

# DECISION

## With respect to Official Plan Amendment No. 21 to the Official Plan for the City of Quinte West Subsection 17(34) and Section 26 of the *Planning Act*

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I hereby approve, as modified, all of Official Plan Amendment No. 21 to the City of Quinte West Official Plan, adopted by By-Law No. 23-032, subject to the following modifications, with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Policy 4.3 (i) (a) is modified so that it reads:

Densities and a mix of land uses which:

- efficiently use land and resources;
- are appropriate for, and efficiently use, the infrastructure and public services facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- minimize negative impacts to air quality and climate change, and promote energy efficiency; and
- minimize conflicting land uses.
- **prepare for the impacts of a changing climate;**
- **support active transportation;**
- **are transit-supportive, where transit is planned, exists or may be developed;**
- **and are freight-supportive.**

2. Policy 5.1.4 (iii) (d) is modified so that it reads:

The development of limited commercial or industrial uses where it has been demonstrated to the satisfaction of the City through the completion of an impact analysis by a qualified professional that:

- that the land does not compromise a specialty crop area;
- there is a demonstrated need in the **2025**-year planning horizon for additional land to be designated to accommodate the proposed use;

3. Policy 5.1.4 (ix) (b) is modified by deleting in its entirety:

**~~manage forest resources in accordance with proper forest management practices in consultation with the Ministry of Natural Resources and Forestry;~~**

4. Policy 5.5.5 (ix) is modified so that it reads:

Additional **dwelling residential** units are not subject to a payment for cash-in-lieu of parkland dedication.

5. Policy 5.6.3.1 (i) (a) is modified so that it reads:

a ~~ten (15)~~ **fifteen (15)** year supply of lands to accommodate residential growth through residential intensification and redevelopment, and if required, lands which are designated and available for residential development and;

6. Policy 5.6.4 (i) is modified so that it reads:

The City will encourage a variety of forms of residential intensification within the identified planning districts as an alternative source of new and affordable housing units such as:

additional **dwelling residential** units on properties containing detached, semi-detached or townhouse dwellings, or conversions of large residential structures to multiple use in appropriate areas;

7. Policy 5.6.5 is modified so that it reads:

#### 5.6.5 Additional **Dwelling Residential** Units

Additional **dwelling residential** units are a component in the City's Intensification Strategy due to an increase in the density of existing dwellings and efficient use of infrastructure. Additional **dwelling residential** units also offer an additional housing alternative for residents, contribute to the affordable housing stock in the City and provide a housing option for seniors that allow them to maintain their autonomy.

(i) Additional **dwelling residential** units shall be permitted in addition to the primary dwelling as follows:

a. ~~Three (3)~~ **Two (2)** additional **dwelling residential** units shall be permitted on a parcel of land developed with a single detached, semi-detached, or townhouse dwelling located in an area of settlement and serviced by municipal water and sewage systems. Two additional **dwelling residential** units are permitted inside the primary **dwelling residential unit and or one additional dwelling residential unit in the primary dwelling and one additional residential unit** is permitted in an ancillary structure.

b. ~~Two (2)~~ **One (1)** additional **dwelling residential** units shall be permitted on a parcel of land developed with a single detached, semi-detached, duplex, or townhouse dwelling that is not in ~~a~~ **area of settlement area** and serviced by **private water and sewage systems or municipal water and private sewage system municipal water and sewage systems. The One** additional **dwelling residential unit** is permitted in **either** the primary **dwelling residential unit and or one additional dwelling residential unit** is permitted in an ancillary structure.

(ii) Additional **dwelling residential** units must be in compliance with the Ontario Building Code and the Ontario Fire Code.

(iii) The establishment of an additional **dwelling residential** unit must meet provisions in the implementing Zoning By-law, addressing such requirements as the maximum size of the unit and parking standards.

