions:

1. The use is necessary in the area.
2. The use can be made compatible with its surroundings and will conform to development standards to be established in the Zoning By-law to protect the amenities of adjoining residential areas, including the provision for buffering and landscaping.

3. Adequate off-street parking and loading are provided.
4. Any required public services are provided.
5. Public Service Uses may be restricted in areas designated as **Hazard Land** or identified as a **Natural Heritage Feature** and are subject to the policies of, **Section 4.10 – Hazard Land** and **Section 3.4 - Natural Heritage Features** of this Plan. More particularly, the construction of permanent buildings and structures shall be limited and generally discouraged in any areas that are designated “Natural Heritage” or “Hazard Lands” and, in the case of the latter, shall only be permitted in consultation with the Ministry of Natural Resources and Forestry. Development shall not be permitted in habitat of endangered and threatened species and significant wildlife habitat. The general intent of the policies of this Plan, as well as the Site Plan Control requirements of Section 7.11, shall be satisfied.
6. Public Service Uses are subject to site plan control (see **Section 7.11**).

Council shall work with Federal, Provincial and County agencies or local Boards, as defined in the *Planning Act*, to ensure that the development of **Public Service Uses** will conform to the general intent of the policies of this Plan and will be compatible with the type, quality and character of the development in the area for which it is proposed.

3.2 Buffering

Provision shall be made for buffering between potentially conflicting land uses. A buffer is defined as any space or feature interposed between two conflicting uses in order to reduce or eliminate the **adverse effects** (see **Section 4.6.2 (2)** for definition) of one upon the other. It may be an open space area where distance is relied upon to produce the desired results, or a berm, wall, fence, plantings, or a land use different from the two conflicting uses, but compatible with both, or combination of the above sufficient to achieve the intended purpose.

3.3 Stormwater Management and Drainage

It is Council's policy that stormwater management shall be required for all urban development as a preventative approach (rather than relying solely on end-of-pipe quality control) to protecting water resources (quality and quantity).

The principles that Council intend to utilize in its approach to stormwater management are enumerated as follows:

1. That natural hydrological characteristics are maintained and, where possible, enhanced as the means to protecting the base flow of watercourses.
2. That the natural infiltration of water on lands that are developed is maximized.
3. That proposed development will not result in increased downstream flooding or erosion or cause adverse effects on receiving waters.

4. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation and by leaving stream channels in their natural form. Where there is potential for impacts to fish habitat or alteration of natural drainage systems, the Ministry of Natural Resources and Forestry, and Department of Fisheries and Oceans shall be consulted and permits may be required.
5. That sanitary and stormwater sewers are separated.
6. That fish and wildlife habitat is protected, enhanced or restored, including habitat linkages where affected by the discharge or outlet of drainage facilities. Where there is potential for impacts to fish habitat or alteration of natural drainage systems, the Ministry of Natural Resources and Forestry, and Department of Fisheries and Oceans shall be consulted and permits may be required.
7. That a sustainable environmental approach is utilized in protecting water resources.
8. That water quality will be monitored on an ongoing basis as the means to evaluating the effectiveness of stormwater management practices.

It is the intent of Council to incorporate stormwater management controls into the development review and approval process. Proponents of development will be required to plan for and undertake stormwater management that complies with the above principles, as well as any master drainage plan. This may require a sub-watershed management plan for large tracts of land or a stormwater site management plan. Proponents may utilize stormwater management practices where they are consistent with and will achieve the City's water quality and quantity targets.

In the interim (prior to the development of a master drainage plan), proponents will be expected to assess the impact of the development on the receiving stream and to utilize a mix of site level, conveyance and end-of-pipe stormwater management practices for the development.

Improvements to storm sewer mains, e.g. replacement or extensions, are anticipated as part of the regular program of maintenance by the City and are deemed to comply with this Plan.

Council will consult with the County or the Ministry of Transportation where development applications may have an impact on drainage systems along County Roads or Provincial Highways. A stormwater management plan or report must be reviewed and approved by the Ministry of Transportation for those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream.

Reference documents for stormwater management include: *Stormwater Management Planning and Design Manual, Ministry of the Environment and Climate Change; Guidelines on Erosion and Sediment Control for Urban Construction Sites, Ministry of the Environment and Climate Change; Environmental Guide for Erosion and Sediment Control During Construction of*

3.4 Natural Heritage

3.4.1 General

Natural heritage features and areas are those areas that are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual natural heritage features and areas within a given planning area form a natural heritage system. It is intended that the interconnected system of natural heritage features identified in Pembroke will be conserved for their natural heritage value.

For the purposes of this Plan, the natural heritage system and natural heritage features are identified on **Schedule 'D', Natural Heritage System and Features**.

3.4.2 Definitions

The Provincial Policy Statement includes definitions of numerous significant terms used in its policies. These definitions will apply to instances in this Plan where the same terms are used, for instance in reference to "development," "adjacent lands," or "Sensitive land uses," among others and are shown in **bold italics**. Where this Plan employs a different meaning for a term defined in the Provincial Policy Statement, this will be specifically identified in the text of the Plan.

3.4.3 Natural Heritage Policies

1. Natural Heritage System

The Natural Heritage Reference Manual defines natural heritage systems as follows:

"A natural heritage system is an ecologically based delineation of nature and natural function – a system of connected or to be connected green and natural areas that provide ecological functions over a longer period of time and enable movement of species. Natural heritage systems encompass or incorporate natural features, functions and linkages (also referred to as "corridors") as component parts within them and across the landscape. They also enable the linking of different landscapes." (*Natural Heritage Reference Manual*, s. 3.1, p. 15)

The City's natural heritage system is identified on **Schedule 'D' - Natural Heritage System**. Future changes to the natural heritage system will require an amendment to this Plan.

The following policies apply to the City's natural heritage system:

- a) The City, in cooperation with the Ministry of Natural Resources, shall continue to work to evolve the natural heritage system to identify, map and detail **natural heritage features and areas**, including the form and

function of the identified features, and to identify linkages and connections between these features and areas. The system shall reinforce the protection, restoration and enhancement of identified **natural heritage features and areas**, and promote the overall diversity and interconnectivity of **natural heritage features and areas**. An amendment to this Plan may be required to incorporate policies related to the natural heritage system.

- b) The City shall work with neighbouring municipalities and the County to address a regional ecological approach to a natural heritage system.
- c) The City recognizes that a natural heritage system would benefit from public ownership to ensure protection of the features and areas and to provide for public access, where appropriate. The City shall consider all options for the acquisition of land or easements over private lands associated with **natural heritage features and areas**, including all options available under the *Planning Act*. Notwithstanding the options for the acquisition of lands, the City or any other public agency shall not be obligated to acquire or purchase any land containing **natural heritage features and areas**.
- d) The **natural heritage features and areas** under private ownership continue to be private and their identification as such features in no way increases their accessibility to the public or their eligibility for acquisition by the City or any other public agency.
- e) When considering development proposals, the City may require the land owner to enter into a development agreement regarding the preservation and enhancement of the trees and vegetation on the property. Where forest cover is to be provided as a condition of a development approval, the use of a variety of indigenous species of vegetation shall be required.
- f) Throughout the natural heritage system, on lands which currently do not have natural cover, the City shall work with applicable land owners to restore cover in these areas.
- g) Throughout the City there are a number of tributaries flowing into the Ottawa River including the Muskrat River and the Indian River. The City supports the provision of recreational trail opportunities and access along these waterways, where feasible and where risks to public health and safety are avoided.

2. Natural Heritage Features and Areas

With the exception of **habitat of endangered species and threatened species**, **natural heritage features and areas** that have been identified in the City are designated on **Schedule 'D' - Natural Heritage System** referred to in Section 3.4.3.1 of this Plan. Future refinements to the **natural heritage features and areas** within the City of Pembroke, including the identification of new features or amendments to the boundaries of existing features or areas will require an amendment to this Plan.

Natural heritage features and areas are subject to the following policies:

a) **Significant Wetlands, Significant Wildlife Habitat and Significant Areas of Natural and Scientific Interest (ANSIs)**

It is a policy of Council to protect and manage **significant wetlands** and **significant wildlife habitat** as ecosystems that are important as habitat for a variety of plant and animal species, for water quality, flood control and water storage and recharge areas, and for their value for passive recreation.

This may include wildlife corridors. The Indian River – Muskrat River Valley lands and Ottawa River shoreline represent significant animal movement corridors. These corridors permit animals to travel freely and safely across the landscape by providing shelter from harsh weather conditions and by minimizing encounters with predators and people. While much of this area is recognized as being “Hazard Land”, as set out in **Section 4.10**; when reviewing development applications, Council shall ensure that the natural vegetation is maintained in these areas. Geotechnical works along the slopes will be undertaken using recognized geotechnical engineering techniques and design standards.

Development and **site alteration** shall not be permitted in **significant wetlands**. **Development** and **site alteration** may be permitted in **significant wildlife habitat, significant areas of natural and scientific interest**, and on **adjacent lands** to **significant wetlands, significant wildlife habitat** and **significant areas of natural and scientific interest**, only if it has been demonstrated, through the preparation of an Impact Assessment as required in **Section 3.4.3 (5) - Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions** for which the area is identified.

Development and **site alteration** may be permitted in locally significant wetlands or on its **adjacent lands**, only if it has been demonstrated through the preparation of an Impact Assessment as required in **Section 3.4.3 (5) - Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions** of locally significant wetland areas.

For the purposes of this policy, **adjacent lands** to **wetlands** include an area of 120 m (394 ft.).

Where identified within the City, locally significant wetlands and provincially **significant wetlands, significant areas of natural and scientific interest** and **significant wildlife habitat** are designated on **Schedule ‘D’ - Natural Heritage System**.

b) **Significant Woodlands and Significant Valleylands**

Development and **site alteration** may be permitted in **significant woodlands** and **significant valleylands**, or on **adjacent lands** to **significant woodlands** and **significant valleylands**, only if it has been

demonstrated, through the preparation of an Impact Assessment as required in **Section 3.4.3 (5) - Impact Assessment** of this Plan, that there will be no **negative impacts** on the natural features or on the **ecological functions** for which the area is identified.

Significant woodlands and **significant valleylands** are designated on Schedule 'D' - Natural Heritage System.

c) **Fish Habitat**

It is a policy of Council to protect **fish habitat** such as the Ottawa River, Muskrat River and Indian River systems, streams, drains and wetlands for their **fish habitat** (spawning habitat) values. The harmful alteration, disruption or destruction of fish habitat is generally prohibited under the *Fisheries Act*. The extent and significance of fish habitat will be discussed with the Ministry of Natural Resources and Forestry. Development and site alteration shall not be permitted in **fish habitat** except in accordance with **provincial and federal requirements**.

Development and **site alteration** shall not be permitted on **adjacent lands** to **fish habitat** unless it has been demonstrated through the preparation of an Impact Assessment as required in **Section 3.4.3 (5) - Impact Assessment** of this Plan, that there will be no **negative impacts** on the **fish habitat** or on their **ecological functions**.

All buildings and structures, associated waste disposal systems and roadways shall have a minimum setback of 30 metres from the high water mark of any waterbody. The setback may be increased depending on site conditions, the use proposed, and comments from the Ministry of the Environment and Climate Change, and the Ministry of Natural Resources and Forestry or other agencies. Within the 30 metre setback, there shall be non-disturbance of the soils and vegetation with the exception of minimal clearing for view and paths to the water. On existing lots of record where the 30-metre setback is unachievable, all buildings and structures, associated waste disposal systems and roadways shall be set back as far as possible as the lot configuration permits.

Dredging and/or filling activities involving the littoral zone shall be discouraged in order to avoid the resuspension of nutrients from sediments and the destruction of fish habitat. Any such dredging or filling shall require the prior approval of Council, the Ministry of Natural Resources and Forestry, and the Federal Department of Fisheries and Oceans.

It is a policy to provide for a net gain of productive capacity wherever possible. More specifically, **development** and **site alteration** in and adjacent to **fish habitat** shall not result in:

- i) a net loss of fish habitat;
- ii) the harmful alteration, disruption, degradation or destruction of fish habitat;

iii) restriction of fish passage.

For the purposes of this policy, **adjacent lands to fish habitat** include a distance of 30 m (98.4 ft.) from the high water mark of the Ottawa River, Muskrat River and Indian River, and their respective tributaries.

Prior to permitting any **development** or **site alteration**, as defined, the proponent, (or a governmental authority where the governmental agency is the proponent), shall undertake an Impact Assessment as described in **Section 3.4.3 (5)** below and shall be in accordance with relevant provincial and federal requirements.

d) **Endangered and Threatened Species**

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

e) **Impact Assessment**

Council will require an impact assessment, prepared by a qualified person, for **development** and **site alteration** proposed in **natural heritage features and areas** and **adjacent lands**, except within Provincially **Significant Wetlands**, where **development** and **site alterations** are not permitted by policy. An Impact Assessment (IA) will be prepared to support planning applications such as Official Plan amendments, Zoning By-law amendments, plans of subdivision, consent etc., prior to the approval of the proposed **development** or **site alteration**. Where the impact of the **development** and/or **site alteration** cannot be mitigated, it will not be permitted.

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

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

- i) description of the study area and landscape context;
- ii) description of the development proposal;
- iii) identification of those features and functions likely to be affected by the development proposal;
- iv) assessment of the potential impacts of the proposed development on key features and functions;
- v) identification of mitigation requirements and monitoring requirements;
- vi) quantification of residual impacts (those that cannot be mitigated) if any; and
- vii) review and decision.

Council may consult with a public authority to assist with the technical review and findings of an IA.

f) Implementation Measures

Council may use zoning, site plan control and the provisions of the *Municipal Act* (site alteration controls) as measures to implement recommendations or results of an Impact Assessment or to govern the spatial relationship of buildings and structures to natural heritage features.

g) Water Quality and Quantity

The City shall protect, improve or restore the **quantity and quality of water** by:

- i) using the **watershed** as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development
- ii) minimizing potential **negative impacts**, including cross-jurisdictional and cross-watershed impacts;
- iii) identifying water resource systems consisting of **surface water features**, including shoreline areas, **groundwater features**, **hydrologic functions** and **natural heritage features and areas** which are necessary for the ecological and hydrological integrity of the **watershed**;
- iv) implementing necessary restrictions on **development** and **site alteration** to:
 - (1) protect all municipal drinking water supplies and **designated vulnerable areas**; and

- (2) protect, improve or restore **vulnerable** surface and groundwater, **sensitive surface water features** and **sensitive groundwater features**, and their **hydrologic functions**.
- v) maintaining linkages and related functions among **surface water features** including shoreline areas, **groundwater features**, **hydrologic functions** and **natural heritage features and areas**;
- vi) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining quality; and
- vii) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

Development and **site alteration** shall be restricted in or near **sensitive surface water features** and **sensitive groundwater features** such that these features and their related **hydrologic functions** will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore **sensitive surface water features**, **sensitive groundwater features**; and their **hydrologic functions**. Where **development** and **site alteration** has taken place, maintenance and restoration of exposed lands and soils with vegetation should happen as quickly as possible to reduce sedimentation and erosion issues that can negatively impact water quality.

h) Groundwater Recharge Areas, Headwater and Aquifers

Groundwater recharge areas, headwaters and aquifers are key components in the functioning of the hydrologic cycle. Sensitive Groundwater Recharge Areas may be identified through subsequent environmental studies. The City will require the protection of the hydrological function of these sensitive areas through its planning approval process.

i) Areas of Natural and Scientific Interest

Although there are currently no ANSIs identified within the City of Pembroke, the potential exists that there may be in the future. Should this occur, in addition to the ANSIs being included on the Natural Heritage System Schedule, policies shall be developed to guide development within or adjacent to the feature. Such policies shall be inserted in to this Plan by way of an amendment.

3.5 Brownfield Sites

3.5.1 Description

Brownfield sites are undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. Sources of site contamination can include the disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses, such as gasoline stations and automotive repair garages have a potential to be contaminated.

3.5.2 Policies

Brownfield sites shall be remediated prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*. Measures to be taken by Council and/or approval authority and the proponent include the following:

1. The identification and inventory of sites by the municipality of existing and past uses that may have contributed to the presence of contaminants. Such an inventory does not imply that a site is clean or that the inventory is exhaustive.
2. Mandatory filing of a record of site condition in the Registry is required for the change of use of a property from industrial or commercial to residential or parkland. Phase 1 Environmental Site Assessments (ESA) should be carried out at sites that may be contaminated, and Phase II ESAs should be completed if required. Cleanup of brownfield sites should be done in accordance with the Record of Site Condition Regulation (O. Reg 153/04) and with Ministry of Environment and Climate Change Guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-Up of Brownfield Sites and the Filing of Records of Site Condition" dated October 2004 or associated Guidelines.
3. Where the Record of Site Condition indicates that remediation work is necessary, the approval authority shall require, as a condition of approval or development or redevelopment, that appropriate action is taken to implement the components of the site remediation plan.
4. Council may supervise the excavation and soil handling activities during site cleanup.
5. Site plan control may be used as a measure to enhance site decommissioning and remediation.
6. Brownfield sites may be placed in a holding zone in the municipality's Zoning By-law. Where a holding zone is used, the 'h' may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan, and subject further to the submission to the municipality of a Ministry of the Environment and Climate Change acknowledged Record of Site Condition.

3.6 Cultural Heritage and Archaeological Resources Conservation

3.6.1 Policies

1. **Significant built heritage resources** and **significant cultural heritage landscapes** shall be **conserved**. For the purposes of this section, **significant** means “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. **Built heritage resources** means “a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers”.

Cultural heritage landscapes means “a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, railways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site)”.

Conserved means “the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments”.

2. **Development** and **site alteration** shall only be permitted on lands containing **archaeological resources** or **areas of archaeological potential** if the **significant archaeological resources** have been **conserved**.
3. Only **development** and **site alteration** that maintain the heritage integrity of the site may be permitted. **Archaeological resources** “includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*”. **Areas of archaeological potential** means “areas with the likelihood to contain **archaeological resources**. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork”. **Development** means 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*. **Site Alteration** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

4. **Development** and **site alteration** may be permitted on adjacent lands to protected heritage property where the proposed **development** and **site alteration** has been evaluated and it has been demonstrated that the **heritage attributes** of the **protected heritage property** will be **conserved**. **Adjacent lands** means “those lands contiguous to a **protected heritage property** or as otherwise defined in the municipal official plan.” **Protected heritage property** means “property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites”.

Heritage attributes means “the principal features or elements that contribute to a **protected heritage property**’s cultural heritage value or interest, and may include the property’s built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a **protected heritage property**).”

5. Mitigative measures and/or alternative development approaches may be required in order to **conserve** the **heritage attributes** of the **protected heritage property** affected by the adjacent **development** or **site alteration**.
6. It is a policy of Council to consider the conservation of cultural heritage resources, including **built heritage resources** and **cultural heritage landscapes**, and archaeology conservation in all land use planning decisions. To implement this policy, Council shall:
- a) Encourage and provide for the identification, restoration, protection, maintenance and enhancement of cultural heritage and archaeology, including cultural heritage resources of interest to Aboriginal communities.
 - b) Consider ways and means in which Council may cooperate in the conservation and/or preservation of cultural heritage and archaeology, including utilization of the *Ontario Heritage Act* in the following ways:
 - i) Council may establish by by-law a Municipal Heritage Committee to advise and assist Council on matters relating to the *Ontario Heritage Act* and such other heritage matters as the Council may specify. The goals and objectives of such a committee would be to identify and consider cultural heritage and archaeology throughout the planning area, undertaking studies and inventories to identify properties of cultural heritage value or interest, for example, Heritage Conservation Districts worthy of designation.
 - ii) Subsequently, policies in this Plan may be amended: to designate properties and districts within the City to be of historic or

architectural value or interest, and to set out objectives for their protection and preservation; policies for review and evaluation of development or redevelopment proposals; implementation strategies covering such things as funding, grants and loans for alterations and acquisition of properties; and to set out the intended method of preparing implementation By-laws pursuant to Section 34 of the *Planning Act*, and Sections 29 and 41 of the *Ontario Heritage Act*.

- c) Encourage the undertaking of comprehensive inventories of cultural heritage resources and the preparation of cultural heritage resource management plans in the Planning Area.
- d) Require that, in any proposed plan of subdivision, and prior to the undertaking of any public work, private development, consent or zoning by-law amendment, consideration be given to the possible effects and impacts of such works or development on cultural heritage resources and, where identified, such impacts are appropriately mitigated.
- e) Require an archaeological assessment carried out by an archaeologist licensed under the *Ontario Heritage Act*, when any public work, private development, consent or zoning by-law amendment will affect an area containing **archaeological resources** or **areas of archaeological potential**.
- f) Consider, where appropriate, the passing of archaeological zoning by-laws under Section 34 of *The Planning Act*, to be adopted for the purpose of preserving identified significant archaeological sites.
- g) Consult with the Ministry of Tourism, Culture and Sport (MTCS) and the Cemeteries Regulation Unit of the Ministry of Consumer Services where a cemetery and/or unmarked burial site is affected by development. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial, and Cremations Services Act, 2002* shall apply to these circumstances.
- h) Where a heritage property is protected under Parts IV, V or VI of the *Ontario Heritage Act*, development, site alteration or demolition may be permitted on adjacent lands where it has been demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained. 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.

