

# DISTRICT OF MANITOULIN

**DISTRICT OF  
MANITOULIN**  
OFFICIAL PLAN



## **DISTRICT OF MANITOULIN OFFICIAL PLAN**

Approved by MMAH on October 29, 2018  
Consolidated with Modifications



**INDEX OF  
MODIFICATIONS AND AMENDMENTS  
TO THE  
OFFICIAL PLAN**

**FOR THE  
DISTRICT OF MANITOULIN  
OFFICIAL PLAN**

## **MODIFICATIONS TO THE OFFICIAL PLAN FOR THE DISTRICT OF MANITOULIN**

- M-1- Text Change      - Section C.6.3.2. on pages C-48 and C-49
- Schedule Change    - Schedule B2 & Schedule B
  - to include Lots 17 & 18, Conc. IX and
  - Lots 17, 18 & 19, Conc. X
  - (Lots 6 thru 9, Conc. VIII, and Lots 6 thru 10, Conc. IX
  - are correct)

**AMENDMENTS TO THE OFFICIAL PLAN FOR THE DISTRICT OF MANITOULIN**

<u>NUMBER</u>	<u>TYPE OF CHANGE</u>	<u>PURPOSE</u>	<u>LOCATION</u>	<u>APPROVAL DATE</u>
<b>A-1</b>	Text Change	Technical Amendment to correct Planning Board Error to Section C.6.3.2. on pages C-48 and C-49 to delete Lots 17 - 19, Conc. VIII and replace with Lots 17-19, Conc. X		
	Schedule Change	Schedules B and B2 to include Lots 17 & 18, Conc. IX and Lots 17, 18 & 19, Conc. X (Lots 6 thru 9, Conc. VIII, and Lots 6 thru 10, Conc. IX are correct)		December 2018

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## A INTRODUCTION

The Official Plan for the Manitoulin Planning Area (the “Official Plan” or “Plan”) provides the essential tools to direct future growth, development and change within the Planning Area and to create more sustainable communities for its residents. This Plan responds to future uncertainties through clear and resilient principles and policies. The Plan considers provincial legislation in context of the *Planning Act* and *Places to Grow Act* and is consistent with policies of the 2014 Provincial Policy Statement and conforms to the 2011 Growth Plan for Northern Ontario (GPNO). The Plan also ensures that the District of Manitoulin has the necessary planning framework and tools in place so that it may remain healthy, vibrant and sustainable with quality services, amenities, and a strong economy. Throughout this Official Plan, the words “District of Manitoulin” and “District” should be replaced with the words “Manitoulin Planning Area” and “Planning Area”, respectively, where they are intended to reflect the current coverage of the Manitoulin Planning Board and its Official Plan.<sup>1d</sup>

This Official Plan replaces the last provincially approved Official Plan of 1979. The new Plan incorporates policies specific to the unique challenges and opportunities for land use and development in the District, within the context of economic and demographic trends affecting Northern Ontario. The Plan guides Councils and the Planning Board in the consideration of their responsibilities, and provides direction and certainty to the citizens and businesses of the District of Manitoulin.

## **A.1 GENERAL**


### **A.1.1 THE DISTRICT**

The District of Manitoulin was defined by the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs as a “Joint Planning Area” in February 1975. On January 1, 2017, the Minister of Municipal Affairs redefined the Manitoulin Planning Area in order to remove the Town of Northeastern Manitoulin and the Islands. The Manitoulin Planning Area is defined as consisting of all of the municipalities on Manitoulin Island with the exception of The Town of Northeastern Manitoulin and the Islands, and the geographic townships and the remaining territory set out in clause (c) of paragraph 45 of the Schedule to the Territorial Division Act, R.S.O. 1990, c. T.5, as that clause read on December 31, 2002, excluding the islands annexed to the Municipality of Killarney as described in a Minister’s order dated May 1, 2000 and published in the Ontario Gazette on May 20, 2000 and that portion of the District of Manitoulin, as it existed on December 31, 2001, that was annexed to the Municipality of Killarney by a Minister’s order dated October 31, 1998 and published in the Ontario Gazette on November 21, 1998. There is provision for participation in any planning program by the several First Nations included within the District of Manitoulin. The Manitoulin Planning Area falls within the traditional territories of the Anishinabek Peoples and within the Treaty areas of Treaty No(s). 45, 45½ (1836) and 94 (1862). Certain First Nations on Manitoulin Island are also signatories to the 1990 Manitoulin Agreement. It is understood that certain Indigenous communities on the Manitoulin Islands have commenced a court action relating to Aboriginal and Treaty rights. At the conclusion of that claim, consideration will be given to further amendments to this Plan, if required.