(iv) Additional **dwelling residential** units shall be adequately serviced. The City may require the proponent of an additional **dwelling residential** unit to demonstrate servicing capacity in support of a development application on private services. An additional **dwelling residential** unit shall be serviced by municipal water and sewage services wherever feasible.

(v) Additional **dwelling residential** units shall be subject to the following:

(i) A minimum lot size of 0.4ha is required for an additional **dwelling residential** unit to be established on private services;

(ii) An additional **dwelling residential** unit must be no larger than the primary dwelling unit;

(iii) A maximum of 1 parking space is required for each additional **dwelling residential** unit and the additional parking space is permitted to be in tandem with the parking of the main **dwelling residential** unit; and

(iv) An additional **dwelling residential** unit is only permitted on a lot with frontage onto a municipal road that is maintained year-round.

(vi) Additional **dwelling residential** units may be subject to Site Plan Control. In particular, site plan control may be required for lands where site servicing, or lot grading and drainage is a concern.

(vii) An additional **dwelling residential** unit is not permitted in the following areas:

(i) Areas that are prone to flooding or areas rendered inaccessible to people and vehicle during times of flooding;

(ii) Areas on private roads or unmaintained municipal road allowances where emergency access may be limited; and

(iii) Area Specific Policy 3A for Oak Lake.

8. Policy 5.6.8 is modified so that it reads:

The City of Quinte West is dedicated to provide for those who are in need of affordable accommodation. The provision of affordable housing not only provides options to households in terms of cost, but can support the City's Intensification Strategy by providing various forms of affordable housing that facilitate compact development, such as additional **dwelling residential** units.

9. Policy 5.6.8.2 ii) (a) is modified so that it reads:

the construction of new units, including additional **dwelling residential** units;

10. Policy 5.6.9.3 (a) is modified so that it reads:

An additional **dwelling residential** unit separate from the main dwelling unit subject to the provisions in Section 5.6.5 of this Plan;

11. Policy 5.6.9.3 (d) is modified so that it reads:

the conversion of a portion of an existing dwelling into an additional **dwelling residential** unit, subject to the provisions in Section 5.6.5 for the provision of home care by a network of paid and volunteer programs designed to aid and assist the elderly within their own home.

12. Policy 5.6.9.4 (i) is modified so that it reads:

For the purposes of this Plan, a "Garden Suite" shall mean an additional **dwelling residential** unit that is a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to a legally existing single detached residential structure and that is designed to be temporary and portable.

13. Policy 5.7.4 (iv) is modified so that it reads:

~~Mixed use development shall be encouraged through permitting, increased height and density for those projects which include both residential and commercial components in accordance with Section 12.5.7, and pursuant to Section 36 of the Planning Act. Council may pass by-laws under Section 34 of the Planning Act to impose community benefits charges against land to pay for the capital costs authorize increase in the height and density of development, otherwise permitted by the Zoning By-law, as set out in the by-law in accordance with the Planning Act and Section 12.5.7.~~

14. Policy 5.7.4 (v) is modified by deleting in its entirety:

~~Such by-law referred to in (iv) above may include provisions to permit increases in gross leasable commercial floor areas and/or lot coverage, and/or height, provided a specified number of dwelling units identified in the by-law are also included as part of the development proposal. The residential dwelling units may be in the form of apartment or condominium units either above the commercial space or in the rear half of the ground floor of the commercial establishment. Further increases in height and density may be supported for projects which include social housing units as part of the development.~~

15. Policy 5.7.4 (vii) is modified by deleting in its entirety:

~~When increases in height and density are permitted for mixed use developments, the City may require the landowner to enter into one or more agreements with the City dealing with such provisions.~~

16. Policy 5.9.4 (vi) is modified so that it reads:

The City will consider an Official Plan amendment in areas adjacent to or in known deposits of mineral aggregate resources to allow for non-aggregate related development or activities, which would preclude or hinder the establishment of new operations or access to the resources, ~~when consultation has been held with the Ministry of Mines~~, and if:

17. Policy 10.1.5.2 (i) is modified so that it reads:

The City discourages communal services and will only consider development on communal services for development of greater than ~~five (5) units~~ **six (6) or more lots or private residences** where municipal sewage and water services are not provided, and no other alternatives are available. It must also be demonstrated through an analysis of development densities and site conditions that the use of communal systems is environmentally and economically feasible.

