SECTION 14: IMPLEMENTATION

14.1 Zoning By-law

Following approval of the Official Plan, the Municipality shall enact new Zoning By-law provisions to implement this Official Plan.

Zoning shall be the primary means for implementing the Official Plan. As set out in Section 34 of the Planning Act, the Zoning By-law will regulate the use of land, the erection and use of buildings and structures, yard requirements, setbacks, parking and loading space requirements, and to protect significant wildlife habitat, wetlands, hazard lands, significant woodlands, and areas of natural or scientific interest.

14.1.1 Interim Control By-laws

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

14.1.2 Temporary Use By-laws

Pursuant to Section 39 of the Planning Act, the Municipality may authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the Zoning By-law. The temporary use may be initially authorized for a period of time up to three years from the date of the passing of the By-law, except in the case of garden suites which may be authorized for up to ten years. A Temporary Use By-law may be extended by By-law for further periods of not more than three years each. Upon the expiry of a Temporary Use By-law, the use authorized by the By-law shall cease, unless extended by By-law.

Where deemed appropriate by the Municipality, a Temporary Use By-law may be adopted for a purpose which does not conform to the Official Plan, provided that the long-term objectives and policy direction of the Plan shall not be adversely affected by the By-law.

14.2 Increased Height and Density Provisions

a) The Municipality may pass Zoning By-laws in accordance with the Planning Act to permit an increase in the maximum height or density of a
development, in exchange for the provision of such facilities, services or matters as are set out in the By-law.

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

i. the provision of affordable housing, assisted housing or housing for those with special needs;
ii. the provision of community facilities, such as parks, with a special emphasis on waterfront lands, day nurseries or community centres;
iii. the preservation of architectural, historic, archaeological and scenic features;
iv. the dedication or provision of open space, recreation facilities, waterfront lands or open space trails;
v. the provision of energy conservation and environmental performance measures.

c) 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 thirty-five percent (35%) of the maximum residential density permitted in this Plan for the lands in accordance with the designation as shown on Schedules ‘A’ and ‘B’ and subject policies.

d) In all cases, the facilities, services or matters provided in exchange for increased height or density of a development project shall be directly linked to the nature of the development and shall be located on the lands which are being developed.

e) The transfer of increased height and density provisions from one site to another site or from one project to another project shall not be permitted.

f) In all cases, development resulting from the application of increased height or density provisions shall meet all other applicable Zoning By-law provisions and regulations.

g) Before passing Zoning By-laws to allow an increase in height or density of a development project, the Municipality will review the implementation of increased height and density provisions of the Planning Act having regard to the following specific matters:

i. the type or types of development to which increased height or density provisions may apply;
ii. area or areas of the Municipality where these provisions may apply;
iii. the facilities, services or matters which may be provided in exchange for increased height or density;
iv. the extent of the increases in height and density which may be granted.

h) In all cases, development resulting from the application of increased height or density provisions shall be compatible with adjacent uses and meet the general intent and purpose of this Plan.

i) The facilities, services and matters which are to be provided shall be commensurate with the increased height or density which may be granted for each development project.

j) As a condition to the application of increased height or density provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the Municipality to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the increase in height or density to be given.

14.3 **Site Plan Control By-law**

For the purpose of establishing an area to be governed by the site plan control provisions of the Planning Act, the entire Municipality is deemed to be the site plan control area, subject to various zone categories to be identified in the site plan control by-law, which are generally described in Section 12.21 of this Plan.

For these areas, the Municipality may pass a Site Plan Control By-law pursuant to the *Planning Act*. Where a Site Plan Control By-law is in effect, the applicant will submit for approval such plans or drawings as required by the Municipality. The applicant may also be required to enter into an agreement with the Municipality to provide and maintain those facilities required on the site plan. Such agreements may be registered against the land to which it applies. In the review of site plans the Municipality shall consult with the appropriate government bodies to obtain their input.

14.4 **Building By-law**

A Building By-law has been passed by the Municipality pursuant to the provisions of the *Building Code Act*.