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, an evaluation is required to demonstrate how the heritage values, attributes and integrity of the protected heritage property are to be retained.

3.6.2 Requirement for Archaeological Assessment

To implement the requirements for Heritage Conservation of this Plan, the review of a planning application (e.g. zoning amendment, subdivision or consent) may require a review of the archaeological potential of a site. Where a property has been identified as having archaeological potential, it is Council's policy that the following condition would apply:

"The proponent shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the property prior to the approval authority and the Ministry of Tourism, Culture and Sport confirming that all archaeological resources have met licensing and resource conservation requirements. The assessment shall be carried out by a licensed archaeologist under the *Ontario Heritage Act*."

3.7 Noise and Vibration

Where noise or vibration levels are or will exceed the guidelines established by the Ministry of the Environment and Climate Change, a noise and/or vibration feasibility study may be required by Council to determine whether development should be permitted. Noise and vibration levels shall be evaluated and feasibility studies shall be prepared in accordance with the Ministry of the Environment and Climate Change publication *NPC 300: Environment Noise Guideline, Stationary and Transportation Sources – Approval and Planning*, in conjunction with the Provincial Policy Statement, 2014. Feasibility studies will normally be required when development is proposed adjacent to or in close proximity to a main rail line, secondary railway or provincial highway. Abatement measures for noise and/or vibration may be implemented through measures such as zoning, site plan control or building standards (acoustical insulation) where it has been determined that development is feasible. Such requirements shall be identified in subdivision and site plan agreements. (See also **Section 7.14 – Plan of Subdivision Approvals, Section 7.15 – Consents, Section 7.13 - Part-lot Control and 7.11 - Site Plan Control.**)

3.8 Group Homes

Council recognizes the special and varied needs of individuals that can be met by providing for group homes.

1. Definition

For purposes of this Plan, Group Homes are defined as a single housekeeping unit in a residential dwelling registered with the municipality and in which three to ten residents (excluding supervisory staff) live together under responsible supervision consistent with the requirements of its residents for a group living arrangement, and which is licensed or approved under provincial statute and is in compliance with municipal by-laws.

2. Location

Group homes are permitted in any designation in which a residential use is permitted subject to a limit of six residents (excluding supervisory staff) in a residential zone only.

3. Existing Group Homes

Group Homes existing on the date the Zoning By-law comes into effect but which do not comply with the requirements of the By-Law will be allowed to continue in operation but will not be permitted to expand unless such expansion complies with the provisions of the Zoning By-law.

4. Site Plan Control

Site plan control shall apply where parking of five or more vehicles is required based on the parking standards in the Zoning By-law (see **Section 7.11 - Site Plan Control** of this Plan).

5. Group Living Arrangements other than Group Homes

In permitting Group Homes, Council does not mean to exclude other persons who may live in a group setting where provincial licensing is not a requirement, but who otherwise meet the requirements of the Zoning By-law.

6. Registration

All Group Homes shall be registered under the *Municipal Act*, and this registration shall be completed prior to the establishment of any such Group Home facility. At the time the Group Home is proposed to be established, the sponsoring agency, group or persons shall furnish the following information:

- a) The type and location of the Group Home proposed;
- b) The number of residents;
- c) The name of the licensing approval agency with the province and proof of licensing or approval of financing;
- d) Plans for parking, including visitor parking.

3.9 Day Care

Day nurseries shall be permitted uses in all land use designations in this Plan, except the **Hazard Land** and **Industrial** designation.

For the purpose of this Section, a day nursery shall mean a “Day Nursery” as defined in the *Day Nurseries Act*.

The implementing zoning by-law shall contain provisions for the establishment of day nurseries in accordance with this policy and such uses shall be subject to the site plan control policies of **Section 7.11 - Site Plan Control** of this Plan.

3.10 Radiocommunication and Broadcasting Antenna Systems

Radiocommunication and broadcasting services are important for all Canadians and are used daily by the public, safety and security organizations, government, wireless service providers, broadcasters, utilities and businesses. In order for radiocommunication and broadcasting services to work, antenna systems including masts, towers, and other supporting structures are required. There is a certain measure of flexibility in the placement of antenna systems, which is constrained to some degree, by: the need to achieve acceptable coverage for the service area; the availability of sites; technical limitations; and safety. In exercising its mandate, Industry Canada believes that it is important that antenna systems be deployed in a manner that considers the local surroundings.

Industry Canada has released new antenna and siting and approval procedures entitled CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems, Issue 5, effective July 15, 2014. These new procedures aim at ensuring greater community consultation and continued deployment of radiocommunication systems across Canada. The requirements of this document apply to anyone (proponents) who is planning to install or modify an antenna system, regardless of the type of installation or service. This includes, amongst others, telecommunications carriers, businesses, governments, Crown agencies, operators of broadcasting undertakings and the public (including for amateur radio operation and over-the-air TV reception). As well, parts of this process contain obligations that apply to existing antenna system operators.

On October 21, 2014, City Council adopted a resolution to become a participating member of the Canadian Radiocommunications Information and Notification Services (CRINS-SINCR). As part of this resolution, CRINS has been authorized as the delegated authority for receipt and processing of applications for radiocommunications systems for the City of Pembroke, and the City has adopted the CRINS protocol for siting review and consultation. Moving forward, CRINS will work closely with the Manager of Planning and Building to ensure that local concerns are addressed in the siting and development of radiocommunications systems in the City.

3.11. Energy and Air Quality

3.11.1 Energy Conservation and Air Quality

The City shall support energy efficiency and improved air quality by:

1. initiating, participating, and cooperating in conservation programs, including public education and awareness programs;
2. promoting compact form and a structure of nodes and corridors;
3. encouraging denser, contiguous development: intensification of existing built up areas and the efficient use of existing infrastructure;
4. incorporating energy conservation measures into site design, and into the design, construction and renovation of buildings;

5. promoting the use of active transportation in and between residential, employment (including commercial and industrial) and institutional uses and other areas as an alternative to private automobile use;
6. maximizing vegetation within the City for windbreak protection and shade;
7. focusing major employment, commercial and other travel intensive land uses on sites that are well served by existing or planned public transit service, and which facilitate the establishment of public transit;
8. improving the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
9. promoting design and orientation which:
 - a) Maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and
 - b) Maximizes opportunities for the use of renewable energy systems and alternative energy systems; and
10. focusing freight-intensive uses to areas well served by major transportation facilities.

3.11.2 Energy Conservation and Air Emissions Strategy

The City will develop an energy conservation and air emission reduction strategy to:

1. reduce energy use and expenditures for buildings, vehicles and equipment owned and operated by the City;
2. reduce energy use and expenditures for the operation of water supply and sewage treatment systems;
3. promote multi-sector community-wide reductions; and
4. promote the development of alternative and renewable energy systems.

3.11.3 Renewable Energy Facilities

Alternative energy systems and renewable energy systems shall be permitted throughout the City in accordance provincial legislation and associated regulations.

Small scale alternative energy systems and renewable energy systems that are not regulated by provincial or federal regulations shall be permitted in accordance with appropriate zoning provisions.

3.12 Climate Change Mitigation and Adaptation

Council acknowledges the need to address the impacts of a changing climate on the community. Accordingly, to the extent possible, all development, including the development of public service uses and infrastructure, shall be planned and designed to

minimize impacts on climate, particularly through the reduction of greenhouse gas emissions, and shall contribute to the following objectives:

1. reducing automobile use;
2. maximizing vegetation cover, including but not limited to tree cover;
3. minimizing the coverage of asphalt and other heat retaining surfaces; and
4. encouraging the use of non-motorized transportation.

Further, development shall, to the extent possible, be planned and designed to adapt to the impacts of a changing climate, including:

5. infrastructure planning that takes into account severe weather events including extreme precipitation and drought conditions; and
6. consideration for the increased risk of natural hazards that may result from climate change, including slope instability and flooding hazards.

3.13 Accessory Uses

Wherever a use is permitted in a land use designation, it is intended by this Plan that uses, buildings or structures normally incidental, accessory or essential to that use shall also be permitted. (*Examples for residential uses include a detached garage, utility shed, swimming pool, gazebo. Examples for non-residential uses include storage buildings, parking structures, gatehouses, waste storage receptacles.*)

SECTION 4 – LAND USE POLICIES

Land Use Plan

The City of Pembroke shall be developed in accordance with the land use pattern shown on the **Land Use Plan**, attached as **Schedule 'A'** to this Plan, as well as to **Schedules 'B'** and **'C'**, where they apply. The **Land Use Plan** establishes the pattern of development, in very general terms, by dividing the City into ten basic land use categories:

<u>LAND USE CATEGORY</u>	<u>MAP SYMBOL</u>
Open Space	OS
Residential	R
Central Commercial	CC
Shopping Centre Commercial	SC
Highway Commercial	HC
Industrial	M
Economic Enterprise	EE
Mixed Use Area	MU
Institutional	I
Hazard Land	H

4.1 Open Spaces (OS)

4.1.1 Definition

The Open Space classification of land is intended to serve a variety of purposes in the community, including:

- active recreational areas for sports activities and community events;
- playgrounds for tots and youth;
- passive areas for leisure and nature appreciation;
- open space linkages for recreational trails and pedestrian ways;
- natural areas and urban wilderness;
- cemeteries;
- areas that may be subject to environmental constraints, e.g. wetlands and flood plains;
- heritage sites and landscapes; and
- landscaped boulevards or other 'green' areas on public lands.

The intent of Council is to recognize the variety of parks and open space areas as an important part of the community fabric and to ensure that the areas devoted to parks are adequate for the recreation and leisure needs of the community.

4.1.2 Policies

1. Classification of Parkland

The lands designated as Open Space on Schedule A comprise the basic public parks system of the City and consist of three categories of parkland:

- a) *Neighbourhood Parks*, or parks primarily providing playgrounds, recreational facilities, tot lots, sitting areas and other open spaces for active or passive recreation within the City's residential neighbourhoods and preferably distributed to provide such facilities at maximum intervals of approximately 1.5 km.
- b) *Community Parks*, or parks providing playing fields and other active recreational facilities for use by the community at large and preferably distributed to provide such facilities at maximum intervals of 3 km.
- c) *Regional Parks*, or parks primarily based on the amenities or unique resources of the natural landscape and providing land and facilities for active and passive recreation including special activities of regional appeal.

2. Classification of Parkland Requirements – Table of Ratios

It is an objective of Council to provide public parkland in the following minimum ratios:

a)	<i>Neighbourhood Parks</i>	0.4 ha (1 ac.) per 1,000 persons
b)	<i>Community Parks</i>	1.2 ha (2.96 ac.) per 1,000 persons
c)	<i>Regional Parks</i>	2.4 ha (5.93 ac.) per 1,000 persons
	Total parks system	4 ha (9.88 ac.) per 1,000 persons

3. Private Ownership

Where any lands designated Open Space are under private ownership, this Plan does not intend that such lands will necessarily remain as Open Space indefinitely, nor shall it be construed as implying that these areas are free and open to the general public, or that the lands will be purchased by the City. At any particular time, if proposals to develop such lands that are in private ownership are made and Council does not wish to purchase such lands in order to maintain them as Open Space, then an application for the redesignation of such lands for other purposes will be given due consideration by Council.

4. Parkland Dedication or Cash-in-lieu

Applications for new development and redevelopment shall be considered with regard for the desirability of relieving any existing deficiency in the existing public parks system as determined in accordance with the *table of ratios* provided in **Section 4.1.2.2**, and for the provision of adequate new parks in areas of new residential development. New development shall be subject to parkland dedication or cash-in-lieu of payment, as required under the *Planning Act* for residential development (5%) or commercial/industrial development (2%). (See also **Section 4.10.10** regarding hazard lands for parkland.)

5. Waterfront Development

Lands along the Ottawa River are the showcase for the City, both in terms of providing open space to meet the needs of residents, as well as to anchor a program for tourism development. The evolving development of the waterfront (amphitheatre, marina, boardwalk, restaurant/commercial complex) recognizes the waterfront as an invaluable resource, which should continue to be utilized to its fullest extent, taking into account the potential presented by the River's scenic and strategic location. Public access along the shoreline of the Ottawa River will be encouraged in appropriate locations, where there is no danger to public safety, and where significant natural features and ecological functions can be protected. Development shall be subject to the natural hazard and natural heritage features policies of **Sections 4.10** and **3.4**, respectively of this Plan.

Approval is required from the Ministry of Natural Resources and Forestry, and the Department of Fisheries and Oceans when undertaking shoreline work or altering fisheries habitat. Such lands may be utilized as follows:

- a) Publicly-owned lands may be used for the provision of public works, services, facilities and amenities, which, in the opinion of Council, will encourage, contribute to, or support the development of the City as a regional resort area and tourist centre, or which will enlarge the scope or scale of public waterfront activities available to the people of the City and its region, including public parks, playgrounds and playing fields, arenas, stadia, marinas, small boat harbours, campsites, educational facilities, and supporting or complementary commercial uses (e.g. restaurant, tourist and souvenir concessions). Conservation of the natural environment, scenic vistas and the preservation of sites and buildings of historical or architectural significance will also be encouraged.
- b) Privately-owned lands may be used for hotels, educational facilities and other recreational or commercial recreational facilities that, in the opinion of Council, such uses make appropriate use of waterfront land resources and will help to realize the convention, resort, and tourist potential of the City. Development of such uses shall require an amendment to the implementing zoning by-law.

6. Recreational Trails

Recreational trails provide opportunities for fitness as well as alternate linkages in the community to motorized travel. Subject to more detailed study, linkages may be established along the Ottawa, Muskrat and Indian River corridors linking the waterfront to nearby community activity centres e.g. downtown, residential neighbourhoods. Council may develop a system of recreational trails that is integrated with the road network e.g. reserve lane or boulevard for bikeway or parks and open space systems. Recreational trails should be constructed to standards that ensure the safety and personal security of users e.g. height, width, surface, lighting and incorporate components for use by disabled persons.

It is also the intent of the Plan to provide for pedestrian walkways in new residential development that provide convenient and direct travel between streets, parks and other activity areas.

7. Development Principles

In the design and development of Parks and Open Space areas, consideration shall be given to the adequacy of the lot size, municipal services, retention of vegetation and natural features and/or provision of landscaping, and compliance with zoning requirements (e.g. lot area, frontage, setbacks, height, parking, signs, access, etc.). Site plan control (see **Section 7.11**) shall apply to the commercial components of open space development (e.g. waterfront) to shoreline development as a measure to protect elements of the natural environment and natural heritage features. Should a parks and recreation strategy be developed in the future, the location, design and development of Parks and Open Space areas shall proceed in accordance with the strategy.

4.2 Residential (R)

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

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

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

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

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

4.2.1 Definition

The Residential classification of land means the predominant use of the land in the areas so designated shall be for all types of residential dwellings. In addition, other uses that support the proper functioning of a residential area, such as schools, places of worship, parks, senior citizens' housing, local commercial uses, home based businesses, bed and breakfast uses, and public service uses and infrastructure, shall also be permitted provided that the location and site design of each is compatible with the residential amenities of the area. Office commercial uses shall also be permitted provided that the location, site design and scale of the proposed office uses do not detract from the residential neighbourhood in which they are situated.

4.2.2 Policies

4.2.2.1 General

1. Housing Densities

Various types of dwellings are permitted in this classification, but similar density types shall generally be located together.

2. Neighbourhoods

To promote efficient and pleasant residential environments, the Residential classification is divided into units designated as Neighbourhoods. A Neighbourhood is an area in which safe pedestrian movement between all its parts shall be promoted. A focal point of the Neighbourhood shall be maintained to include such facilities as a school, park, local shopping facilities, a community centre, library, churches, or other similar centres of public activity having a service area coincident with the Neighbourhood boundaries.

The practical application of the Neighbourhood concept is primarily in providing a tool to assist in planning for the equitable distribution of facilities throughout the City.

The Residential Neighbourhoods are shown on **Schedule 'B', Neighbourhoods and Roads**.

3. Infill

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

4. Intensification

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

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

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

The City, through a biennial Growth Monitoring Report, shall review its targets for intensification based on development trends and densities; analyse other supply and demand factors; and review its strategy to ensure its targets are met.

5. Intensification Compatibility Criteria

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

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

- a) Infill development on a property that is larger than the prevailing lot size of the surrounding neighbourhood or existing zoning of the lot may include the following:
 - i. A possible change in lot size and configuration providing that:
 - (1) the proposed lot area and widths should be not less than 80% of the lot area and width prescribed under the predominate or adjacent zoning in the surrounding neighbourhood;
 - (2) the proposed lot configuration is similar to the prevailing lot pattern that exists within the neighbourhood; and
 - (3) the proposed housing form is consistent in scale and massing to that of the surrounding neighbourhood.
 - ii. A change in unit type – unit types such as single detached dwellings, second units, garden suites, duplexes and triplexes that resemble a single detached dwelling, with an emphasis on orientation to the street.

- b) Residential infill must be designed to be compatible with the surrounding neighbourhood and will be evaluated against the following criteria:
- i. The ability of the existing infrastructure to support the new development.
 - ii. The compatibility of the site design, setbacks, and lot configuration with the existing pattern of development in the area.
 - iii. The compatibility between building massing and the type of dwelling units in the proposed development and the surrounding residential properties.
 - iv. The location, orientation, and visual impact of vehicle access/egress in relation to:
 - (1) adjacent developments
 - (2) the street; and
 - (3) the pedestrian environment.
 - v. Minimizing adverse parking and traffic impacts on the existing neighbourhood.
 - vi. A gradual transition of scale and density through the design of building mass and form, such as:
 - (1) reduction in building heights at the edges of a development;
 - (2) location of lower density components towards the perimeters of a site; and
 - (3) concentration of density to the centre of a development or towards a non-residential boundary.
 - vii. Retention and preservation of significant trees, other natural vegetation, and environmental features.
 - viii. Maintaining adequate light, view and privacy for residents on adjacent properties.

6. Housing Supply

Council's policy is to maintain a 10 year supply of land designated and available for new residential development and at least a three year supply of residential units in serviced areas in draft approved or registered plans of subdivision.

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

- a) Acquiring land within areas designated for residential development.

- b) Selling or leasing land for residential development, including preparing plans of subdivision.
- c) Co-venturing with the residential development industry to service and sell/lease land for residential development.
- d) Partnering with senior levels of government in designing programs or in facilitating residential development.
- e) Proactively working with landowners in the community to facilitate residential land development through intensification, infill, conversion of non-residential buildings, financing and servicing.
- f) Expediting planning approvals.
- g) Working with local housing authorities to add to the stock of affordable housing.

7. Housing Affordability

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

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

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

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

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

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

Affordable housing planning and development should consider the *County of Renfrew 10 Year Housing and Homelessness Plan* (August 2013), which includes the City of Pembroke in its plan area.

8. Plan of Subdivision

All new development shall be encouraged to take place by registered plans of subdivision under Section 50 of the *Planning Act*, except in certain circumstances where development may be permitted by severance in accordance with the policies of **Sections 7.13, 7.14, & 7.15 - Part-Lot Control, Subdivisions and Consents.**

9. Zoning

The zoning by-law that implements this Plan shall provide for low, medium and high density residential zones to establish appropriate development standards for each of the various types of permitted residential uses.

10. Municipal Services

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

11. Group Building Projects

Group building projects shall be permitted provided the zoning by-law is amended to accommodate such developments. In the review of proposals, consideration shall be given to infrastructure capacity, the massing, layout and orientation of buildings and access. Access, in general, shall be to a collector or arterial road.

12. Housing for the Elderly

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

13. Transportation and Access

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

14. Energy Conservation

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

15. Barrier Free Access

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

- a) providing handicapped parking for all high density residential developments and non-residential uses where public access is required;
- b) by making provisions in the zoning by-law for barrier free access to all residential buildings;
- c) by ensuring the street and sidewalk surfaces are constructed and maintained to permit barrier free passage and that slopes do not exceed 5 % (e.g. ramps, sidewalks, pedestrian walkways); and
- d) by ensuring that retrofitted buildings include barrier free design features.

16. Site Plan Control

Site plan control shall apply to all residential development where the number of lots/units is three or more (see **Section 7.11- Site Plan Control**).

17. Student Housing

Student housing will involve working with educational institutions (e.g. Algonquin College) in identifying and facilitating the delivery of student housing.

4.2.2.2 Low Density Uses

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

4.2.2.3 Medium and High Density Uses

1. In medium and high density areas, the intent of this Plan is to permit multiple residential uses, such as townhouses, 3-storey apartments, maisonettes, and high rise apartment dwellings. Council may utilize Section 37 of the Planning Act to encourage higher density residential development in accordance with Section 7.7 of this Plan.
2. Medium and high density uses shall be encouraged to locate in the **Central Commercial** area or in areas where the criteria as outlined in subsection 3 below can, in the opinion of Council, be met.
3. Medium and high density uses shall be located in close *proximity* to schools, parks and local shopping facilities, and with convenient access to collector and arterial roads. In addition, regard shall be had to the compatibility of such development with surrounding land uses, and such uses shall be designed to

integrate with the adjacent uses in order to produce a pleasant residential environment.