18. Policy 10.4.6 (ii) is modified so that it reads:

Any new wrecking yards shall be located an adequate distance away from any existing or proposed residential, commercial, institutional or open space/recreational uses and any other areas where human activities or structures exist or are proposed; this shall generally not be less than 300 metres. **The City may increase or decrease this distance on a case by case basis. The Ministry of Environment, Conservation and Parks may be consulted by the proponent in the need for an air and/or noise or sewage works Environmental Compliance Approval (ECA), and the City, in consultation with the Ministry of the Environment, Conservation and Parks, may increase or decrease this distance on a case by case basis**

19. Policy 10.6.3 (xxiii) is modified so that it reads:

**The City Council shall consult engage with and consider the interests of First Nations in conserving cultural heritage resources Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.**

20. Policy 11.4 (vi) is modified so that it reads:

Schedule "F": Constraints ~~identifies human-made constraints~~ including:

- (a) Airport Policy Area
- (b) Noise Exposure Forecast (NEF) Areas
- (c) Source Protection Areas
- ~~(c)~~ Contaminated Sediment
- (d) Abandoned Natural Gas Wells
- (e) Waste Disposal Sites
- (g) Mineral Aggregate Resource Deposits
- (f) Former Mineral Aggregate Operations**

21. Policy 11.5.1 (ii) is modified so that it reads:

The creation of new lot lines within a wetland will generally be discouraged in order to keep multiple ownership of the wetland to a minimum. **The creation of new lot lines is not permitted within a Provincially Significant Wetland or Provincially Significant Coastal Wetland.**

22. Policy 11.5.3 (vi) is modified by deleting in its entirety:

~~**An Official Plan Amendment is required in order to identify any additional significant woodlands.**~~

23. Policy 11.6 (i) is modified so that it reads:

An EIS will be required where potential exists for a negative impact on significant natural heritage features and areas and/or their functions. An EIS may also be required in the absence of known natural heritage feature information, particularly in areas with known species at risk or significant wildlife habitat. If possible, it will be determined at the pre-consultation stage with the appropriate Conservation Authority (where a permit is required and the EIS comprises part of the permit application) and the City whether an EIS will be required as part of a development proposal. If an EIS is determined to be required during pre-consultation, it must be provided by the applicant as part of the complete application, as outlined in Section 12.4. The City and appropriate Conservation Authority (where a permit is required and the EIS comprises part of the permit application) may also determine that an EIS is required following the submission and review of a development application.

24. Policy 11.6 (iii) is modified so that it reads:

All EIS reports shall be approved by the City, in consultation with any other agency having jurisdiction including the Conservation Authority in accordance with any Conservation Authority regulatory requirements. ~~The appropriate Conservation Authority and if applicable, the Ministry of Natural Resources and Forestry and shall address the following:~~

25. Policy 11.7.1.2 (i) is modified so that it reads:

Development and site alteration shall not be permitted within the floodway regardless of whether the area of inundation contains high points of land not subject to flooding, or areas that would be rendered inaccessible to people and vehicles during times of flooding hazards., ~~unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the flooding hazard.~~

26. Policy 12.3 is modified so that it reads:

The Plan articulates and implements the long-range growth and development vision of the City and has been developed to accommodate the anticipated residential, commercial and industrial growth within the City over the next **2025**-year time horizon. It is not the intention of the City for the Plan to be amended from its present form unless substantial evidence is presented in support of such an amendment.