14.5 **Maintenance and Occupancy**

It is the intent of the Municipality to encourage the maintenance of the Municipality as a pleasant environment for living, working, shopping and recreation. Continued maintenance of property is essential to the welfare of the Municipality.
It is the intention of the Municipality to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of By-laws specifying standards for all properties within the Municipality for property maintenance and occupancy under the *Building Code Act*.

a) The Municipality will endeavour to support further property maintenance and safe occupancy by:

i. Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties.

ii. Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance.

iii. Maintaining municipally owned buildings, properties and community facilities, and providing or maintaining municipal services in good repair.

b) Upon adopting a Maintenance and Occupancy By-law, the Municipality will appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.

c) The Municipality will also appoint a Property Standards Committee in accordance with the *Building Code Act* for the purpose of hearing appeals against an order of the Property Standards Officer.

d) The By-law will be administered using a standard recording form for building or property condition to provide a clear and equitable procedure for evaluating building condition.

e) The Maintenance and Occupancy By-law will prescribe standards for the following matters and any others that may be considered necessary:

i. The keeping of yards, vacant lands, parks, waterfront areas, laneways and passageways, free from debris, rubbish, weeds, abandoned or used vehicles, trailers, boats, barges, mechanical equipment or similar material.

ii. The adequacy of sanitation control, including garbage disposal, sewage and drainage.

iii. The maintenance of parking and storage areas.

iv. The maintenance of all buildings and structures, including structural standards of walls, floors, ceilings, foundations, insulation, electrical systems, plumbing, heating, adequacy of protection from weather, natural lighting and ventilation, condition of chimneys, fire protection standards and general cleanliness and upkeep.

v. The maintenance of fences, swimming pools, accessory buildings and signs.

vi. The establishment of occupancy standards, including pest prevention, adequacy of food preparation facilities, access,
ventilation, maximum number of persons per dwelling unit, minimum floor spaces, and room heights.

14.6 Other By-laws

By-laws passed by the Municipality under the authority of the Municipal Act or any other Act may implement the policies of this Plan. For instance, By-laws dealing with the regulation of derelict motor vehicles, wrecking yards, pits and quarries, trailers or signs may be passed by the Municipality where considered appropriate. Any such By-law shall conform to this Official Plan.

14.7 Subdivision of Land

The Municipality will use subdivision and consent approval processes to ensure control over the subdivision of land. All plans of subdivision and consent applications must conform to the requirements of this Plan. As part of the approval process, certain requirements may be imposed as a condition to the approval of a plan of subdivision or a consent, and the owner may be required to enter into an agreement with the Municipality before final approval.

14.8 Construction of Public Works

Certain policies of this Plan will be implemented through the construction of public works. No public works will be undertaken that do not conform to the intent and purpose of the Official Plan.

14.9 Land Acquisition

The Municipality may acquire and hold land within the Municipality for the purpose of developing any feature of the Official Plan. The Municipality may also sell, lease or otherwise dispose of such land when no longer required in accordance with the Municipal Act and other relevant provisions of this Plan.

14.10 Amendments

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the Planning Act with respect to Official Plans apply similarly to amendments, including the approval of the Minister or the Ontario Municipal Board, as the case may be. When amendments are made to the Official Plan, appropriate amendments may also be required to the implementing By-laws so that any such By-law is in conformity with the Plan.
14.11 Committee of Adjustment and Land Division Committee

When a Zoning By-law is in effect, a Committee of Adjustment may be appointed to rule on applications for minor variance from the provisions of the Zoning By-law. In granting a variance, the Committee will be satisfied that such variance is minor, is desirable for the appropriate development or use of the land, building or structure, and that the intent and purpose of the Official Plan and Zoning By-law are maintained.

In addition, the Committee of Adjustment has the power to permit an extension or enlargement for a building or structure which is a non-conforming use and to grant consents for lands located within the former borders of Kemptville. The Committee will have regard for the policies of this Plan in reviewing such applications.

The Land Division Committee for the United Counties of Leeds and Grenville and the Committee of Adjustment have the power to grant consents to sever land within certain areas of the Municipality of North Grenville. In accordance with the Planning Act, Committees shall act in accordance with the policies governing consents, as well as any other relevant policies in this Plan.

14.12 Review Procedure

Council shall, not less than every five years after the Official Plan comes into effect, undertake a review of the Official Plan, hold a separate meeting 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.

14.13 Procedural Guidelines

From time to time, the Municipality may adopt procedural guidelines in order to assist the Municipality, Municipal staff and the public in effectively dealing with such matters as subdivisions, consents and site plan control. These guidelines, while not forming part of the Official Plan, will assist with its implementation.