4. Medium and high density uses shall require on-site amenities, such as **landscaping** and play areas, proper vehicle and pedestrian access to avoid traffic congestion and danger to pedestrians, and adequate on-site parking to ensure that resident and visitor parking is readily available. Landscaping shall be used to buffer and screen non-residential development or incompatible features or structures (e.g. acoustical intrusions, waste receptacles, storage or outdoor display areas) from residential areas. Landscaping should be used to both shade and obscure parking areas. Existing natural vegetation will be conserved wherever possible and/or enhanced with additional tree planting along street boulevards using healthy native species stock.
5. **Ground floor commercial** uses, including professional offices, shall be permitted in apartment buildings to serve the daily needs of the inhabitants therein without amendment to this Plan.
6. **Service areas** for delivery and waste disposal pickup shall be provided for all medium and high density residential developments and shall be located to minimize or avoid any incompatibility or health safety concern from residential buildings on the same or an adjacent property.
7. **Fire Protection:** all new proposals for residential development shall provide adequate vehicular access and circulation for fire fighting and other emergency vehicles and equipment. This may include dedicated or posted fire lanes. Best practices shall be used to achieve the same objective for retrofitted buildings or redevelopment projects.

4.2.2.4 Local Commercial Uses

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

4.2.2.5 Bed and Breakfast Establishment

A **bed and breakfast establishment** shall be permitted within a single detached dwelling provided the exterior physical character of the dwelling is not altered. The single detached dwelling must clearly be the principal use of the land and the bed and breakfast clearly an accessory use to the dwelling. A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. Such establishments must

have the proprietor living on the premises. The local health unit or delegate shall be consulted when a new bed and breakfast establishment is proposed to accommodate nine or more guests and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing zoning by-law shall define a bed and breakfast use and the appropriate residential zones where they may be permitted and the zone provisions that apply to this use. (Reference should also be made to the applicable urban design principles of **Section 4.2.2.1** in reviewing applications for a **bed and breakfast establishment**.)

4.2.2.6 Home Based Business

In order to recognize changing lifestyles and to provide for economic development opportunities within the community, it is the policy of Council to permit a home based business in a dwelling unit within the areas where residential uses are permitted subject to the provisions of the implementing zoning by-law and other by-laws established by Council e.g. noise, parking. In permitting such uses, Council's policy is to ensure that they do not create a public nuisance for the surrounding neighbourhood.

For the purposes of this Plan, a home based business is defined as a privately operated legal business located within a residential dwelling by the occupant or owner thereof, which is compatible with the character of a residential setting or surrounding neighbourhood and which is an accessory use or clearly secondary to the principal residential use.

4.2.2.7 Office Uses

1. Certain compatible office uses may be permitted in a separate zoning category, without amendment to this Plan, provided that adequate measures are taken to ensure that the residential character of the surrounding neighbourhood is not adversely affected. No office use will be permitted that will be detrimental to the residential character of the area by virtue of obtrusive lighting or signs, parking requirements, traffic flows or undue evidence of commercial activity.
2. Provisions shall be made for adequate buffering, as defined in **Section 3.2 - Buffering** of this Plan, between office uses and any adjacent residential uses.
3. A permitted office use may include a residential use on the same lot, if the open space and other amenities normally associated with a residential use are provided for on the lot.

4.2.2.8 Second Units

A second unit shall be permitted in a single-detached, semi-detached or row dwelling subject to the following:

1. A building permit is issued for the second unit;
2. A municipal inspection is completed to determine compliance with the Building Code/Fire Code;
3. Adequate water supply and sewage disposal facilities are available;

4. The size of the second unit may be no more than 40% of the total GFA of the principal dwelling;
5. The second dwelling must maintain the external appearance of the principal dwelling;
6. Compliance with the Zoning By-law; and
7. No more than one principal dwelling per lot.

4.2.2.9 Garden Suites

Where the zoning by-law permits a dwelling, a garden suite may only be permitted subject to a rezoning as a temporary use. A garden suite means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

4.3 Central Commercial (CC)

The Central Commercial Area, or essentially the downtown, will be developed or recognized for a mix of commercial, residential and institutional lands uses, which together are intended to make for a people-oriented, healthy and vibrant community core or downtown. The image of this area to residents and visitors alike is based on its rich architectural heritage, the visual landmarks of the City Hall, the Muskrat River Corridor and the mix of land uses along Pembroke Street. Sustaining this image and strengthening the economic role of this area is dependent on several features articulated by the Plan, namely, a commercial façade improvement program, conservation and renewal of the building stock, streetscaping and beautification measures, improving parking, and encouraging the development of people places. Indirect measures include promotion/marketing programs sponsored by the Pembroke Business Improvement Area.

4.3.1 Definition

The Central Commercial classification of land means that the predominant use of the land in the areas so designated shall be for the buying and selling of goods and services.

4.3.2 Policies

1. Location

The **Central Commercial** area is generally the downtown - the area approximately bounded by Renfrew and Isabella Streets on the south, the Canadian Pacific Railway line on the north, Peter Street on the east, and Munroe Street on the west.

The Open Space lands along the Ottawa River north of the lands designated Central Commercial are also considered to be part of the downtown area. These lands are intended to be developed in accordance with the policies of **Section 4.1.2(3)** for **Waterfront Development** to complement the development of the Central Commercial area.

2. Permitted Uses

The uses permitted are those commercial uses that serve the City's market area and may include those establishments engaged in the buying and selling of goods and retail services, automobile service stations and sales garages, hotels, public theatres and other places of entertainment, offices and studios, service shops, transportation terminals, apartments over business uses, medium and high density residential uses, recreational uses, and public service uses.

Residential apartment units shall be allowed in the permitted commercial uses on the second and above storeys, without amendment to this Plan. New row housing and apartment developments may be permitted in accordance with **Section 4.2** of this Plan.

3. Controlled Access to Parking

In order to maintain a continuous pedestrian shopping frontage in the Central Commercial area, access to parking areas from Pembroke Street shall be controlled.

4. Infilling and Expansion

New development shall be planned as logical extensions of the existing area, and shall remain as compact as possible in order to serve pedestrians most effectively. Infilling shall be encouraged to reduce encroachment on adjoining residential areas.

5. Regional Market Area

Maximum effort shall be made to encourage comprehensive commercial development that will provide the major retail and service facilities for the regional market area.

6. High Quality Development

In order that the Central Commercial area may continue to attract trade from the market area it serves, a high quality of development and an attractive and orderly appearance shall be encouraged.

7. Tourist Development

Tourist commercial development, including resort hotels, shall be encouraged.

8. Open Storage

No open storage shall be permitted.

9. Off-Street Parking

Adequate off-street parking shall be provided for the convenience of the people and the businesses served.

10. Buffering and Landscaping

Provision shall be made for adequate buffering between the commercial uses and any adjacent residential uses pursuant to **Section 3.2 - Buffering** of this Plan. Landscaping of all open space areas will be required.

11. Public Meeting Places

Public meeting place(s) should be functional, safe and easily accessed for maintenance.

12. Municipal Services

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

13. Site Plan Control

Site Plan control shall apply to all development within the **Central Commercial** area (see **Section 7.11- Site Plan Control**).

14. Zoning

Provisions shall be made in the implementing zoning by-law to classify types of land use and to set out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking, loading, signs, landscaping etc.).

15. Downtown

Public Service Uses shall also be permitted in the **Central Commercial** area.

4.3.3 Redevelopment or Change of Use

It is Council's intent in reviewing applications for redevelopment or a change of use that may involve a zoning amendment, minor variance or site plan control, to have regard to the following factors:

1. To respect the massing, profile and character of adjacent or nearby buildings or landscapes, especially if they are designated heritage resources.
2. To maintain the average height profile of the main buildings in the area.
3. To approximate the established setback pattern on the street.
4. To comply with the municipal requirements for signs.
5. To increase the supply of parking whenever possible (see **Section 4.3.4 – Cash-in-lieu of Parking**).
6. To provide for barrier-free access where required by the *Building Code*.

7. To comply with zoning standards.
8. To landscape all areas not occupied by the building, parking areas or utility structures.
9. To ensure compatibility with land uses in the immediate area of the proposed redevelopment in terms of the scale, intensity and type of use.
10. To ensure the adequacy and availability of sewer, water and utility services.
11. To arrange access, outside lighting and parking to reduce any potential visual or operational incompatibility with adjacent development.
12. To arrange buffering, where appropriate, to mitigate impacts on adjacent properties.
13. To ensure that a record of site condition is filed as per Ontario Regulation 153/04 if the change of use is from industrial or commercial to residential or parkland.

4.3.4 Cash-in-Lieu of Parking

As a means to provide increased off-street parking in the Central Commercial Area, Council may utilize the provisions of *Section 40* of the *Planning Act* by entering into an agreement with an owner or occupant of a building where parking is required, for a cash-in-lieu of parking payment. Such agreement shall set out the terms of payment, the method of calculation, and shall indicate the number of parking spaces the owner or occupant is exempted from providing. The agreement may be registered on title and, subject to fulfilling the terms of the agreement, the clerk shall provide a certificate to the signatory of the agreement.

Monies received for cash-in-lieu of parking shall be set into a special reserve for that purpose (see *Section 40 (3) of the Planning Act*).

4.4 Shopping Centre Commercial (SC)

Shopping centres play a vital role in the provision of retail commercial services to the residents of Pembroke as well as a wider regional market. The existing shopping centres at either end of Pembroke Street anchor and complement the downtown or Central Business District. The intent of the Plan is to conserve a balance between the role of shopping centres and the downtown.

4.4.1 Definition

The **Shopping Centre Commercial** classification of land means that the predominant use of the land in the area so designated shall be for shopping centres. A shopping centre is a group of commercial, retail and business establishments planned, developed, owned and managed as a unit related in location, size and type of shops to the trade area that it serves.

4.4.2 Policies

1. Permitted Uses

The uses permitted in Shopping Centre Commercial areas shall include retail and service commercial uses, including service stations comprehensively designed as part of the overall shopping centre concept.

2. Design

A shopping centre shall be designed as an integrated development with contiguous parking and pedestrian areas.

3. Relationship to Central Business District (Downtown)

Shopping centres shall serve as auxiliary commercial areas to the Central Commercial area.

4. Parking and Loading

Adequate **off-street parking** and **loading** shall be provided and the access points to such parking and loading shall be limited in number and designed in a manner that will minimize the danger to vehicular and pedestrian traffic.

5. Buffering

Provisions shall be made for adequate buffering as defined in **Section 3.2 - Buffering** of this Plan.

6. Municipal Services

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

7. Site Plan Control

Site Plan control shall apply to all development within the **Shopping Centre Commercial** area (see **Section 7.11- Site Plan Control**).

8. Zoning

Provisions shall be made in the implementing zoning by-law to classify types of land use and to set out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking, loading, signs, landscaping, etc.)

9. Official Plan Amendment Required for Expansion

New shopping centres shall only be permitted by amendment to this Plan. A shopping centre that exceeds 2,000 m² (21,528.5 ft.²) of gross leasable floor area shall be considered a community facility serving more than the immediate area in which it is located. The amendment for such shopping centres shall be supported by a market analysis and/or feasibility study. Smaller shopping centres shall be

considered neighbourhood facilities and shall not require a market analysis and/or feasibility study in support of the Amendment. (See also **Section 6.7 – Removal of Employment Lands.**)

4.5 Highway Commercial (HC)

The Highway Commercial area will continue to evolve as an automobile-oriented commercial district that also provides valuable services to the tourist industry. Generally, such uses require larger land areas and, as major traffic generators, depend on exposure to and location on high volume arterial and collector roads.

4.5.1 Definition

The Highway Commercial classification of land means that the predominant use of land in the area so designated shall be for retail and business establishments that are typically dependent on high volumes of traffic, or that are heavily transportation oriented.

4.5.2 Policies

1. Permitted Uses

The scope of permitted uses shall include restaurants and fast-food outlets, recreational and motor vehicle sales, repair and service establishments, building and gardening supply outlets, lodging facilities, warehousing and distribution centres, stand alone large retail outlets that require large land areas and are impractical to locate in the downtown, business services and offices, and places of entertainment and assembly.

2. Location

New Highway Commercial uses shall be located on an arterial or collector road.

3. Off-Street Loading and Access

Adequate **off-street parking** and **loading** shall be provided and the access points to such parking and loading shall be limited in number and designed in a manner that will minimize the danger to vehicular and pedestrian traffic. Council may require a traffic study or evaluation to determine the needs and/or standards for entrances, turning lanes, vehicle stacking, signalization, on-site directional movements, parking etc. Council's intent is to limit or reduce the number of entrances/exits onto public roads and may require the use of shared entrances, where appropriate. Entrances and exits shall be appropriately marked (pavement markings and/or signs) to identify their purpose. Traffic engineering should include the integration of on-site traffic movements and the configuration, type and width of streets and sidewalks.

Parking requirements shall include provision for **handicapped parking** in close proximity to building entrances in locations that are protected, where possible, from adverse climatic elements. Where possible, parking areas shall be sited on a property such that large expanses fronting on public streets are avoided. The visual appearance of parking areas and structures shall be enhanced through the

use of a diversity of plant forms, landscaping methods or other architectural elements. Parking areas adjacent to residential areas shall be screened through the use of fencing and/or vegetation. All parking and loading areas shall be well

illuminated to increase the safe and secure use of these areas. Parking and loading areas shall be designed to incorporate proper drainage and stormwater management controls and shall be suitably screened or directed away from areas facing a provincial highway.

4. Utilities and Signs

Lighting poles, utility structures, signs and advertizing shall be in keeping with good design and highway safety practices.

5. Buffering

Provision shall be made for adequate buffering as defined in **Section 3.2 - Buffering** of this Plan between the Highway Commercial uses and any adjacent residential areas.

6. Outdoor Storage and Display

Outdoor storage areas (equipment, garbage) shall be screened or fenced from adjacent uses and the street. Permanent display areas shall not be located in designated parking areas. Temporary or seasonal displays shall be permitted where they do not conflict with traffic flows or the safety of pedestrians. Storage adjacent to or that may be viewed from a provincial highway shall be suitably screened or buffered from the highway.

7. Municipal Services

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

8. Site Plan Control

Site plan control shall apply to all development within the **Highway Commercial** area (see **Section 7.11- Site Plan Control**).

9. Zoning

Provisions shall be made in the implementing zoning by-law to classify types of land use and to set out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking, loading, signs, landscaping, etc.).

10. Market Analysis and Feasibility Study

A proposed large format retail use, either new or the expansion of, which exceeds 2,000 m² (21,528.5 ft.²) of gross leasable floor area will be supported by a market analysis and/or feasibility study to substantiate the need and location for such a

use. The need for such a study will be determined by the Manager of Planning and Waterfront. (See also **Section 6.7 – Removal of Employment Lands.**)

11. Ministry of Transportation Permit Control Area

In addition to all the applicable municipal requirements, all proposed development located adjacent to or in the vicinity of a provincial highway within the Ministry of Transportation's (MTO) permit control area under the Public Transportation and Highway Improvement Act will be subject to MTO approval. Early consultation with MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within the MTO permit control area will be subject to MTO's policies, standards and requirements. Direct access will be discouraged and often prohibited.

4.6 Industrial (M)

Industrial uses are and will continue to be a significant component of the economic base of Pembroke. The intent of the Plan is to recognize existing industrial uses, as well as to designate an adequate supply of land for future industrial development.

The intent of the Plan is to encourage the development of light and medium industries classified as Class I and Class II by the Ministry of the Environment and Climate Change, since these are the most compatible with the land use pattern of Pembroke. Recognition is also given to the potential development of Class III (heavy) industry with the associated requirements to mitigate the potential adverse effects of such industries on nearby uses. The scope of permitted uses will be sufficiently broad to enable the community to attract a variety of industrial types, as well as to focus on more specialized types e.g. high tech. The Plan also encourages the intensification of existing industrial uses with large land holdings.

4.6.1 Definition

The Industrial classification of land means that the predominant use of land in the areas so designated shall be for industrial uses, including warehousing, processing, manufacturing, assembling, fabricating, railway uses, transportation terminals and associated storage and handling facilities, and storage. Certain other compatible uses as found in modern business parks are also permitted, including retail uses associated with the permitted industrial uses, commercial uses primarily serving the industrial area, wholesale dealers, office uses, and other quasi-industrial or service industrial uses. In addition, accessory residential uses, such as a caretaker's residence, may be permitted.

Lands designated for industrial use may be further classified as:

1. Class I Industry - Light Industrial

Means a place of business for a small scale, self-contained plant or building that produces, manufactures, assembles or stores a product that is contained in a package and has a low probability of fugitive emissions e.g. noise, odour, dust and vibration. Such industries operate in the daytime only with infrequent movement of products and/or heavy trucks and no outside storage. Examples

include: electronics manufacturing and repair, high technology industries, furniture repair and refinishing, beverage bottling, package and crafting services, small scale assembly, and auto parts supply.

2. Class II Industry - Medium Industrial

Means a place of business for medium scale process and manufacturing with outdoor storage of wastes or materials (e.g. it has an open process) and where there are periodic or occasional outputs of fugitive emissions e.g. noise, odour, dust and/or vibration. Shift operations occur and there is frequent movement of products and/or heavy trucks during daytime hours. Examples include: dry cleaning services, printing establishments, paint spray booths, welding shops, courier and transport services, heavy vehicle repairs, bulk fuel storage, raw product storage (aggregates, logs/lumber), warehousing, and contractor's yard.

3. Class III Industry - Heavy Industrial

Means a place of business for uses characterized as having emissions such as noise, smoke, odour, fumes or vibrations or extensive outside storage as part of their normal operations. Such uses include sawmills, pulp and paper mills, refineries, smelting operations and similar uses that are intended to be secluded from residential or other sensitive land uses in order to limit and potential adverse effects on the environment or the surrounding areas and public health.

4.6.2 Policies

The following development criteria shall apply in considering the development or redevelopment of designated industrial areas:

1. An **Influence Area** as set out by the Ministry of the Environment and Climate Change for Class I, Class II and Class III industrial uses shall apply (reciprocally) between industrial uses and **sensitive land uses** [see definition in **Section 4.6.2 (3)**] and shall be incorporated into the implementing zoning by-law. Sensitive land uses shall not be permitted within the influence area unless it is clearly demonstrated that any **adverse effects** [see definition in **Section 4.6.2 (2)**] are clearly and fully mitigated to the satisfaction of Council and, where applicable, environmental approvals have been obtained from the Ministry of the Environment and Climate Change. The **influence area** shall be measured from the nearest point of the property line of an industrial use to the nearest point of the property boundary of the **sensitive land use**. Council shall also establish **separation distances** in the implementing zoning by-law as a measure to minimize or avoid incompatibility with **sensitive land uses** and/or other land use types. (*Reference may be made to the Ministry of the Environment and Climate Change Guideline.*)
2. **Adverse effects**, for the purposes of this Plan, shall be as defined in the *Environmental Protection Act*, and in the Provincial Policy Statement as follows:

Means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;

- b) injury or damage to property or plant and animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for use by humans;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

3. **Sensitive Land Uses**

Sensitive Land Uses, for the purposes of this Plan, shall be as defined in the Provincial Policy Statement as:

Means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more **adverse effects** from contaminant discharges generated by a nearby major facility. **Sensitive land uses** may be a part of the natural or built environment. Examples include: residences, day care centres and educational and health facilities.

- 4. Open storage shall be appropriately screened from adjacent properties and any public street.
- 5. The lot area shall be sufficiently large to accommodate the intended use including parking, on-site manoeuvring of vehicles, loading, storage of materials and wastes, access by emergency vehicles and landscaping. Adequate off-street parking and loading facilities shall be provided in all cases.
- 6. Building coverage and height control standards will be set out in the implementing zoning by-law.
- 7. Municipal services shall be evaluated to determine if they are adequate to meet the requirements for industrial development e.g. sewer, water, waste management, fire protection and roads, and shall be required as a condition of development.
- 8. Industrial traffic shall be directed to and from industrial areas by designated arterial, collector roads and provincial highways.
- 9. Environmental Approvals shall be obtained where required from the public authority having jurisdiction.
- 10. Relocation: Areas of land located along the Ottawa River and both sides of the Muskrat and Indian Rivers formerly designated for industrial uses have been redesignated for other uses. Existing industrial operations shall continue as legal

uses but shall be encouraged by Council to relocate to other, more convenient Industrial areas in the City where the uses are not compatible with surrounding land uses.