27. Policy 12.5.7 is modified so that it reads:

**12.5.7 Increased Height & Density Community Benefit Charge By-law**

The City, under the authority of the Planning Act, may ~~permit increases in the height and/or density of development beyond that otherwise permitted in a residential development, in return for the provision by by-law impose community benefits charges against land to pay for the capital costs~~ of services, facilities and matters required because of development or redevelopment as set out in the by-law. that ~~serve to benefit the public~~

**(i) Requirements**

~~The owners of the subject lands shall address one or more of the following requirements to the satisfaction of the City in order to be eligible for increases in the height and/or density of development beyond that otherwise permitted:~~

- ~~(a) affordable housing, assisted housing or housing for those with special needs;~~
- ~~(b) community facilities such as parks with a special emphasis on waterfront lands, day nurseries or community centres;~~
- ~~(c) preservation of heritage attributes of cultural and heritage resources ; or~~
- ~~(d) preservation and protection of special fishery or other significant habitat and/or wetland; or~~
- ~~(e) dedication or provision of open space, recreation facilities; waterfront lands or open space trails;~~
- ~~(f) mixed use development; and~~
- ~~(g) meeting objectives of the City's Community Improvement Plan.~~

**(ii) Zoning By-law**

~~The increased height and density provisions will be implemented through the implementing Zoning By-law. The Zoning By-law will outline the detailed development standards upon which the bonus provisions will be based and identify the areas or zone classifications where such bonus provisions may apply. In no case shall density bonuses exceed 20% of the maximum standard permitted in this Plan.~~

**(iii) Agreement**

~~The City may enter into an Agreement with the owners of the subject lands to be developed regarding the provisions for which increased height or density bonuses may be earned. Such agreements shall be registered on the title of the subject lands.~~

28. Policy 12.5.9 is modified so that it reads:

All lands within the corporate boundaries of the City of Quinte West are designated as a Site Plan Control Area. The City will control the provision of certain site related facilities and features associated with all development through the mechanism of the Site Plan Control Bylaw and Site Plan Agreements ~~as provided for~~ in accordance with Section 41 of the Planning Act.

The intent of Site Plan Control is to provide an approach to improve land use efficiency and servicing and to regulate ~~encourage a more attractive form of~~ development. The City may require, as a condition of development or redevelopment, a Site Plan Control Agreement setting out the conditions of development. The Planning Act requires proposed Site Plan Control Areas to be shown or described in the Plan. The following subsections identify the areas and uses subject to Site Plan Control, why it is required,

what the intent is and the general objectives applicable to the areas or lands adjacent to the Site Plan Control Areas.

29. Policy 12.5.9.1 is modified so that it reads:

**~~(i) Site Plan Control shall be used to protect existing uses from new development where it is likely that, due to its nature would have a detrimental physical or visual impact.~~**

(ii) Site Plan Control shall be used to ensure adherence to property development standards, to minimize land use incompatibility between new and existing development and to provide functional **and attractive** on-site facilities such as landscaping and lighting with special attention given to fences, hedges, trees and shrubs and other landscaping.

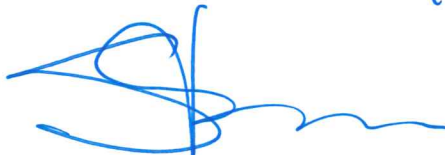
30. Policy 12.6.5 (ii) is modified so that it reads:

The City may permit flexible zoning controls, such as parking provisions ~~and increased height and density~~, where objectives of community improvement are met.

31. Policy 12.12.1.6 (xi) is modified so that it reads:

The location of non-residential subdivision development **on rural lands** shall ~~not~~ be subject to the Minimum Distance Separation (MDS) formulae **in accordance with Section 12.5.2 of this Plan.**

Dated at Toronto this 9<sup>th</sup> day of OCTOBER, 2024



Sean Fraser, Assistant Deputy Minister  
Municipal Services Division  
Ministry of Municipal Affairs and Housing