11. **Revitalization:** The maintenance of riparian areas and the naturalization with native plant species should be encouraged for the revitalization of industrial areas adjacent to water. Council may use the Property Standards By-Law as a means to provide for the upkeep and maintenance of the industrial building stock within the community.
12. **Intensification** of existing industrial uses e.g. expansion on large land holdings will be encouraged provided there are no **adverse effects** that can otherwise be mitigated and the influence area requirements between the industrial use and sensitive land use can be met for the area of land on which any expansion occurs. Changes in processing or manufacturing techniques that result from intensification will be subject to the appropriate environmental approvals and influence area requirements.
13. **Buffering:** Provision shall be made for adequate buffering, as defined in **Section 3.2** of this Plan, between any Industrial uses and adjacent residential uses.
14. **Site Plan Control** shall apply to all development within the **Industrial Area** (see **Section 7.11- Site Plan Control**).

(Note: (See also **Section 6.7 - Removal of Employment Lands** and **Section 3.4 - Natural Heritage Features** with respect to development adjacent to water bodies.)

4.6.3 Special Industrial Areas

M-1

On the land designated Special Industrial Area (M-1) on **Schedule 'A', Land Use Plan**, the following additional policies shall apply.

1. The septic system, water works and the location of the industrial building shall meet the requirements of the *Building Code Act* or the *Ontario Water Resources Act*, whichever is applicable.

4.7 Economic Enterprise (EE)

4.7.1 Intent

Council recognizes the need to provide for economic development opportunities in areas located outside of the Central Commercial Area. The Economic Enterprise area designation has been placed on lands adjacent to Highway No. 17, where it is Council's intent to encourage an integrated mix of Highway Commercial, Industrial and Service Commercial uses. It is the intent of Council to encourage the development of this area as a major employment generator.

4.7.2 Goal

To provide opportunities for Highway Commercial, Service Commercial and Industrial uses and to provide an alternative location for uses that are not appropriate for the downtown area.

4.7.3 Objectives

1. To support and facilitate opportunities for local job creation, and identify and promote local strengths to a global market.
2. To create a more “complete community” by providing for a range of commercial opportunities throughout the municipality.
3. To expand employment opportunities, diversify the Pembroke economy, generate additional investment, and to increase property tax revenues.
4. To identify lands for commercial and industrial uses to secure locations for future employment that will help to create a balanced community. Preference will be given to locations where commercial and industrial activities ‘fit’ within the community context.
5. To encourage public and private sector businesses and residents to purchase locally.
6. Industrial, Commercial and Large Format Retail Uses must be designed to be compatible with the surrounding area and will be evaluated against the following:
 - a) Adherence to design criteria as may be approved by Council;
 - b) The ability of the existing infrastructure to support new development.

4.7.4 Industrial Development Policies

Council’s objectives for industrial development in Economic Enterprise area designations are as follows:

1. To permit industrial uses that are compatible with the surrounding community.
2. To permit industrial development that can be appropriately serviced.
3. To help develop a range of local employment opportunities.

Council shall permit a variety of industrial uses in the Economic Enterprise Policy Area designation and shall define and regulate such development through the use of its Zoning By-law and site plan control. The following industrial uses shall generally be permitted in the Economic Enterprise Policy Area:

4. manufacturing and processing
5. warehousing and wholesaling of bulk products

6. transportation depots
7. heavy equipment sales and service
8. business or industrial
9. other appropriate or compatible industrial uses
10. related and/or accessory commercial uses.

Notwithstanding the above list of permitted uses, Council may exclude some industrial uses from the permitted use section of the Zoning By-law that implements the Economic Enterprise area policies where the location or scale of such uses can reasonably be considered to present environmental problems, or where the presence of industrial uses is incompatible with the community.

Council, through its Zoning By-law and site plan control, shall endeavour to maintain the character and scale of industrial development and to ensure appropriate regulatory control. The review of site development and the development of Zoning By-laws shall address the following:

11. Permit a range of industrial uses.
12. Identify industrial zones in selected areas of the municipality that are well removed from residential and community core areas or can be developed in a manner that will not result in land use conflicts in accordance with the Ministry of the Environment and Climate Change Guideline on Compatibility Between Industrial Facilities and Sensitive Land Uses.
13. Ensure the protection of natural heritage features.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded industrial uses in order to regulate the physical character of industrial development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of the industrial use from adjacent land uses, as well as ensuring that there is efficient and immediate access to transportation links that separate industrial traffic from normal community traffic.

4.7.5 Commercial Development Policies

Commercial development shall be encouraged and supported throughout the Economic Enterprise area and, whenever possible, should be directed to commercial areas where piped water and wastewater services already exist.

Council's objectives for commercial development in Economic Enterprise areas are as follows:

1. To permit commercial uses that are compatible with the surrounding community.
2. To permit commercial development that can be appropriately serviced.

3. To ensure a broad range of commercial uses in order to provide local employment opportunities.
4. To facilitate local control over the location and character of commercial development.
5. To encourage large retailers and large commercial uses to locate within established commercial areas in an effort to maintain the viability and cohesiveness of existing commercial areas and, specifically, core area retail and business uses.

Council will permit a wide variety of commercial uses in the Economic Enterprise area and shall define and regulate such development through the use of its Zoning By-law and site plan control.

The following commercial uses shall generally be permitted in the Economic Enterprise area:

6. retail uses and retail complexes (e.g. factory outlets)
7. large format retail
8. service commercial
9. office commercial
10. restaurants and eating establishments
11. entertainment facilities
12. vehicle sales and repair
13. commercial trade shops
14. recreational uses
15. tourist commercial
16. parks and open space
17. other appropriate or compatible commercial uses.

Notwithstanding the above list of permitted uses, Council may exclude some commercial uses from the permitted use section of the Zoning By-law that implements the Economic Enterprise area policies where the location or scale of such uses may have a negative impact on the viability of identified Central Commercial areas.

The Zoning By-law shall include provisions to maintain the character and scale of commercial development and to ensure appropriate regulatory control. The Zoning By-law shall address the following:

18. Permit a range of commercial uses.

19. Identify commercial zones in selected areas.
20. Ensure the protection of natural heritage features in accordance with the policies of this Plan.

Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded commercial uses in order to regulate the physical character of commercial development and to ensure compatibility.

4.7.6 Large Format Retail

Large format retail (including shopping centres), may be permitted provided Council is satisfied that the size and type of such retail and service facilities is appropriate for the City of Pembroke. In reviewing large scale facility development applications, Council may consider the economic and job creation benefits, loss of potential businesses to neighbouring municipalities, as well as the potential impacts on central commercial uses. Council will require that the proponent provide a detailed marketing study prepared by a qualified marketing professional, outlining the probable consequences of the proposed large scale facility on the existing retail and service structure of the City in general, and the Central Commercial Core, in particular. Such proposals shall be appropriately zoned and subject to site plan control.

4.7.7 Development Concept

The Economic Enterprise Area is intended to provide a proactive response to emerging employment trends and their impact on land use. Council recognizes the importance of flexibility in permitting a range of uses, as well as the significance of avoiding land use conflicts in integrating a mix of uses. The development concept envisions that land uses requiring a high degree of visibility for the marketing of their products or services will be given priority in their exposure to passing traffic on Highway No. 17. Uses requiring less visibility will be clustered within a business park serviced by an internal road system.

While considering the range of permitted uses, Council will focus on encouraging service sector employment as the key employment generator. It is anticipated that service sector jobs will focus on accommodation, food, beverage and leisure services, and services to business and the public sector.

4.7.8 Development Criteria

Council shall consider the following development criteria when reviewing the compatibility and appropriateness of any new development or redevelopment, when considering amendments to local Zoning By-laws, and in considering, where applicable, the requirements for site plan control under Section 41 of the *Planning Act*.

1. Access, signage and setbacks for uses along Provincial Highway Nos. 17 and 148 shall comply with provincial standards and requirements. Lighting poles and other surface utilities shall be carefully sited and advertisements shall be kept in keeping with good design and highway safety practices as may be required by the Ministry of Transportation as described in Section 5.3.4 of this Plan.

2. Adequate off-street parking and off-street loading facilities shall be provided relative to the needs of individual uses.
3. Where uses abut residential areas or include outdoor storage other than in a display or advertising of goods, such uses or storage shall be screened by or buffered by opaque fencing, vegetation, a berm, or any combination of these features that is compatible with and contributes to the residential use.
4. The size and shape of the property shall be suitable for the intended use.
5. Depending on how effluent and emissions of disposal of waste is to be discharged, the discharge of effluent and emissions and disposal of waste may require approval by the Ministry of the Environment and Climate Change or its designate.
6. Any heavy truck or vehicular traffic generated by industrial uses shall be routed, wherever possible, along collector streets and the provincial highway system.

4.7.9 Separation Distances Between Industrial Facilities and Sensitive Land Uses

As a measure to ensure the compatibility of adjacent land uses, particularly industrial facilities and sensitive land uses, minimum separation distances may be established in the implementing zoning by-law. For the purposes of this Plan, a sensitive land use is generally considered to be a residence, school, hospital, senior citizens home or other land uses, such as outdoor recreational activities, where humans or the natural environment may be adversely affected by emissions from industrial facilities. The separation distances between industrial facilities and sensitive land uses shall generally conform to the following:

1. Light industrial: 60 metres minimum except where an industry=s processing produces emissions or outputs that are zero to negligible, there is no outside storage and there is a self-contained process with 0 to low probability of fugitive emissions. Such uses include small scale manufacturing and assembly of goods, small scale transportation depots and warehousing.
2. Medium industrial, including medium scale processing and manufacturing with heavy outdoor storage of wastes or materials: a range of 90 to 300 metres. Such uses may include food processing plants, large manufacturing plants requiring frequent truck traffic, large scale transportation depots, and storage yards.
3. Heavy industrial, including large scale manufacturing or processing with a large physical size, production volumes and intensity of use and/or having the potential for the release of contaminants: 300 metres minimum.

(See also **Section 6.7 – Removal of Employment Lands.**)

4.8 Mixed Use Area (MU)

4.8.1 Definition

Mixed Use development shall mean the compatible integration of a variety of commercial, residential and industrial uses within a single land use designation.

Uses shall normally be separately developed but combined uses within one building may be permitted subject to the site planning criteria below.

4.8.2 Permitted Uses

The area bounded by Bennett Street, Boundary Road, and the C.N.R. line shall be developed as a mixed use area comprising new commercial and residential development and existing uses. New industrial uses shall not be permitted. **Site Plan Control** pursuant to **Section 7.11** of this Plan shall be used to minimize the impact of integrating new development with existing residential uses. Development is encouraged through infilling on vacant lands but shall not preclude a comprehensive plan for a larger area. Specifically, the following uses shall be permitted:

1. Low density residential uses shall be permitted along Julien, Montgomery and Griffith Streets, and along Boundary Road.
2. Other infill areas may be developed at higher residential densities.
3. The permitted commercial uses shall include retail stores, business and professional offices, service commercial uses, financial institutions, restaurants, commercial warehousing, and automobile service stations.
4. In the area bounded by Bennett Street, Boundary Road and the Muskrat River, mixed use development shall also be permitted. However, priority will be given to encouraging commercial development that is ancillary to industrial uses. Light industrial uses shall also be permitted. Residential uses will not be permitted.

4.8.3 Policies

1. Commercial Conversions

Conversions of existing residential buildings for commercial uses shall be permitted. Such conversions shall be subject to site plan control pursuant to **Section 7.11 - Site Plan Control** of this Plan with the intent of maintaining the integrity of the appearance of the existing buildings and properties after the conversion.

2. Residential Conversions

Conversions of existing commercial and industrial uses in the area west of Bennett Street for residential uses shall be permitted subject to the site planning criteria set out in **Section 4.8.4** below.

3. **Industrial Expansion**

Expansion of existing industrial uses in the area west of Bennett Street shall be permitted, subject to the policies of **Section 7.3 - Existing Land Uses**.

4. **Upgrading Existing Uses**

Existing industrial and commercial uses will be encouraged to upgrade their properties through landscaping, paving of parking, loading and driveway areas, and through the enforcement of the Property Standards By-law.

4.8.4 **Site Planning Criteria**

The following criteria shall apply to a new development:

1. **Open Storage:** No outdoor storage shall be permitted in the area west of Bennett Street.
2. **Landscaping:** Unused areas along lot lines and in front yards of commercial properties shall be fully landscaped. Landscaping of parking and loading areas shall be designed to minimize incompatibility with adjacent residential uses through screening or buffering techniques.
3. **Lighting:** Lighting of commercial and industrial buildings and parking and loading areas shall be designed to deflect light away from residential uses.
4. **Paving:** Parking, loading and driveway areas shall be paved.
5. **Waste Disposal:** Vaults or facilities for the storage of garbage or waste materials shall be fully screened or completely enclosed and in locations removed from adjacent residential properties.
6. **Signs:** Advertising signs shall be designed to be inoffensive to nearby residential uses.
7. **Environmental Controls:** Council, in consultation with the Ministry of the Environment and Climate Change, shall ensure that appropriate air emission, noise and vibration attenuation measures will be taken into account when residential development occurs in proximity to stationary (i.e., industrial) and/or line (i.e., railway) sources of contaminants. **(See also Section 3.7 - Noise and Vibration.)**

4.9 **Institutional (I)**

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

Pembroke is host to a variety of public service uses that provide services to both residents of the community as well as to residents of surrounding rural and small urban

communities in Renfrew County e.g. hospital, schools, recreation and cultural facilities. The intent of the Plan is to recognize Pembroke's role as a service centre and to encourage further development of public service uses that meet the needs of residents living within a broad catchment area (including much of central Renfrew County). Public service uses that are complementary or interrelated to key facilities e.g. health care and residential services related to the programs and services of the Pembroke General Hospital will be encouraged.

4.9.1 Definition

Public Service uses include both private and public institutions, as well as major civic uses such as: public, separate or private schools, colleges, service clubs, seminaries, convents, nursing homes and hospitals (excluding animal hospitals); government offices; public arenas, art galleries, museums and community centres; cemeteries, mausoleums, crematoria, columbaria, chapels, churches and synagogues; residential and office functions accessory to the permitted Institutional uses; and buildings and structures accessory to the permitted Institutional uses.

4.9.2 Policies

1. Servicing, Traffic and Parking and Loading

Approval of public service use development will be subject to the availability of any required public services, the vehicular traffic capacity of nearby streets, and the provision of adequate vehicular access and off-street parking and loading.

2. Zoning

Permitted development will be required to conform to development standards that will be established by the zoning by-law to protect the amenities of adjoining residential areas, including provision for buffering or landscaping.

3. **Site Plan Control** shall apply to all **Public Service Use** development (see **Section 7.11- Site Plan Control**).

4. Evaluating Capacity

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

In the review of growth-related development applications, it is the intent of Council to verify the capacity or adequacy of public service uses. To this end, Council will consult with service delivery agencies where appropriate, to determine if there is

adequate capacity to accommodate new development e.g. circulating a subdivision application to school boards to determine capacity of schools for increased enrolment.

4.9.3 Schools

It is the intent of this Plan that elementary and secondary schools shall be provided on sites that are located convenient to the residential areas to be served. As far as possible, elementary schools shall be located so as to minimize hazards associated with the crossing of major roads.

It is the intent of this Plan to encourage the City and the Boards of Education to cooperate in the joint provision and use of playground and park facilities so that their respective expenditures on land may enable the general public to attain the maximum benefit from the open space made available (see also **Section 4.1 - Open Spaces**).

4.10 Hazard Land (H)

4.10.1 Definition

Hazardous lands means property or lands that could be unsafe for development due to naturally occurring processes. Along the Ottawa River, the Indian and Muskrat Rivers and their associated tributaries, this means the lands, including that covered by water, to the furthest landward limit of the **flooding hazard** or **erosion hazard** limits.

This section includes policies that apply specifically to flood plains as well as policies that apply to all types of natural hazards.

Flooding hazard means the inundation of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water. Along rivers, streams and small inland lake systems, the **flooding hazard** limit is the **one hundred year flood**.

Erosion Hazard means the loss of land, due to human or natural processes, that poses a threat to life and property. The **erosion hazard** limit is determined using considerations that include the 100-year erosion rate, an allowance for slope stability, and an erosion/erosion access allowance.

4.10.2 Intent

Unstable soils could be unsafe or unsuitable for development and site alteration due to natural hazards or risk of damage to the structures built on these soils. Unstable soils include organic soils, sensitive marine Leda clays and unstable slopes. Land may also be unsafe or unsuitable for development due to the presence of karst. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or property damage.

The **Hazard Land** classification of land shall mean that the predominant use of land in the areas so designated shall be for conservation and protection of the natural landscape and/or environment uses, with some limited outdoor recreational uses permitted. Other uses may include nursery gardening, forestry, and the conservation of soil or wildlife.

Buildings or structures will not be permitted unless the development criteria set out below can be met. (See **Section 4.10.5 - Development and Site Alteration Criteria.**)

4.10.3 Flooding Hazard

For the purpose of this Plan, the following definitions apply:

Floodplain means the limit of flooding as defined by the flood elevation of a 1:100 year flooding event.

Floodway means the inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a threat to life and/or property damage. Lands within the floodway are designated **Hazard Land** on Schedule A.

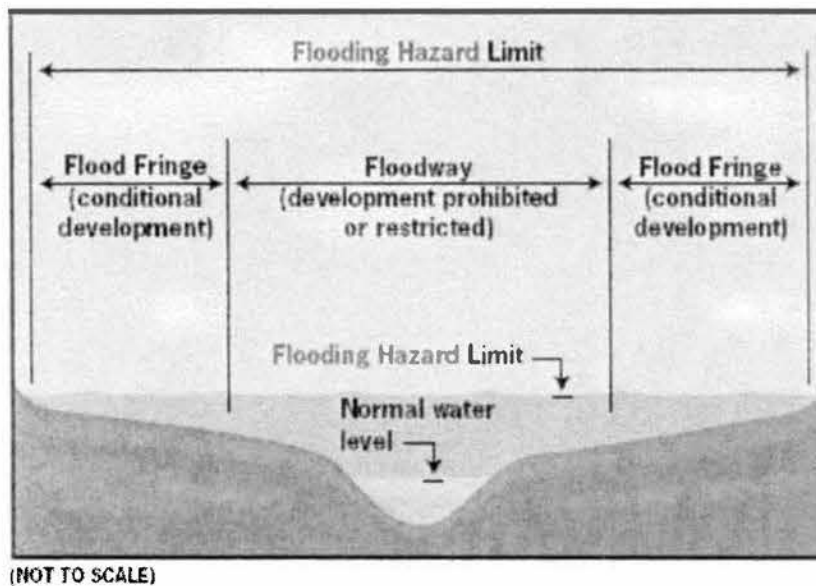
Flood Fringe means the outer portion of the flood plain where the two-zone concept applies.

Two-Zone Concept

The two-zone concept differentiates lands that are unsafe for development (**floodway**) because of the depth and velocity of water, from lands that may be safely developed where proper flood proofing and other measures are undertaken (**flood fringe**). The intent of this Plan is to recognize the two-zone concept along the Ottawa River where flood plain mapping is available and to set out the policies that restrict or permit development. Development will only be permitted where hazards can be satisfactorily addressed, where new hazards are not created nor adverse environmental impacts will occur, and where safe egress can be maintained in flood conditions.

Diagram 1

*Two-Zone Concept, Flooding Hazard Limit
Two-Zone Concept consists of a Floodway and Flood Fringe*



Ottawa River Floodway and Flood Fringe

The 1:100 year floodway elevation for the Pembroke section of the Ottawa River (Allumette Lake) has been established at the 112.9 m [370.4 ft.] GSC datum. The land between the floodway and the flood plain elevations is the flood fringe. The flood fringe elevation is 113.9 m (373.7 ft.) GSC datum and is shown on **Schedule 'A', Land use Plan**.

Permitted Uses and Design Elevation

Lands located in the *floodway* are shown by the **Hazard Land** designation along the Ottawa River on Schedule A to this plan. Development is not permitted in these areas.

In the *flood fringe*, development may occur according to the underlying land use designation. However, no building permits shall be issued for building or structures, including additions or enlargements of existing structures, unless floodproofed to the design elevation of 114.2 m GSC datum (this being 0.3 m above the established flood elevation). (Also see **Section 4.10.5 – Development and Site Alteration Criteria**.)

The boundaries of the *flood fringe* are delineated as accurately as possible given the scale of **Schedule 'A', Land Use Plan**. The exact location of the boundaries of the *flood fringe* shall be delineated in the implementing zoning by-law after consultation with the Ministry of Natural Resources and Forestry. Minor alterations to the boundaries resulting from more detailed mapping that are implemented in the Zoning By-law will not require an amendment to the Plan, provided that the general intent of the Plan is maintained.

Flood fringe lands shall be zoned in a special zone category to recognize the flood potential of the area. The provisions of the special zone category shall identify the design elevation of 114.2 m as the minimum elevation for all building openings. Despite the above, boat docking and launching facilities may be constructed within the **floodplain** (**Hazard Land** designation), subject to the approval of Council and the Ministry of Natural Resources and Forestry. The elevation of the **floodway** shall be calculated prior to the importation of fill. Any applications for building permits must be accompanied by a plan of survey prepared by an Ontario Land Surveyor, identifying the **floodplain** design elevation.

One-Zone Concept

Floodplain mapping is not available for the two-zone concept along the Muskrat and Indian Rivers and their tributaries. In these areas, the one-zone concept shall apply. Where the one-zone concept applies, all land within the *floodplain* shall be considered unsafe for development, and accordingly development in these areas is not permitted. The *floodplain* is shown as **Hazard Land** on Schedule A to this plan, along the Muskrat and Indian Rivers.

4.10.4 Erosion Hazards

Muskrat and Indian Rivers and River Valley Lands

The **Hazard Land** designation along the Muskrat and Indian Rivers and their tributaries, which extends from top-of-bank to top-of-bank, recognizes unstable (Leda) clay slope constraints. The stability of all slopes is dependent on the geometry of the slope, the physical properties of the soil material composing the slope, and the pore water pressures existing within it. Slopes with a similar geometry can then vary in stability because of differences in stratigraphy and structure. Seasonal differences occur because of precipitation and changing levels of water tables. Prior to approving any development on lands adjacent to the **Hazard Land** designation, Council shall ensure, in consultation with the Ministry of Natural Resources and Forestry, that the proposed development can safely occur. To this end, Council may require that development proposals within this area be accompanied by a geotechnical report completed by a qualified engineer.

Extensive areas of river valley lands located in the City also have inherent environmental hazards and, hence are unsuited for urban development. Any potential development of these lands will be subject to the development criteria set out below.

4.10.5 Wildland Fire Hazards

The **Hazard Land** designation in certain forested areas of the city recognizes the potential for **hazardous forest types for wildland fire**. This type of natural hazard was identified in the 2014 version of the Provincial Policy Statement, and is intended to direct development away from forested areas that, due to their natural composition and character, have an elevated potential for wildland fires. The Provincial Policy Statement, 2014 defines **hazardous forest types for wildland fire** as “forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time”.

Development may however be permitted in the **Hazard Land** designation with **hazardous forest types for wildland fire** where the risk is mitigated in accordance with **wildland fire assessment and mitigation standards**. The Provincial Policy Statement, 2014 defines **wildland fire assessment and mitigation standards** as a “combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire”.

Any future designation of land within the City as **Hazard Land** due to the occurrence of **hazardous forest types for wildland fire** may be confirmed in consultation with the Ministry of Natural Resources and Forestry and shall require an amendment to Schedule 'A' to this Plan.

4.10.6 Karst Topography

Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock that

is commonly underlain by caverns and solution-enhanced joints and bedding planes that influence the flow of surface and ground waters. Due to the nature of its formation, karst terrains are ephemeral and are controlled by past and present climatic and local weather conditions. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals.

Areas shown on the Schedule D to this plan as being karst topography are considered to be potential development constraint areas. It is recognized that the mapping is approximate and identifies areas of potential environmental constraint to development that must be addressed prior to development occurring. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated. In areas suspected to have karst topography, an evaluation shall be undertaken for any Planning Act or Building Permit application to assess for the presence of karst topography and to mitigate against any potential hazard. The evaluation of karst shall be in accordance with the procedure in **Appendix A – Karst Topography Evaluation**.

4.10.7 Development and Site Alteration Criteria

Development and site alteration may be permitted within the **Hazard Land** designation provided that all of the following criteria can be achieved:

1. There is sufficient soils and engineering information to indicate that the hazards can be safely addressed and the development and site alteration can be carried out in accordance with established standards and procedures (e.g. professional engineering and resource management practices in the design and/or construction of buildings, structures or properties that have the effect of minimizing or eliminating flood hazards).

Examples are actions or measures designed to minimize the risk to public health or safety, such as: elevating a building on piles, 'dry' flood proofing a building, stabilizing a shoreline, and maintaining openings and elevations above the flood level. Procedures include identifying the extent of the hazard; identifying the size and nature of the proposed development or site alteration (e.g. larger scale development will have a greater impact); identifying appropriate hazard management responses e.g. flood proofing measures, protection works, access; determining potential impacts to physical processes and characteristics e.g. what will the impact of flood proofing and other measures have on the natural landscape, on the potential for erosion, on unstable slopes or bedrock; assessing off-site impacts e.g. minor or major physical impacts on adjacent properties; assessing biological or environmental impacts e.g. the impact of ecosystems (fish and wildlife habitat); and finally, mitigating impacts through a preferred management response e.g. examining alternatives and selecting the most appropriate.

2. The potential impacts of these hazards such that new hazards are not created and existing hazards are not aggravated.
3. Alterations to the site will not cause adverse environmental effects or aggravate the hazard elsewhere. This refers to actions or measures that will maintain the integrity and function of the local environment or ecosystem, particularly the shoreline ecosystem.

4. That vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies e.g. the elevation, routing or alignment of roads, driveways, pedestrian ways should be designed and located where safe access and egress will be provided in the event of flood conditions for users of buildings and emergency vehicles.
5. That consideration will be given to the impact on abutting landowners.

4.10.8 Restricted Uses

No use, building or structure that involves the storage of hazardous or toxic materials, i.e., ignitable, corrosive, reactive, radioactive or pathological materials and sewage facilities, nor any institutional building shall be permitted to be constructed, enlarged or expanded within the **Hazard Land** designation.

4.10.9 Exact Boundaries

The boundaries of the **Hazard Land** designation are delineated as accurately as possible given the scale of **Schedule 'A', Land Use Plan**. The exact boundaries shall be delineated in the implementing zoning by-law, after consultation with the Ministry of Natural Resources and Forestry. Minor alterations to the boundaries resulting from more detailed mapping that are implemented in the Zoning By-law will not require an amendment to this Plan, provided the general intent of the Plan is maintained.

4.10.10 Redesignation of Hazard Lands

An application for the redesignation of Hazard Land for other purposes may be given due consideration by Council subject to consultation with the Ministry of Natural Resources and Forestry. There is no public obligation to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.

4.10.11 Private Ownership

Where land designated Hazard Land is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public, or will be purchased by the City or other public agency.

4.10.12 Parkland Dedication

Where new development is proposed on a site, part of which has physical or environmental hazards, then such hazard lands shall not necessarily be acceptable as part of the five percent (5%) land dedication for open space under the *Planning Act*. All lands dedicated to the City shall be conveyed in a physical condition satisfactory to Council. Where an open watercourse is involved, adequate space shall be provided for maintenance and operations.

SECTION 5 - INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES

5.1 General Policies

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

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

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

5.2 Water Supply and Sewage Disposal

Planning for sewage and water services shall:

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

5.2.1 Servicing Hierarchy

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

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

5.2.2 Sanitary Sewerage

The provision of sanitary sewerage facilities, including sewer lines, pumping stations, and sewage treatment plants, is essential for a healthy environment in the City and for the growth and development of the Municipality.

The Ministry of the Environment and Climate Change, through the *Ontario Water Resources Act*, *Environmental Protection Act*, the Municipal Engineers Association Class Environmental Assessment for Municipal Water and Wastewater Projects, and the Provincial Policy Statement, is concerned with the development and operation of sewerage systems. Provincial approval is required for any proposed expansions to such systems.

A major expansion to Pembroke's Pollution Control Plant was completed on September 8, 2006. The \$25 million sewage treatment facility upgrade provides state of the art service to households within the City and in some areas of Laurentian Valley Township. The expansion of the existing plant was required to meet new, enhanced provincial environmental standards.

The plant uses safer technology, fewer chemicals and a more efficient process to produce a cleaner end product. The treatment now involves a secondary process to enhance anaerobic digestion. Ultraviolet disinfection has replaced the use of chlorine, reducing the danger of spills or noxious fumes. A computerized data and control system automatically monitors all of the equipment and allows operators instant access and control, even when they are off site.

All of the purification processes are now done within closed structures, with an odour-eating vacuum ventilation system.

The expanded Pollution Control Plant has also been designed with the future in mind, featuring plenty of capacity for growth.

5.2.3 Individual On-Site Water and Sewage Services

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

The City may permit **individual on-site sewage services** for commercial and industrial uses in the following circumstances:

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

The City may permit development on **individual on-site water services** and **individual on-site sewage services** for residential uses provided that:

6. municipal servicing is not available within approximately 150 metres of the property;
7. there are no other viable options for a connection to a municipal sanitary sewer or the municipal water system, and municipal services for the area will not be available within a reasonable time frame;
8. the proposed water system and wastewater treatment system can meet all applicable requirements for approval; and
9. the owner agrees to connect to a municipal sanitary sewer and the, if available, at no cost to the municipality, when replacement of the system becomes necessary;
10. site conditions are suitable for the long-term provision of such services with no **negative impacts**; and
11. The proposed development can be considered infilling or minor rounding out of existing development.

5.2.4 Partial Services

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

Partial services shall only be permitted in the following circumstances:

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

5.2.5 Drinking Water Protection Regulation

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

5.2.6 Separation Distance

As a measure of public health and safety, a minimum separation distance shall be established in the Zoning By-law between development that involves sensitive land uses [as defined in **Section 4.6.2 (3)**] and any wastewater treatment facility. (*Reference may be made to Guideline D-2, Compatibility Between Sewage Treatment and Sensitive Land Uses, Ministry of the Environment and Climate Change with respect to separation distances.*)

5.2.7 Monitoring

It is Council's intention to monitor the servicing requirements of the City as it continues to grow and to upgrade, improve and expand the servicing systems, as required, to facilitate future development and redevelopment within the City.

5.3 Transportation Systems

5.3.1 Road Network

It is a policy of this Plan to provide a road network that will adequately accommodate the volumes of traffic that are expected in a safe and energy efficient fashion. This network shall be properly classified according to the function of the roads so that conflicts between local and through traffic may be kept to a minimum and will promote connectivity. New development should promote a land use pattern, density and mix of uses that will minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit. **Schedule 'B'** hereto illustrates the recommended street system.

5.3.2 Road Improvements

It will also be continuing Council policy that all existing roads be brought up to the general standards now required. However, it is recognized that, due to the expense of such an undertaking, this may not be achieved for many years. In the meantime, priority will be given to those areas of greatest need based on existing road conditions and/or traffic considerations, or where it is desirable to carry out the improvements in

conjunction with other public works in the vicinity. Improvements may include speed zoning, traffic signs or traffic lights, intersection alignments, additional lanes, sight triangles and traffic calming.

5.3.3 Pembroke Street

At present, the major deficiency in the street system is Pembroke Street, East and West, which is the Highway 17 Connecting Link. It has a narrow right-of-way and provides nominally two lanes for moving traffic, with parking on both sides. It has been determined that this deficiency cannot be relieved significantly by minor improvements to the street system. The construction of the new Highway 17 has afforded some relief to the local street system by routing through traffic around the City. Future widenings to Pembroke Street, East and West, to provide left turn lanes at intersections, and improvements to Lake and Nelson Streets in the Central Commercial area are expected to further improve traffic congestion.

5.3.4 Provincial Highway

Highway 17, adjacent to the City of Pembroke, has been designated as a "Class 1A – Freeway (controlled access)" and that long range plans are to widen the existing highway to a four-lane divided facility. Under the authority of the *Public Transportation and Highway Improvement Act, 1990*, the Ministry of Transportation, through the issuance of permits, controls all land use within 45 metres (150 feet) of the Ministry's property limit, and within 395 metres (1,300 feet) of the centre point of the intersection of the

Highway 17 and Highway 41 interchange. Highway 148, also adjacent to the City of Pembroke, is classified as a "Class 3 Collector (King's highway)". The Ministry of Transportation, through the issuance of permits, controls all land use within 45m of the limit of the highway; 180m of the centre point of any intersection (on King's Highways); 395m of the centre point of any interchange (on controlled-access highways); and signs within 400m of the limit of Highway 17. MTO permits are also required for major developments or any other purpose that causes persons to congregate in large numbers within 800m of the limit of the highway.

For access connections along municipal crossroads in the vicinity of a provincial highway intersection or interchange ramp terminal, any proposed municipal road must meet MTO's access management practices and principles. MTO approval will be required in these cases.

5.3.5 Arterial Roads

An arterial road is considered to be an existing or proposed undivided road of 2-4 lanes that has a nominal basic right-of-way width of 26 m to 30 m. The right-of-way width may be increased at intersections with other arterial or collector roads. New arterial roads or improvements to existing arterial roads will be constructed to the design right-of-way width and municipal standards.

The primary function of arterial roads is to provide for the collection and distribution of large volumes of intra-urban traffic to and from local and collector roads and to provide for the movement of through (inter-urban) traffic.

Whether access to arterial roads is from collector roads or from development on adjacent land, it shall be designed so as to cause no undue interference with through traffic and to avoid undue hazard arising from vehicular turning movements.

Access to new developments abutting arterial roads will, wherever possible, be restricted to connecting roads, and new development, wherever possible, shall have reverse frontage (i.e., access from an alternative street).

Building setbacks appropriate to the function of arterial roads shall also be required and shall be established in the Zoning By-law.

5.3.6 Collector Roads

A collector road is considered to be an existing or proposed undivided road with two lanes, and a right-of-way width of 20 m, increasing to 26 m at intersections with arterial roads, which has a nominal basic right-of-way width of 26 m (83 ft.). New collector roads, or improvements to existing collector roads, will be constructed to the design right-of-way width and municipal standards.

The primary purpose of collector roads is to collect and distribute traffic between local streets and arterial roads, while at the same time, providing access to abutting properties. Parking on collector roads may be restricted at times of peak traffic.

Where necessary for the purposes of traffic safety, reverse frontage development may be required on collector roads in new subdivisions.

Building setbacks appropriate to the purpose of collector roads shall also be required and shall be established in the Zoning By-law.

5.3.7 Local Streets

The remainder of the streets are classified as local streets, designed primarily to provide access to abutting land and constructed to a width of 20 m. Through traffic shall be kept to a minimum on these streets. Appropriate building setbacks shall also be required and shall be established in the Zoning By-law.

5.4 Pedestrian and Special Vehicle Ways

It is intended that the needs of pedestrians shall be accommodated at service levels appropriate to each of the types of roads previously categorized.

So far as is practicable, pedestrian, bicycle, snowmobile and other special vehicle traffic will be separated from automobile and truck traffic.

(See also **Section 4.1.2(4) - Recreational Trails.**)

5.5 Sidewalks

Sidewalks constructed to an appropriate municipal standard may be constructed on one side for any local road or collector and on two sides for any arterial road (subject to the availability of funds).

5.6 Alternative Development Standards

Council may permit the construction of a cul-de-sac or local road under an alternative development standard where the road is not a through road and is intended to carry a low volume of traffic.

Council may consider alternative development standards for other infrastructure as a means to provide for more cost-effective and compact development.

5.7 Parking

It is intended that the parking capacity in the City shall be increased to satisfy anticipated increasing traffic volumes and the parking needs arising from new development and redevelopment, and to alleviate the inadequate parking capacity in areas already developed.

It is considered essential to the continuing economic viability of the Central Commercial area that there should be a system of off-street parking adequate to meet the expanding needs of that area, and to provide a sufficiently convenient standard of parking to attract people to the downtown.

The Zoning By-law will incorporate standards establishing vehicular parking requirements for all categories of land use, and such requirements shall be related to the type and intensity of use.

Cash-in-Lieu of Parking

It is Council's policy to utilize Section 40 of the *Planning Act* to increase the amount of available off-street parking in the Central Area District.

5.8 Public Transit

Council may investigate the future delivery of an efficient transit service throughout the City as an alternative means of transportation for members of the public. The City will monitor both the need and financial feasibility of transit service, and may commission studies to determine the appropriate course of action for establishing and maintaining such a system in the future.

5.9 Transportation Corridors

It is the intent of Council that existing transportation corridors for major roads and rail lines be protected from land use activities that may interfere with the function and safe operation of these corridors, including Highway 17, Highway 148, all arterial and collector roads, and the Canadian National rail line.

5.10 Former CP and CN Rail Lines

It is the intent of this Plan to preserve the integrity and continuity of the former CP and CN rail corridors in the City. Rail corridors are unique in their continuity across municipalities, regions and provinces, and after abandonment, function well as multi-use recreation and alternative transportation corridors. It is important to preserve these corridors for the amenity and enjoyment of future generations.

(See also **Section 7.2 - Community Improvement.**)

5.11 Road Widening

All lands that are subject to Site Plan Control and that abut the following designated roads shall also be subject to the following road widening policies:

Proposed Road Widening

Council may require developers to dedicate road widening as a condition of site plan approval on all properties that abut a designated road.

For the purposes of this Section, the designated road allowance width shall be in accordance with the following Proposed Road Widening table.

Proposed Road Widening

Designated Road	From	To	Designated Width
Nelson Street		entire length	20 m
Pembroke Street East		entire length	15 m
Pembroke Street West		entire length	15 m

Where the existing road allowance abutting any property is less than the designated width, the municipality may require the dedication of a strip of land no greater than one-half the additional amount of land required to create the designated road allowance or the amount necessary to provide the proposed road allowance width, whichever is less. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

5.12 Waste Disposal, Gas, Hydro, Communication and Cable Facilities

It is the intent of Council to ensure that waste disposal, gas, hydro, communication and cable facilities are adequate to service community development. Planning for new development shall include consideration for adequate capacity of all services and the cost-efficient routing of utilities and coordination in the design and installation of facilities as part of the approval and construction process. Preference will be given to the installation of underground services for new development.

Council also supports and encourages the enhancement of communications technologies as an economic development tool for the community.

5.13 Snow Disposal

The design, development or use of snow disposal facilities shall be in accordance with provincial guidelines. (*Reference document: Guidelines for Snow Disposal and De-Icing Operations in Ontario, Ministry of the Environment and Climate Change.*)

SECTION 6 - ECONOMIC DEVELOPMENT

6.1 Structure and Mission Statement for Economic Development

The structure for economic development within the City comprises an Economic Development Committee that provides advice to Council. This Committee is a standing committee of Council.

The key thrust of the Advisory Committee is business retention and expansion, and to increase the tourism base for the City, as set out in the Economic Development Mission Statement:

1. To nurture and support existing business and industry, and to develop investment initiatives that complement their expansion programs.
2. To actively seek out progressive industry and commerce through participation in local partnering initiatives.
3. To identify and recommend to City Council actions to be taken within its term that will create a more favourable economic climate for business in the City.
4. To foster a pro-development attitude within the community.
5. To promote the City as the hub for tourist activity in the Ottawa Valley.

The components of the Mission Statement are reflected in the Economic Development Work Plan, e.g. establishing a "Team Pembroke" to work with local businesses in developing an expansion and retention strategy, to develop an outreach program, and targeting for new business development.

Efforts at an inter-municipal or cooperative approach is also seen as beneficial, with Pembroke acting as a leader, particularly in packaging and marketing tourism e.g. utilizing multiplicity of attractions in and about the City and County.

Successful economic development requires the diversification of the economic base i.e., not putting all of the eggs in one industrial basket. What is required is the development of a vision by the community, e.g. as a major tourism area, a vision that should be developed in consultation with the community at large. The following sets out the economic development framework of the City's Official Plan.

6.2 General

The location of Pembroke as a central place for employment, shopping, institutional services and recreation underlies a mature community with a lot to offer. The economic base has and will continue to change. The community has seen the exodus of manufacturing industries over the past number of years, but conversely, growth in the commercial service sector has occurred. Employment and population is projected to decline (Community Profile), without significant intervention by the community in reversing past trends.

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

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

6.3 Beliefs

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

1. that the local economy can be enhanced through strategic planning;
2. marketing and promotion is critical;
3. partnering with other organizations and communities can increase the opportunities for economic development; and
4. training is important to job retention.

6.4 Strategy for Economic Development

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

1. To strengthen Pembroke and area's economic development profile.
2. To promote business retention and growth.
3. To implement a comprehensive plan to promote Pembroke as a tourism destination.
4. To partner with other organizations to ensure the development and availability of a skilled and educated workforce.
5. To work with the telecommunications industry to improve telecommunications services and support network applications development.
6. To enhance the appeal of Pembroke and area as a desirable place to live.
7. To promote and encourage economic activities associated with the forest industry, including the development of "value added" industries and businesses.

8. To promote the remediation and redevelopment of brownfield sites as a means to increase economic development activity, achieve a more efficient use of existing municipal infrastructure, enhance the municipal assessment base, and improve environmental quality.
9. To support and provide opportunities for sustainable tourism development.
10. To support and provide opportunities for increased energy generation, supply and conservation, including alternative energy systems and renewable systems.
11. Optimize the long-term availability and use of land, resources, infrastructure and public service facilities.

The intent of this Plan is to support this strategy through actions by Council that will:

12. Expedite approvals for development which conform to the policies of this Plan.
13. Ensure that there is an adequate supply of available serviced land for all forms and types of land use.
14. Sustain the level of public services and infrastructure required to support growth and development.
15. Ensure the maintenance of the building stock and the heritage resources and values that contribute to the community's image.
16. Ensure the conservation and/or enhancement of the environmental attributes and natural heritage features of the community.

6.5 Strategic Initiatives

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

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

6.6 Implementation

The implementation of the strategy lies in the concerted and co-operative efforts of the public and private sectors. A number of the components of the strategy are dependent on the actions of the private sector and are apart from the land use policies of this Plan. Council and departments of the municipality will facilitate the implementation of the strategy through their daily responsibilities. Council will play a key role in the review and

approval of planning applications that implement the policies of this Plan. This review will have regard to the elements of the strategy. Council will also play a more holistic role in coordinating the efforts of the public and private sectors through specific decisions and through its interaction with other agencies. Council's intent is to pursue a proactive stance on community development in embellishing the opportunity for implementing components of the strategy. Council's intent is to also keep the community informed of the implementation of the strategy through a policy of disclosure.

6.7 Protection of Employment Lands

Council will support the protection of existing **employment areas** in the City. For the purpose of this Plan, **employment areas** means those areas designated as Industrial (M), and Economic Enterprise (EE), intended for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. Proposals to permit the conversion of lands within these **employment areas** to non-employment uses may only be permitted through **comprehensive review**, only where 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.

A **comprehensive review** means an Official Plan review that is initiated by a planning authority, or an Official Plan amendment that is initiated or adopted by a planning authority, which:

1. is based on a review of population and growth projections, considers alternative directions for growth; and determines how best to accommodate the development while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth through **intensification** and **redevelopment**; and considers physical constraints to accommodating the proposed development within existing **settlement area** boundaries
3. is integrated with planning for **infrastructure** and **public service facilities**, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
4. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
5. confirms that sewage and water services can be provided in accordance with policy 1.6.6; and
6. considers cross-jurisdictional issues.

SECTION 7 - THE TOOLS OF IMPLEMENTATION

Introduction

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

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

7.1 General

This Official Plan shall be implemented by means of the powers conferred upon Council by the *Planning Act*, the *Municipal Act*, and such other statutes as may be applicable.

7.2 Community Improvement

Community improvement may be generally defined as encompassing all those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities within the community.

7.2.1 Goal

It is the goal of Council to upgrade, maintain and rehabilitate the physical environment, in order to ensure the continued social and economic viability of its existing residential neighbourhoods, central business district and industrial park.

7.2.2 Objectives

It is the intention of Council to implement a program of continuous community improvements (as defined in the *Planning Act*) that will fulfil the following objectives. Council shall endeavour to:

7.2.2.1 Residential Objectives

To foster improvements in residential neighbourhoods by:

1. Striving for an equitable distribution of social amenities among residential neighbourhoods in facilities that are well maintained, well located, and easily accessible.

2. Establishing and maintaining the physical infrastructure necessary and appropriate to the various residential neighbourhoods.
3. Ensuring the maintenance of the existing housing stock and encouraging the rehabilitation, renovation, and repair of older dwellings.
4. Investigating the feasibility of relocating the Canadian National rail line.
5. Encouraging the provision of affordable single and multiple unit residential dwellings for low to middle income residents.

7.2.2.2 Commercial Objectives

To foster improvements in the Central Business District by:

1. Maintaining a vibrant, attractive downtown through providing the necessary physical conditions to create a pleasant shopping environment.
2. Providing and maintaining incentives to support the downtown core, to foster a healthy local economy for area businesses.
3. Providing and maintaining downtown streets, sidewalks, lighting, benches, and parking areas, to ensure that the downtown is accessible to both motorist and pedestrian.
4. Encouraging high standards of site development.
5. Pursuing the re-use of the former Canadian Pacific rail corridor for multi-use recreation and alternative transportation purposes.

7.2.2.3 Industrial Objectives

To foster improvements in industrial areas by:

1. Developing and maintaining the industrial park to facilitate the successful operation of the industries that it accommodates.
2. Ensuring that proposed improvements to local industries throughout the City generally enhance the areas in which they are located, and are compatible with adjacent land uses.
3. Ensuring that sewer mains, gas mains, water mains, roads, curbs, sidewalks and street lighting are adequate and are appropriately located to service the industrial uses.
4. Ensuring that development in the industrial park occurs in an efficient sequential manner.
5. Encouraging existing industries that are located in predominantly residential neighbourhoods to relocate to other, more suitable locations.

7.2.2.4 Waterfront Objectives

To foster improvements in the waterfront area by:

1. Identifying, supporting and encouraging the development of the tourism potential for the waterfront and integrating this area with the downtown.
2. Maintaining public access to the waterfront and encouraging a healthy mix of tourist, commercial, residential and open space uses.
3. Ensuring that water mains, sewer mains, roads and sidewalks are adequately designed, sized and located to service waterfront development.
4. Pursuing the re-use of the former Canadian Pacific rail corridor for multi-use recreation and alternative transportation purposes.
5. Providing for the conservation of natural heritage features and shoreline areas.

7.2.2.5 General Objectives

To foster improvements so as to:

1. Encourage the participation of the private sector in community improvement initiatives involving local merchants, businessmen, residents, and civic leaders.
2. Ensure that the undertaking of specific community improvement projects does not unduly burden the financial capability of the City.
3. Ensure high standards of site development throughout the City.
4. Provide for the rehabilitation of "brownfield" sites (i.e., lands on which industrial or commercial activity took place in the past but which are no longer in use, which may be contaminated) for reuse as viable building sites for various land use activities. (See also **Section 3.5 - Brownfield Sites.**)
5. Providing for the conservation of natural heritage features, river corridors and shoreline areas.
6. Improve energy efficiency and promote innovative or alternative sources of energy.

7.2.3 Policy Area Designation

The area outlined on **Schedule 'C'** to this Plan as the Community Improvement Policy Area shall henceforth be known as the Community Improvement Policy Area of the City of Pembroke.

7.2.3.1 Basis of the Designation

The area so designated was identified on the basis of the criteria listed in **Section 7.2.4.** (Note: *Background information for the policy area designation is contained in the Community Improvement Policy Inventory and Analysis Report, 1987.*)

Council will undertake comprehensive and complementary improvement programs within the policy area, as financial resources permit.

7.2.4 Criteria

The Community Improvement Policy Area was designated on the basis of an evaluation of available municipal services and facilities using the criteria that follow. The designated area requires improvements in some or all of the following:

1. The availability and/or adequacy of municipal services, including sanitary sewers, storm drainage, water mains, roads, curbs and sidewalks.
2. The availability of parks, recreation and neighbourhood facilities within individual neighbourhoods.
3. Compatibility of neighbouring land uses.
4. Physical amenities, including buffering between incompatible land uses, particularly between industrial and residential uses, and streetscaping and architectural treatment in the downtown.
5. Accessibility to significant features, including public access to the Ottawa River and pedestrian access between the parking and commercial functions in the downtown.
6. Housing conditions.

7.2.5 Priority Areas

Council may establish community improvement project areas as local municipal resources allow and as government funding becomes available. Council recognizes that improvements will be undertaken gradually and that it will be necessary to select project areas on a priority basis. The following considerations shall be taken into account in determining high priority areas for community improvement.

1. Deficient Areas

Priority will be given to areas where deficiencies in the provision of such services as identified in **Section 7.2.4** herein are the most critical. In determining the extent of deficiencies present for each area, Council should have regard to the Community Improvement Policy Inventory and Analysis Report, 1987, which shall be updated from time to time.

2. Community Improvement Program

Council has begun a program of Community Improvement in the downtown that will provide for the rehabilitation and improvement of the facades of buildings, and intends to proceed with further improvements such as brownfield rehabilitation energy conservation, and second units, as financial resources permit. Improvements to façades will be eligible for cost-shared funding with the City subject to criteria such as: compliance with *Building Code*, fire and sign

regulations, conformity with design guidelines and the requirements of the *Ontario Heritage Act*.

3. **Cultural Heritage**

Areas within the City that are deemed to be rich in historical or architectural features, such as may be established under **Section 3.6, - Cultural Heritage and Archaeological Resources Preservation**, by the Planning and Waterfront Committee, shall be considered a high priority area for community improvement, if other criteria for selection are satisfied.

7.2.6 **Implementation Options for Community Improvement**

In order to achieve the objectives for Community Improvement, Council intends to use a variety of implementation methods, and to choose the appropriate technique(s) for each objective. Such methods may include (but are not limited to) the following:

1. **Community Improvement Plans**

- Preparation and adoption of community improvement plans.
- Designation of community improvement project areas by by-law.
- Application to the appropriate government agency for funds to support the City's program.
- Municipal acquisition of land within the community improvement project area(s).
- Clearing, grading or preparing the land for community improvement.

2. **Property Standards By-Laws**

- Enforcing by-laws dealing with property maintenance and occupancy standards, as described in **Section 7.21 - Property Standards**.

3. **Pembroke Business Improvement Area**

- Supporting the downtown area by enlisting the support of area businesses in the downtown core.

4. **Rehabilitation (Private)**

- Encouraging rehabilitation at the private level by providing residents with information on relevant government subsidies and programs (when available).

5. **Zoning**

- Establishing an appropriate land use zoning by-law.

6. **Rehabilitation through Preservation**

- Encouraging redevelopment through rehabilitation by implementing the heritage policies of **Section 3.6 - Cultural Heritage and Archaeological Resources Preservation** of this Plan.

7. Increased Density (Bonus Zoning)

- Establishing bonus zoning pursuant to Section 37 of the *Planning Act*, as a means of encouraging the redevelopment of incompatible land uses.

8. Site Plan Control

- Appropriate use of site plan control techniques to resolve potential land use conflicts through buffering, siting of new buildings, etc. (see **Section 7.11**).

9. Municipal Maintenance Plan

- Adopting a maintenance plan to ensure the proper upkeep of the existing municipal infrastructure and community facilities so that they will operate their designed lifespan and not have to be prematurely replaced due to neglect.

10. Grants and Loans

- Subject to the programs outlined in a Community Improvement Plan, grants and loans may be provided by the City to registered owners, assessed owners, and tenants of lands and buildings within a community improvement area.

11. Intensification

- Encouraging the conversion of upper floors to residential uses on the main streets (this brings people into the downtown and contributes to a vibrant community).

12. Brownfield Redevelopment

- Encouraging the redevelopment of brownfield properties through a brownfield community improvement plan.

7.3 Existing Land Uses

Any land use existing as of January 9, 2002, that does not conform with the land use designations as shown on the **Land Use Plan** or the policies related thereto, as a general rule, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension or enlargement of such a non-conforming use in order to avoid unnecessary hardship. It is the intention of this Plan that extensions and enlargements shall be handled through the use of Section 34(10) or Section 44 of the *Planning Act*.

7.4 Non-Conforming Uses – Section 34 of the *Planning Act*

1. Extensions or Enlargements of Non-conforming Uses

Any application, in accordance with Section 34(10) of the *Planning Act*, for the extension or enlargement of a use that does not conform to the implementing zoning by-law (hereinafter called a non-conforming use) and that existed at the time of passing of such By-law, shall be dealt with in the following manner:

a) **Public Acquisition**

Council shall determine the feasibility of acquiring the property concerned at the time of application, or possibly at some future date, and of holding, selling, leasing or redeveloping the property in accordance with the provisions of the *Planning Act*. Special attention will be given to the feasibility of re-establishing the use under consideration in a different location where it would be able to perform and produce under improved conditions in accordance with the policies of this Plan.

b) **Zoning By-Law Amendment**

If acquisition at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the passing of a zoning by-law pursuant to Section 34(10) of the *Planning Act* and such by-law may then be passed without the necessity to amend this Plan providing it complies with the criteria and procedures for extensions or enlargements.

2. Report on Extension or Enlargement

Prior to making any decision on the application, Council will refer such application to the Planning Committee for a report on the various aspects of the matter for the information of Council. Council, before passing such a by-law, shall be satisfied that those of the following requirements that are relevant to the specific application for the extension or enlargement of the non-conforming use are, or will be, fulfilled in order to safeguard the wider interests of the general public:

a) **No Undue Aggravation**

That the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-law applying to the area.

b) **Appropriate Proportion**

That the proposed extension or enlargement shall be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the implementing zoning by-law.

c) **Minor Adjustment of Land Use Boundary**

That an application that would affect the boundary areas of different land use designations on the **Land Use Plan** will only be processed under these policies if it can be considered as a “minor adjustment” permitted under the flexibility clause of Section 8.1 of this Plan without the need for an amendment. Any major variances will require an amendment to this Plan.

d) **No Nuisance Factors**

The characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity. No amendment to the Zoning By-law shall be made if one or more of such nuisance factors will be created or increased so as to add essentially to the incompatibility of the use with the surrounding area.

e) **Protection of Conforming Uses**

That the neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising, signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, extended to the established use in order to improve its compatibility with the surrounding area.

f) **No Adverse Impact on Traffic and Parking**

That traffic and parking conditions will not be adversely affected by the application and that traffic hazards will be avoided by appropriate design of access points to and from the site, and by improvements to site conditions, especially in proximity to intersections.

g) **Off-street Parking and Loading**

That adequate provisions have been, or will be made for off-street parking and loading.

h) **Municipal Services**

That applicable municipal services, such as storm drainage, sanitary or storm sewers, water supply and roads, etc., are adequate or can be made adequate.

7.5 **Zoning By-laws – Section 34, *Planning Act***

The Zoning By-law regulates the use of land, and the character, location, and use of buildings and structures in the City. No later than three years after a revision under

Section 26 (1) or (8) of the *Planning Act* comes into effect, Council shall amend all Zoning By-laws that are in effect in the municipality to ensure that they conform to the Official Plan.

7.5.1 Zoning Regulations

The Zoning By-law shall contain regulations to control the amount or type of development with respect to matters such as the following:

1. Permitted Uses.
2. Location of uses.
3. Minimum lot areas and dimensions.
4. Minimum and maximum floor areas.
5. Siting of development on a parcel of land in terms of minimum setbacks from property lines.
6. Maximum lot coverage, or that portion of a site occupied by a building or structure.
7. Minimum and maximum density of residential land use measured as ratios of dwelling units per hectare.
8. Minimum and maximum height standards.
9. Minimum and maximum density of commercial and other land uses measured as floor area ratios, for example, the gross floor area divided by the lot area.
10. Minimum and maximum height standards.
11. Minimum requirements for parking and loading areas.
12. Minimum requirements for landscaped open space.

7.5.2 Urban Reserve

An "Urban Reserve" zone may be applied on an interim basis to large areas of undeveloped land that are likely to develop by way of residential plan of subdivision, or to areas where development is not anticipated to occur for a considerable length of time. An Urban Reserve zone shall permit only existing uses. Rezoning for additional uses will be considered at the time of subdivision approval, upon receipt of development proposals that conform to the Official Plan.

7.6 Holding By-Laws – Section 36, *Planning Act*

7.6.1 Rationale for the Use of Holding By-Laws

It is not intended that all land use areas designated on the **Land Use Plan** will be zoned for such uses immediately by the Zoning By-law. Areas may be zoned in the Zoning

By-law for their existing uses or in a Holding category pursuant to Section 36 of the *Planning Act*, and in accordance with the following objectives and criteria.

It is the intention of Council to place certain lands within a Holding category in the implementing zoning by-law when the principle of development has been established, in order:

1. To identify future development areas.
2. To reserve their use until the necessary municipal services become available.
3. To effect the phasing and/or proper design of large scale residential, commercial, or industrial development.
4. To ensure proper financial agreements are in place and that all agreements in accordance with the provisions of this Plan and/or the *Planning Act* have been complied with.
5. To delay development until such time as it is determined that identified development constraints can be overcome to the satisfaction of Council.
6. To allow for the implementation of special design features in specific locations of developments (residential or commercial design).
7. Brownfield sites may be placed in a Holding Zone in the municipality's zoning. Where a holding zone is used, the "H" symbol may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan, and subject further to the submission of a Ministry of the Environment and Climate Change acknowledged Record of Site Condition to Council.
8. To protect environmentally significant areas or specific natural features from adverse impacts.
9. To ensure flood proofing measures are being incorporated into a development.
10. To ensure that the values, attributes and integrity of protected heritage properties are retained.
11. To ensure that development takes a form compatible with adjacent land uses so that issues identified as a condition of approval can be implemented.

Generally, it is intended that the Holding category is to be used on lands zoned for residential, commercial and industrial uses within areas for which municipal water and sanitary sewage services are to be provided, but are not yet constructed. Holding provisions could also be applied where there is a need for additional conditions that cannot be applied on a pre-zoning basis, or through the Site Plan Control By-law.

Despite the foregoing, however, lands throughout the City may be zoned in a Holding category where Council determines such a Holding category is needed to achieve the rationale in Section 7.6.1 above.

7.6.2 Implementation of Holding Provisions

Lands that are subject to Holding provisions shall be identified in the Zoning By-law by an "H" symbol, in conjunction with the appropriate zone symbol denoting the eventual use of the land and shall be subject to the following policies.

1. Lands that are shown to be in a Holding category shall generally be restricted to existing uses.
2. New development proposed on land zoned in a Holding category shall not be permitted unless Council deems it appropriate to remove the Holding symbol through an amending By-Law, in accordance with **Section 7.6.3**.

7.6.3 Conditions to be Met for Removal of the Holding Symbol

An application for removal of the Holding symbol shall be reviewed by Council in consideration of the following, where applicable:

1. That the proposed plan of subdivision or site plan is in conformity with the requirements of the Zoning By-law.
2. That the required services are available or will soon be available.
3. That the financial requirements of the municipality have been fulfilled.
4. That the phasing and design of the proposed development is to Council's satisfaction.
5. That any development constraints that have been identified can be overcome to the satisfaction of Council.
6. With respect to brownfield sites, the "H" may be removed upon the receipt of a report approved by Council that the appropriate level of remediation, demonstrated by a Ministry of the Environment and Climate Change acknowledged Record of Site Condition has been achieved.

7.6.4 Public Notification for Removal of the Holding Symbol

A notice of Council's intent to remove the holding symbol shall be given in accordance with the requirements of the *Planning Act* and associated Regulations.

7.7 Increased Density (Bonus) By-laws - Section 37, *Planning Act*

Despite any policies in this Plan to the contrary, Council may pass a Zoning By-law, the effect of which is to permit bonus increases in the maximum permitted height and/or density specified in the implementing zoning by-law in accordance with the following policies.

It is Council's intention to permit increased height and density as a means of achieving certain objectives, including:

1. The preservation of historic or architecturally significant buildings.
2. The provision of parkland in excess of the two (2%) or five (5%) percent parkland dedication required under the *Planning Act*, and school sites to meet the needs of residents.
3. The provision of developed community facilities, such as parkland, community centres and recreational facilities to meet the needs of residents.
4. The provision of indoor parking facilities in condominium, co-operative and rental multiple unit residential complexes.
5. The redevelopment and/or conversion of existing incompatible industrial and commercial buildings to residential uses throughout the designated Residential areas of the City, and the redevelopment and/or conversion of existing industrial buildings to residential uses in the area designated for mixed use development in **Section 4.7** of this Plan.

Amount of Bonus

The Zoning By-law shall specify the bonus standards that apply and shall include the amount of bonus to be awarded related to the facilities, services or matters that are to be provided.

Cash-in-Lieu of Payments

The Zoning By-law may provide that cash-in-lieu payments can be made towards the provision of facilities, services or matters and, in such cases, the payment amounts shall be revised annually in accordance with the Construction Price Statistics published by Statistics Canada, without the need to amend the Zoning By-law.

Agreements

Council and the developer shall agree between themselves to exchange increased height and/or density for the provision of facilities, services or matters and such agreement may form part of a subdivision agreement or site plan agreement, or may be a separate agreement.

7.8 Interim Control By-Laws – Section 38, *Planning Act*

In utilizing this authority, it is Council's policy that an Interim Control By-Law shall be preceded by a By-Law or resolution, directing that a study be undertaken of planning policies in the affected area and setting out the terms of reference for the study. When an Interim Control By-Law expires, the prior zoning shall automatically apply, unless a new Zoning By-law is passed.

7.9 Temporary Use By-laws – Section 39, *Planning Act*

In certain circumstances, it may be desirable to pass a Temporary Use By-Law to implement the policies of this Plan or to implement measures for economic growth and

prosperity (e.g. it may be desirable to locate certain uses in vacant commercial or institutional buildings or on lands zoned for institutional uses on a temporary basis despite the fact the uses are not permitted under the provisions of the Official Plan). It may also be beneficial to temporarily zone lands for industrial or commercial uses as an incubator or temporary location for a use that does not conform to the Plan.

A Temporary Use By-Law may also be passed to permit a garden suite as set out in **Section 7.10** of this Plan.

Council may, therefore, in a By-Law passed under Section 39 of the *Planning Act*, authorize a temporary use of existing structures for any purpose set out therein. The period of time for a temporary use may be for a period of up to 20 years for a garden suite and up to three years in all other cases, both of which are renewable. Notice of a Temporary Use By-Law shall be given in the same manner as that of a Zoning By-law under Section 34 of the *Planning Act*.

As a condition of the passing of a Temporary Use By-Law for a garden suite, Council may require the owner of the suite or any other persons to enter into an agreement with the Municipality under the *Municipal Act*.

Any use introduced under such a Temporary Use By-Law does not acquire the status of a legal non-conforming use at the expiration of the By-Law(s) and at that time must, therefore, cease.

It is not the intent of this Plan that Temporary Use By-Laws be used to permit a new use while an amendment to this Plan and/or Zoning By-law is being processed to permit the use on a permanent basis. However, once a temporary use is established and it becomes apparent to Council that the use should be permitted on a permanent basis, the use may continue under a Temporary Use By-Law while any required amendments are passed.

Temporary uses are subject to site plan control where required under **Section 7.11** of this Plan.

7.10 Garden Suites – Section 39.1, *Planning Act*

For the purposes of this Plan, a Garden Suite means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability, require some support to live on their own.

Council may use a Temporary Use By-Law under the *Planning Act* to permit a garden suite for a period of up to twenty (20) years (renewable) and may require a homeowner proposing a garden suite to enter into an agreement with the Municipality under the *Municipal Act* to govern the appearance and maintenance and stipulate the removal of the garden suite when the occupant (named in the agreement) moves out, is deceased or the Temporary Use By-law expires.

It is a policy of Council to provide opportunities for garden suites on a site specific basis. This may be achieved through the installation of a garden suite on the same lot as the principal dwelling. In substantiating the need for a garden suite, the proponent shall:

1. Demonstrate compliance with all applicable zoning standards for lot size, setbacks and parking;
2. Demonstrate that there will be no adverse impacts to adjacent land uses (e.g. drainage, access for fire protection, barrier free access etc.); and
3. Demonstrate sufficiency of compliance to the Building Code.

Where a second unit is already present on a residential lot containing a single-detached, semi-detached or row dwelling as the principal dwelling, a garden suite is not permitted. Garden suites shall only be established under the enactment of a Temporary Use By-Law under the *Planning Act*. (See also **Section 7.9 - Temporary Use By-Law**.)

7.11 Site Plan Control - Section 41, *Planning Act*

7.11.1 Site Plan Control Area

Council may control the details and design of development proposals through the use of a Site Plan Control Area By-Law. The entire City of Pembroke shall be considered a proposed Site Plan Control Area. For the purposes of this Plan, the following land use designations and land uses shall be subject to site plan control:

1. any industrial, commercial or public service use, including a commercial parking area and any lands in these categories used for a temporary use;
2. any multiple residential use consisting of three (3) or more dwelling units;
3. a group home subject to the policies of **Section 3.8**;
4. all lands within 30 m of a water body and any lands within the adjacent lands to a natural heritage feature identified in **Section 3.4**.

Except for **Section 7.11.1 (4)** above, site plan control is not required for:

5. One and two family dwellings and buildings or structures accessory thereto that are zoned in any of the Residential Zones, in the implementing zoning by-law.
6. Additions or alterations to one and two family dwellings and to any buildings or structures accessory thereto, throughout the City.

7.11.2 Objectives and Requirements for Site Plan Control

It is the intention of Council to use Site Plan Control as a planning tool complementary to the Zoning By-law to ensure that:

1. Proposed buildings and structures are well sited vis-a-vis adjacent land uses and features.

2. Design details, such as lighting, walkways, landscaping, etc., are adequate for the uses proposed.
3. The proposed development is built and maintained as approved by Council.
4. Road allowances of adequate width are provided.

In imposing Site Plan Control, Council will seek to regulate the general site design of the property and, when appropriate, the conceptual design of all buildings and structures on the property. Site plan drawings will be requested in all cases. Floor plan, elevation and cross-section drawings of each proposed building may be requested.

Council shall require each applicant submitting such a development proposal to enter into an agreement with the Municipality as a condition to the approval of the development proposal. Where a development proposal is of a minor nature, some or all of the points listed below may be waived in the agreement. The agreement may include conditions on the following facilities and matters.

5. The construction or reconstruction of the access or egress onto all major roads or highways and any upgrading of the roads that will be necessary as a result of the increased traffic caused by the development;
6. The number and location of all off-street loading areas and parking areas to be provided within each development, and the surfacing of such areas and driveways;
7. The number, location and construction of all walkways and walkway ramps and pedestrian access points to be provided in the development and how these will eventually be connected to adjacent areas;
8. The location, number and power of any facilities for lighting, including floodlighting of the site or any buildings or structures (such as signs) thereon;
9. All grading required to be done on the property and how storm, surface and waste waters will be disposed of in order to prevent erosion, including the period during construction of the project. Plans will show the location and connections for all services to municipal services including elevations and inverts;
10. The site plan shall identify both natural heritage and natural hazard features. The techniques that are to be used on the site for landscaping of the property for the protection of adjoining lands, water bodies, illustration and conservation of natural heritage features, including the type of vegetation and techniques to be used, the existing (native) vegetation which is to be preserved, and any structures, such as walls, fences or barriers that are to be used;
11. The location, height, number and size of all residential units to be erected on the site and the method by which the development will be staged;
12. The location, height, and type of all other buildings located in the proposal;

13. Illustration of the contours and final elevations of the site on a contour interval of 1 m (3.3 ft.) or less;
14. The location and type of any facilities and enclosures for the storage of garbage and other materials;
15. The location and type of any facilities and enclosures for the storage of garbage and other waste materials;
16. The location and extent of any easements or other covenants on the land to be conveyed to the municipality or a local board for public utilities;
17. Facilities are designed to have regard for accessibility for persons with disabilities;
18. Matters relating to exterior design, including elements pertaining to character, scale, appearance and design features of buildings and their sustainable design;
19. The sustainable design elements on any adjoining highway under the City's jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
20. Provision for the City to enter into one or more agreements with applicants, to ensure that development proceeds in accordance with the matters addressed in this subsection.

In the review of Site Plan Applications, Council may circulate to municipal departments and outside agencies that are considered to have a vested interest for their comments prior to the approval of any site plan or site plan agreement.

Agreements entered into under the authority of Section 41 of the *Planning Act* may be for the provision of any or all of the facilities, works or matters as provided for in the *Act* and the maintenance thereof and for the registration of such agreements against title to the land to which they apply.

7.12 Minor Variances – Section 45, *Planning Act*

Section 45 of the *Planning Act* concerns applications to the Committee of Adjustment. The Committee, provided the general intent and purpose of the official plan and zoning by-law are maintained and that the variances are minor and desirable for the appropriate development of land, may authorize minor variances from the provisions of the Zoning By-law. The committee may also grant permission for the enlargement or extension of a non-conforming use or a change to a similar or more compatible use subject to the policies listed in **Section 7.4** of this Plan.

The Committee of Adjustment may attach such conditions as it deems appropriate to the approval of an application for minor variance. Conditions imposed by the Committee of Adjustment may include a requirement that the owner of the land enter into one or more agreements with the City dealing with some or all of the terms and conditions if the requirement is set out in the decision. Such agreement(s) may be registered against the

land to which it applies and the City is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

(Note: see also **Section 4.3.3 - Redevelopment or Change of Use.**)

7.13 Part-Lot Control – Section 50, *Planning Act*

Part-lot control may be used for existing plans of subdivision where it is necessary to realign lot boundaries, to clarify or grant title, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal development on a lot. By-laws for removal of part-lot control require approval by the City and shall conform to the intent of this Plan.

7.14 Plan of Subdivision Approvals – Section 51, *Planning Act*

7.14.1 Plans of Subdivision

The process of subdividing land into lots and blocks for various land uses is governed by the *Planning Act*. Land development shall take place primarily by plan of subdivision in Pembroke.

A plan of subdivision shall generally be required for, but not limited to:

1. Those applications for land division where three or more new lots or blocks are proposed (and subdivision by consent is not deemed appropriate).
2. Where, in the public interest, Municipal monies would be required for matters such as the extension of municipal services for water and sewer, new road construction or road maintenance.
3. Where the scale and proposed development, in the opinion of Council, may have a negative impact on the surrounding area; or
4. Where large blocks of vacant land within existing plans of subdivision or in other areas are redivided.

7.14.2 Subdivision Review Criteria

Council will evaluate applications for plans of subdivision on the basis of criteria such as, but not limited to, the following:

1. The plan of subdivision is consistent with the objectives and policies of the Official Plan, and any applicable area plan.
2. The plan of subdivision can be serviced with available uncommitted population-equivalent reserve capacity in the water and sewage treatment systems, and without requiring an undue financial commitment from the City.

3. The plan of subdivision can be adequately serviced with and makes suitable provision for municipal services including but not limited to, public streets, water, storm and sanitary sewers, waste collection and disposal, public utilities, fire and police protection, parks, schools, and other community facilities; and which, by reason of such approval, would not adversely affect the economy of the City.
4. The plan of subdivision will not normally be exposed to excessive noise levels or other significant adverse impacts associated with nearby industrial activities.
5. The plan of subdivision is designed to be integrated with adjacent lands and provides opportunities for connectivity.
6. The plan of subdivision is designed to be sustainable, to support public transit and to be oriented to pedestrians.
7. The plan of subdivision is designed to support optimization of the available supply, means of supplying, efficient use and conservation of energy.
8. Where a plan of subdivision is located adjacent to a provincial highway, it shall be designed such that lots back onto the provincial highway and front onto a local internal street.

An application for a plan of subdivision shall be in accordance with the requirements of the *Planning Act*. Additional information may be required in assessing the appropriateness and the location of the subdivision. Consideration shall be given to the requirements for an impact assessment for subdivisions proposed in the vicinity of identified natural heritage features (designated wetlands), archaeological or cultural heritage resources or natural or human-made hazards (brownfield sites). Reference shall also be made to the servicing policies of this Plan.

Council may adopt Subdivision Design Guidelines to assist in the preparation and evaluation of proposed plans of subdivisions.

7.14.3 Draft Plan Approval

It shall be the policy of Council to consider for approval, only those plans of subdivision that comply with the policies of this Plan and that, to the satisfaction of the Council, can be supplied with adequate municipal utilities and services where required by this Plan.

As a condition of draft plan of subdivision approval, the Approval Authority may require applicants to satisfy certain conditions prior to final approval and registration of the plan of subdivision, as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision.

The applicant may be required to meet conditions of draft approval within a specified time period, failing which, draft plan approval may lapse. To provide for the fulfillment of these conditions and for the installation of services according to municipal standards, the Approval Authority shall require an applicant to enter into a subdivision agreement prior to final approval of the plan of subdivision.

7.15 Consents – Section 53, *Planning Act*

Under certain circumstances, where a plan of subdivision is not necessary for proper and orderly development, a consent to a land conveyance may be granted in accordance with the following applicable consent policies.

1. Consents should be granted only in areas where the undue extension of any major service would not be required.
2. Consents should be granted only when the land fronts on an existing public road that is of a reasonable standard of construction. Consents will not be granted that have the effect of limiting access to back lands or future development or that have the effect of creating landlocked parcels for either the severed or retained lot.
3. Consents should have the effect of infilling in existing developed areas and not of extending the urban area unduly.
4. The size of any parcel of land created by such consent should be appropriate for the use proposed considering the public services available and the soil conditions and, in no case, should any parcel be created that does not conform to the provisions of the Zoning By-law.
5. Direct access from Arterial Roads should be restricted and residential lots should, where possible, have access only from internal residential roads.
6. Consents shall not be granted where the intended use will conflict with neighbouring existing or permitted land uses by reason of noise or air or water pollution.
7. The lot must meet the minimum separations distance where required, and have regard to influence area (natural heritage features) or special setback requirements (industrial uses, sewage treatment plant, flood plain, noise and vibration) where the intended use of the lot is for a sensitive land use [see definition in **Section 4.6.2 (3)**].
8. Where the potential for cultural heritage or archaeological resources has been identified, a Heritage Impact Assessment and/or an archaeological assessment will be required. The applicant should consult with the Municipality or the Ministry of Tourism, Culture and Sport (see also **Section 3.6 – Cultural Heritage and Archaeological Resources Preservation**).
9. Despite the criteria outlined in '1' to '8' above, consents may be granted for the following purposes:
 - to correct lot boundaries;
 - to convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used (retained lot);
 - to clarify title to the land;

- where the effect of the severance does not create an additional building lot;
 - to permit an easement;
 - power of sale.
10. Conditions may be imposed by Council in the granting of consents that may include, but not be limited to, the following:
- a Zoning By-law amendment or a minor variance;
 - site plan control (see **Section 7.11**);
 - the dedication of land or cash-in-lieu of parkland, or parking (see **Section 4.1.2(2)** or **4.3.4**);
 - the conveyance of land or conveyance for easements for utilities, access control or drainage;
 - the dedication of any road widenings and one-foot reserves as may be required by the City;
 - the construction or upgrading of roads or the installation of drainage facilities and culverts;
 - the establishment of buffer strips and landscaping;
 - floodproofing structures;
 - the entering into of a consent agreement, including provisions of financial guarantees;
 - a servicing agreement between the landowner and the City pertaining to any extension or upgrading of municipal services required by the City to accommodate the development of a lot created by consent;
 - demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions;
 - implementation of mitigation measures to ensure compatibility amongst land uses;
 - that the owner of the land enter into one or more agreements with the City dealing with such matters as the Consent Authority may consider necessary. Such agreement(s) may be registered against the land to which it applies and the City is entitled to enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners of the land.

7.16 Area Plans

In order to more fully develop the general policies of this Plan, detailed plans shall be produced for specific areas of activity or development such as neighbourhoods, parks, waterfront and newly-annexed areas. These plans will be adopted as Amendments to this Plan.

7.17 Municipal Expenditures

Upon the adoption of this Plan, Council and its agencies shall embark upon a financial planning program designed to ensure the most efficient programming in order to implement the policies of this Plan.

The interrelationships of the various agencies required to implement this Plan will be reviewed constantly in order to ensure maximum efficiency and utilization of funds allocated for the implementation of this Plan.

7.18 Public Notice Procedures

1. Public Notice Procedures Objectives

The objective is to provide a public participation process that allows individuals and organizations affected by an Official Plan, a Community Improvement Plan, a Zoning By-law and amendments and repeals thereto, to be made aware of planning proposals and to be provided an opportunity to express their views to Council. The requirements of the *Planning Act*, as set out in Sections 17(23), 28(4), 34(12) and 34(13), will apply to the public notification process unless such public notice is not required pursuant to **Section 7.18(7)- Exemptions** of this Plan.

2. Provision of Planning Documents

Council shall make available to the public, planning documents specified in the *Planning Act*, such as the Official Plan, Community Improvement Plans and Zoning By-laws to foster a greater awareness and knowledge of planning matters.

3. Public Participation

In order to facilitate public participation in planning issues, Council will employ appropriate methods at varying stages of the decision-making process such as, but not limited to, delegations to Committees of Council, formal and informal public meetings, open houses, workshops, displays, municipal-wide advertising, working committees, task forces, consultation with neighbourhood/ratepayers associations, and posting of affected properties.

4. Notice of Application

Within fifteen (15) days after an affirmative notice is provided for an application for Official Plan amendment, Zoning By-law amendment, or draft plan of subdivision, the City shall provide notice of the application to the persons and

public bodies prescribed under the *Planning Act*; and make the required information and material available to the public.

5. Advance Notice of Public Meeting and Open House

A Committee of Council shall hold one or more public meeting(s) at which any member of the public may express their views on a planning proposal(s). In the case of an amendment to the Official Plan, or the adoption or amendment of a Community Improvement Plan or Zoning By-law, notification of the initial public meeting shall be given a minimum of twenty (20) days prior to the date of the public meeting. For the approval or revision of a plan of subdivision, or a vacant land or common element condominium, notification of the public meeting shall be given a minimum of fourteen (14) days prior to the public meeting.

In the case of a five-year Official Plan review under Section 26 of the *Planning Act*, Council shall hold at least one special meeting of Council, notice for which must be published at least once a week in each of two (2) separate weeks, with the last publication a minimum of thirty (30) days prior to the meeting.

6. Public Open Houses

Public Open Houses shall be held for the following situations:

- a) Official Plan 5-year review updates
- b) Official Plan Amendments in relation to a Development Permit System
- c) Zoning By-law updates as a consequence of a 5-year Official Plan update
- d) By-laws relating to a Development Permit System.

The purpose of the Public Open House is to allow the public an opportunity to review and ask questions about the information and material before Council makes a decision in regard to the above scenarios. Public Open Houses shall be held no later than seven (7) days prior to the required Public Meeting. Notices of Public Open Houses shall be given pursuant to the *Planning Act*, and may be given in conjunction with Notices of Public Meetings.

7. Exemptions

Pursuant to section 17(19.3), sections 34(14.3) and (14.6), and sections 28(4) and (5) of the *Planning Act*, Council, by resolution, may forego public notification and public meeting(s) in connection with Official Plan, Community Improvement Plan and Zoning By-law amendments if such amendments relate to matters that will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and will be restricted to the following matters:

- Deleting obsolete provisions.
- Altering the number and arrangement of any provision.

- Altering punctuation or language to obtain a uniform mode of expression.
- Correcting clerical, grammatical or typographical errors.
- Inserting historical footnotes or similar annotations to indicate the origin and approval of each provision.
- Consolidating amendments.
- Transferring Official Plan, Community Improvement Plan and Zoning By-law designations to new base maps, such as the new Ontario Base maps or other maps that might be prepared in conjunction with a specific study.
- Adding technical information, such as plans of subdivision, buildings, contours and elevations to base maps.

7.19 Official Plan Review

Council shall, not less than every five years after the Official Plan comes into effect, undertake a review of the Official Plan, hold a special meeting of Council open to the public and revise the Plan, as required, in accordance with the requirements of the *Planning Act*. The revisions shall ensure that the Official Plan conforms to provincial plans, has regard to matters of provincial interest, and is consistent with the policy statements issued under subsection 3(1) of the *Planning Act*.

7.20 Development Permit System

Council may use its powers under O.Reg. 608/06 to use an enhanced Development Permit System (DPS) to address matters such as:

1. matters relating to provision of facilities and services in exchange for height and density;
2. minimum and maximum standards of development; and
3. wider scope of conditions (e.g., related to ongoing monitoring requirements for the protection of public health and safety and the natural environment).

Policies to be added by a future Official Plan amendment.

7.21 Property Standards

1. In order to further ensure an adequate and appropriate environment, Council will enforce Property Standards By-laws as provided by the provisions of the *Building Code Act* so as to remove or minimize those detracting influences that blighted buildings and structures may have on the adjoining area.

Property Standards shall be enforced for both private and public lands, and it shall be a continuing Council policy to ensure this.

Property Standards By-laws will have regard to the following.

The physical condition of yards and passageway, including:

- a) The accumulation of debris and rubbish.
- b) The adequacy of sanitation, including drainage.
- c) The physical condition of buildings, with particular regard to the following:
 - pest prevention
 - structural standards
 - adequacy of protection from weather
 - adequacy of light and ventilation
 - condition of interior walls, ceilings and floors
 - adequacy of water supply and conditions of toilet facilities
 - condition of chimneys
 - general cleanliness
 - adequacy and condition of heating system
 - adequacy of electrical and plumbing services
 - adequacy of food preparation facilities
 - adequacy of access
 - standards dealing with the maximum density of human occupancy
 - standards dealing with minimum floor spaces and room heights, etc.

2. **Municipal Lands**

In addition, Council will undertake to keep in a fit and well-maintained condition all municipally-owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, water and sewage facilities, etc.

3. **Property Standards Officer**

Council will appoint a Property Standards Officer who will be responsible for administering and enforcing the Property Standards By-Law.

4. **Property Standards Committee**

Council will also appoint a Property Standards Committee, in accordance with Section 15 of the *Building Code Act* for the purpose of hearing appeals against an order of the Property Standards Officer.

5. **Information and Education**

The measures to be used generally in achieving the property maintenance program would include an education and public relations program to show the

benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.

7.22 Legislation Pursuant to the Municipal Act

Council shall review existing legislation pursuant to the *Municipal Act* governing such uses as car washes, gasoline storage, parks, parking lots, service stations and signs and, where necessary, amend existing By-laws to ensure such uses are properly regulated and controlled.

7.23 Aboriginal Consultation

Pursuant to the Provincial Policy Statement, Council will endeavour to coordinate planning matters with Aboriginal communities to the extent possible. All planning matters shall be carried out in recognition and affirmation of existing Aboriginal and treaty rights pursuant to section 35 of the *Constitution Act, 1982*.

7.24 Complete Applications

Prior to filing a planning application, applicants will be required to meet with the City to determine the requirements for the submission of applications, which may include studies, information, fees, peer reviews, agency and public consultation, all at the discretion of the City. The type and scope of information will depend on the circumstances of the application, and will be determined on a case by case basis. The City will not consider an application complete or may refuse an application where studies or other information required by this plan or the *Planning Act* are not submitted as part of the application. Studies or information may include, but are not limited to the items listed below.

- Affordable housing market evaluation, anticipated sale price of residential units
- Contaminated land:
 - Phase 1 Environmental Site Assessment (ESA)
 - Phase 2 Environmental Site Assessment (ESA)
 - Record of Site Condition
- Drainage and/or stormwater management report for any development
- Employment area conversion study/comprehensive review
- Flood plain elevations/flood proofing plans and designs
- Geotechnical/land stability studies
- Archaeological assessment, heritage impact assessment, heritage conservation plan
- Marine archaeological assessment
- Environmental impact study for natural heritage features and areas
- Land use compatibility study, emissions study (industrial/commercial/institutional)
- Retail market analysis and/or feasibility study
- Municipal financial impact/sustainability report and/or water and sanitary sewer financial sustainability report
- Municipal services capacity study (water, sewage)
- Neighbourhood-serving use study

- Noise and/or vibration study
- Community services and facilities study
- Traffic impact study

Meeting the requirements for a complete application does not limit the municipality's authority to seek a peer review of any study submitted or to request clarification or additional studies or information needed to make a decision for the purposes of the *Planning Act*. These studies may be in addition to other requirements set out in the respective Ontario Regulations for each type of application.

SECTION 8 - INTERPRETATION

8.1 Land Use Boundaries and Roads

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

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

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

8.2 Land Areas, Population Estimates

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

Appendix A – Karst Topography Evaluation

a) Phase 1 - Desktop Study & Site Visit

A desktop evaluation and site visit, undertaken by a qualified geoscientist with knowledge and experience in identification of karst topography, shall be undertaken to determine the potential for the presence of karst hazard. The desktop evaluation shall include but not be limited to the search and review of the following information:

- i. Mapping that shows historic and present day karst, ground and bedrock topography, physiography, hydrology, Quaternary and Paleozoic bedrock geology, glacial tills and partial aquitards;
- ii. Existing engineering, geological (including oil / gas and geotechnical well records), hydrogeologic, hydrologic, geographic, agricultural studies and land use publications;
- iii. Surface water and groundwater well record data to determine the position of the water table and seasonal fluctuations, rainfall records, river discharge data, water chemistry data;
- iv. Comparison of historic and recent air photos and / or satellite imagery to determine changes in the landscape that may have resulted from karstification and subsurface drainage and / or anthropogenic changes;
- v. A visit to the property to provide comparison to historic air photo and / or satellite imagery to evaluate changes in the landscape

If the Phase 1 evaluation determines that karst is not present, no further study of karst is required in support of a Planning Act or building permit application. Should the evaluation identify the presence of karst features and / or karst terrain characteristics, a Phase 2 evaluation will be required.

b) Phase 2 – Field-Based Karst Investigation

In areas where a Phase 1 evaluation has identified the presence of karst features and / or karst formation characteristics, a field-based karst evaluation shall be required, to be undertaken by a qualified geologist.

A terms-of-reference shall be completed in consultation with the appropriate approval authority and / or any relevant agencies which outlines the investigation type that will be undertaken for the subject lands. The types of field work required will be determined based on the areal extent and complexity of the proposed development relative to the risk or potential for impacts related to karst. The types of field work that may be required include, but are not limited to, the following:

- i. Passive Geologic/Geomorphologic Methods – primarily for the detection and mapping of sinkholes and caves;
- ii. Soil Probing—to determine the risk of soil subsidence;
- iii. Rock Drilling and Well Records—to determine the karstic nature of the bedrock groundwater;

- iv. Dye-Tracer Studies– to determine the sources, speed and direction of shallow potable water movement within bedrock.

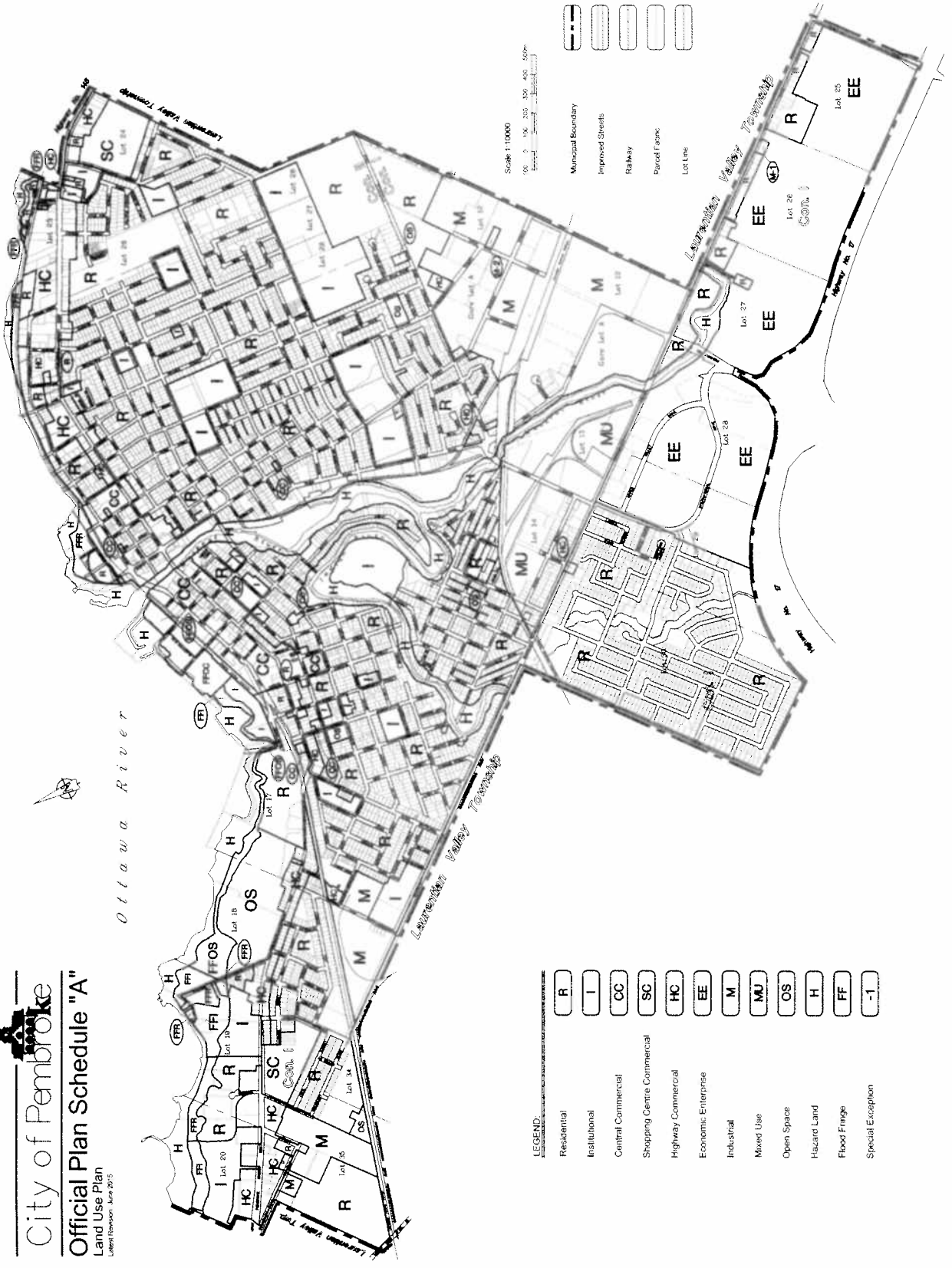
c) Phase 3 – Mitigation

In areas where a Phase 2 evaluation confirms the presence of a karst hazard, a geotechnical study and land use compatibility study shall be undertaken by qualified individuals. The studies shall be required to:

- i. Assess the impacts and risks to surface and groundwater contamination and/or construction restrictions due to unstable bedrock conditions;
- ii. Identify compatible land use activities for which the karst topography does not pose a hazard, including identifying incompatible industrial and waste management uses that may contaminate the groundwater and alter the water table;
- iii. Establish any required development restrictions including limiting extensive blasting, intensive construction that would create excessive weight, and the alteration of drainage that could compromise underlying caves or buried sinkholes;
- iv. Establish, where necessary, a karst feature buffer to restrict development around a specific hazard.”



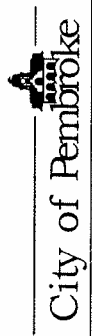
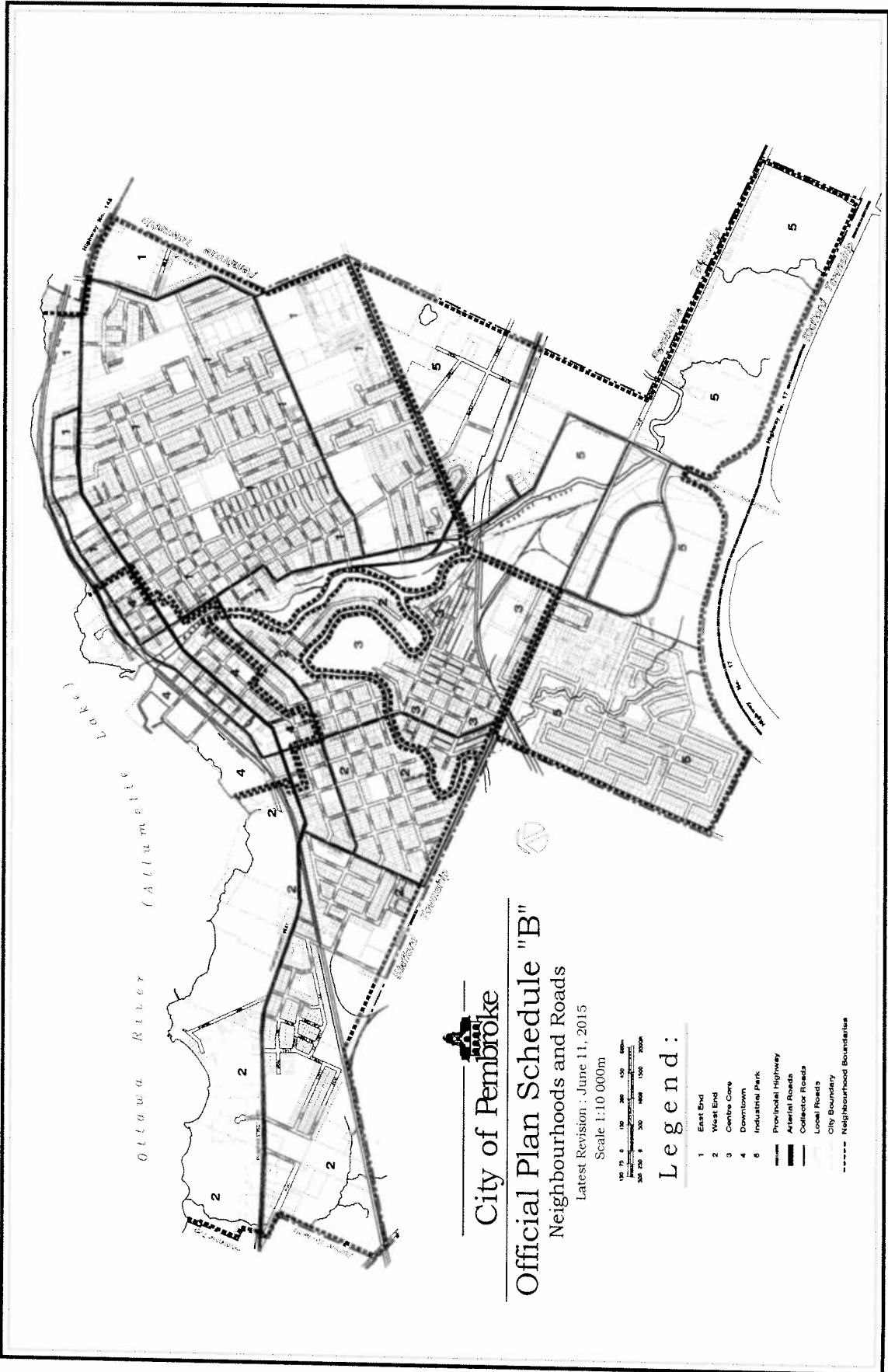
City of Pembroke
Official Plan Schedule "A"
 Land Use Plan
 LRP# 200001, June 2015



Scale 1:10000
 0 100 200 300 400 500m

- Municipal Boundary
- Improved Streets
- Railway
- Parcel Name
- Lot Line

- LEGEND:**
- Residential
 - Institutional
 - Central Commercial
 - Shopping Centre Commercial
 - Highway Commercial
 - Economic Enterprise
 - Industrial
 - Mixed Use
 - Open Space
 - Hazard Land
 - Flood Fringe
 - Special Exception



City of Pembroke

Official Plan Schedule "B"

Neighbourhoods and Roads

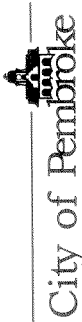
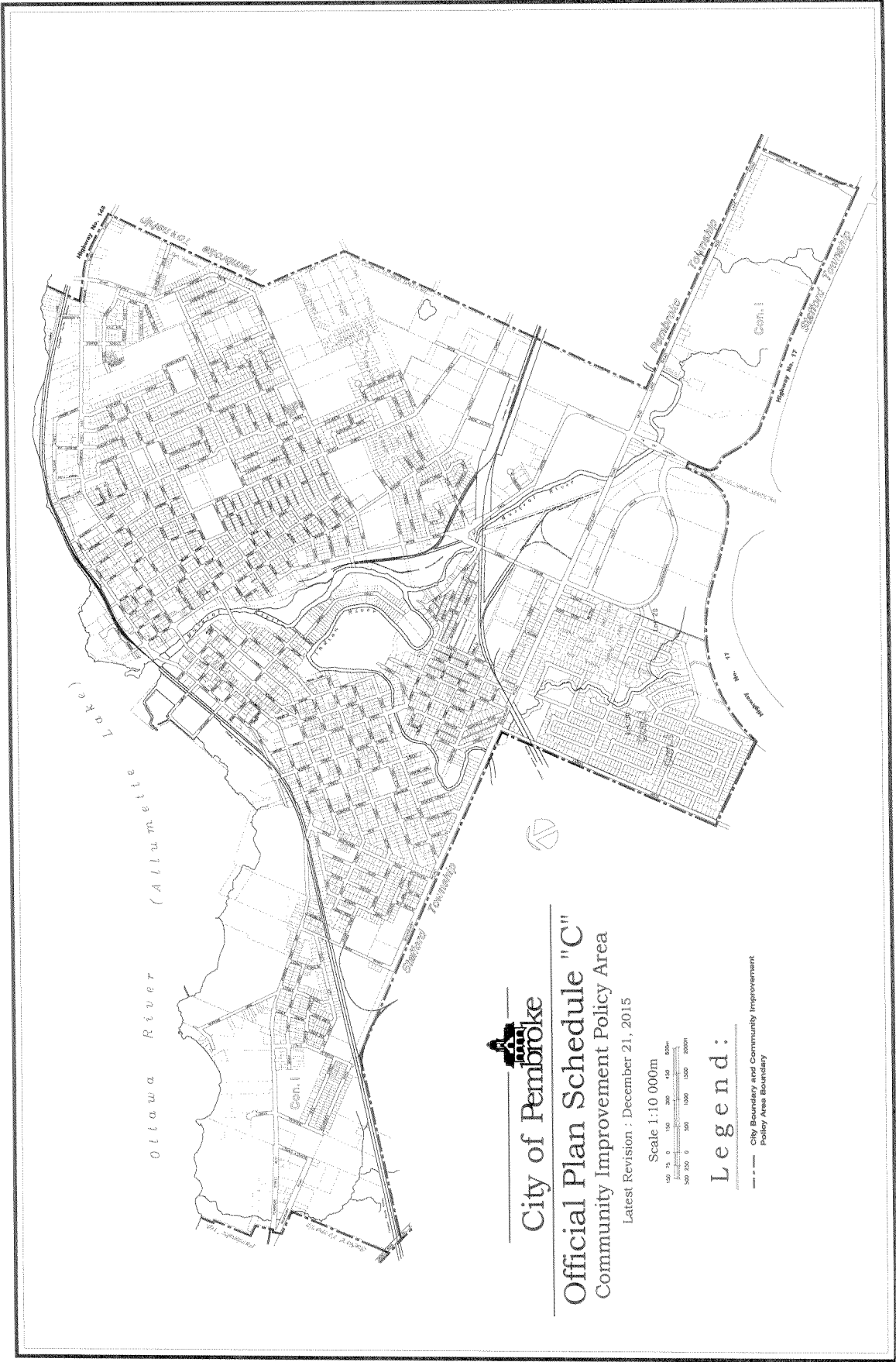
Latest Revision : June 11, 2015

Scale 1:10,000m



Legend:

- 1 East End
- 2 West End
- 3 Centre Core
- 4 Downtown
- 5 Industrial Park
- 6 Industrial Park
- Provincial Highway
- Arterial Roads
- Collector Roads
- Local Roads
- City Boundary
- Neighbourhood Boundaries



City of Pembroke

**Official Plan Schedule "C"
Community Improvement Policy Area**

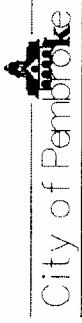
Latest Revision : December 21, 2015

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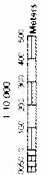
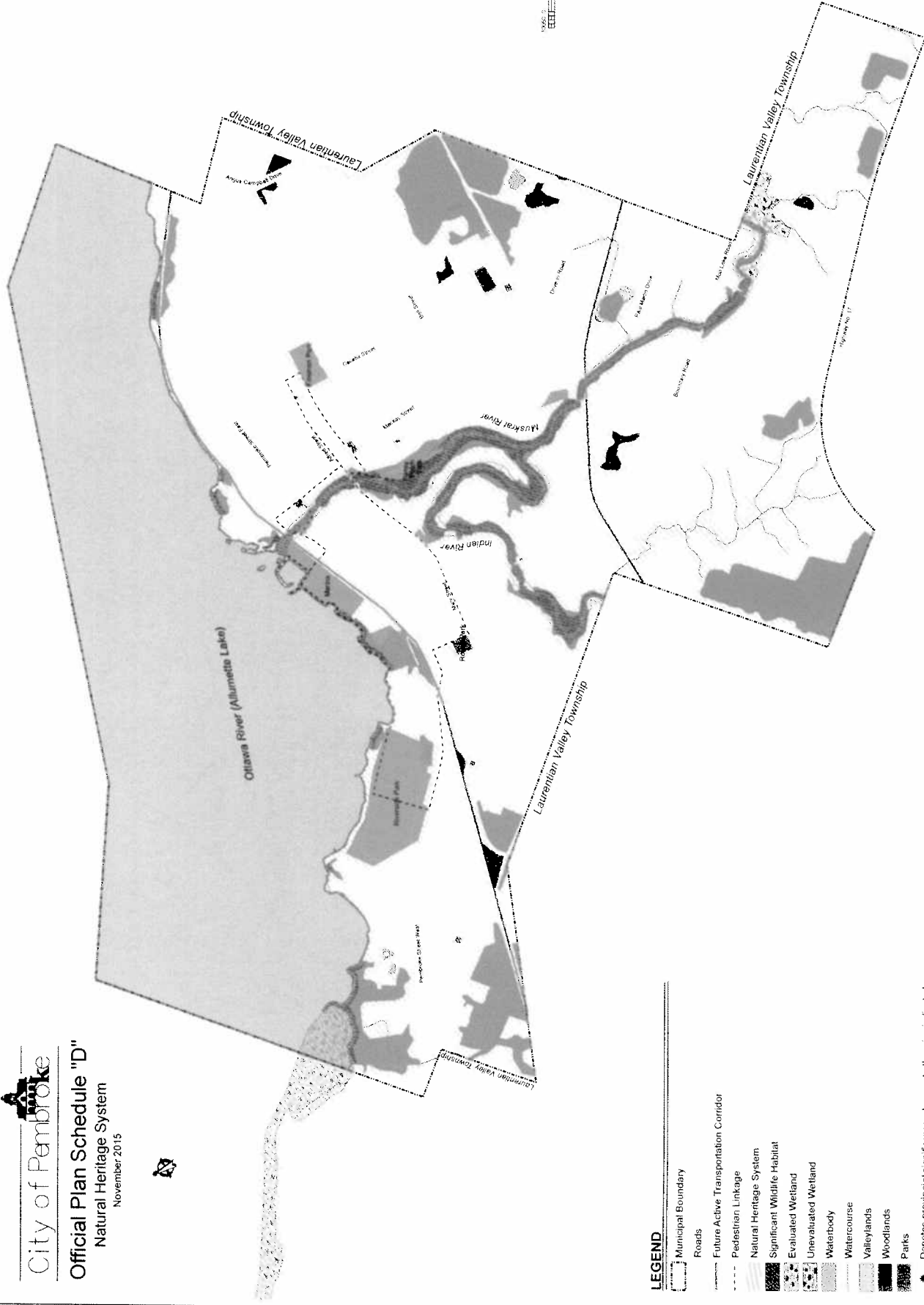


Legend:

- City Boundary and Community Improvement
- - - Policy Area Boundary



Official Plan Schedule "D"
Natural Heritage System
 November 2015



LEGEND

- Municipal Boundary
 - Roads
 - Future Active Transportation Corridor
 - Pedestrian Linkage
 - Natural Heritage System
 - Significant Wildlife Habitat
 - Evaluated Wetland
 - Unevaluated Wetland
 - Waterbody
 - Watercourse
 - Valleylands
 - Woodlands
 - Parks
- * Denotes provincial significance where not otherwise indicated

1. This map was prepared for the City of Pembroke and is not to be used for any other purpose without the express written consent of the City of Pembroke.
 2. The City of Pembroke is not responsible for any errors or omissions on this map.
 3. The City of Pembroke is not responsible for any damages or losses resulting from the use of this map.