The official plan shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act*, 1992. The Planning Board and/or its member municipalities will engage with the Indigenous community on land use planning matters. The Planning Board and/or its member municipalities will engage with the Indigenous community where the duty to consult, and if appropriate, accommodate, arises regarding Aboriginal and treaty rights.

### **A.1.2 THE OFFICIAL PLAN**

The Official Plan for the District of Manitoulin contains policies adopted by the Manitoulin Planning Board to guide and manage a pattern of development over the life of the Plan. The Plan, which has been prepared to



guide and manage development through to 2036, attempts to reflect the collective concerns and views of the many Provincial and local agencies, as well as the District's local residents and ratepayers.

The policies of this Plan provide direction regarding not only the physical aspects of development such as water and wastewater services and other infrastructure like roads, and the location of homes, industry and commercial facilities, but also the numerous environmental features that should be conserved or examined prior to permitting development to occur.

## A.2 BASIS OF THE PLAN

The *Planning Act* requires municipalities to prepare an Official Plan with a 20-year planning horizon and undertake a process to determine if the Official Plan needs to be updated in accordance with the *Planning Act*. The objectives of the process are to assess current and projected future conditions within the District, and to prepare land use policies that will enable the Planning Board to respond to those conditions. The changing demographic, economic, and environmental conditions since the last Plan's approval set the stage for preparing a new Plan for the District.

The District has unique assets that make it an attractive place to live, work and play. At the same time, municipalities in Northern Ontario face many of the same challenges: declining populations and changing industries. The Official Plan for the District recognizes both the challenges and unique opportunities within the District to create a strategy for creating new opportunities for development, and providing conditions required to attract investment to the District. Ultimately, the Plan provides policy direction with respect to the District's land use and development that is in line with relevant Provincial policy and legislation.

As part of the Official Plan process, a Background Report was prepared in order to examine past, present, and projected future conditions of the District. This Report relied on multiple sources of information, including federally collected demographic information, provincial housing analyses, and locally generated studies. The intent of the Background Report was to provide a snapshot of the District's conditions, gain an understanding of its past to better project where it is going, and to identify what policies are needed to move towards a common goal.

The basis for the Official Plan is outlined as follows:

1. This Plan has been prepared in accordance with the *Planning Act*, which prescribes the contents of an Official Plan and authorizes the Planning Board to prepare an Official Plan which establishes the goals, objectives and policies to manage and direct physical change and the effects on the social, economic and natural environments of the District.
2. This Plan implements the policies of the Provincial Policy Statement, 2014, and has been developed within the context of Provincial policies to support the creation of strong communities, the wise use



and management of resources and the protection of public health and safety.

3. As required by the 2014 Provincial Policy Statement, this Plan is based on a 20-year planning horizon to the year 2036. In accordance with the *Planning Act*, the Planning Board will determine if there is a need to review the Plan at five-year intervals, and to update the Plan if necessary, in order to ensure that the Plan achieves the goals and objectives of the District.
4. This Plan conforms with the 2011 Growth Plan for Northern Ontario. It considers the Province's strategic investment areas for Northern Ontario, and responds directly to them through proposed policies.
5. This Plan is based on information and analysis presented in the Background Report, relating to transportation, housing, community facilities and servicing, land use, economic development, commercial and industrial activities, urban design, cultural heritage resources, and the natural environment.
6. As the basis for development and growth management policies, Planning Board has endorsed a 20-year population projection of approximately 8,900 people (2036), which is based on the population projections presented in the Background Report (October 2012). This population projection is designed to be flexible and responsive to changing circumstances and conditions.
7. Land that is designated for development, but currently vacant in the existing Urban Areas of the District, represents a logical location for new development and is adequate to meet the anticipated demand for future development to the year 2036. Demand for additional land designated for urban development may be evaluated at the time of this Plan's review.
8. This Plan encourages orderly development, redevelopment, infill and intensification and discourages the undue extension of municipal services and expansion of urban boundaries, consistent with the Provincial Policy Statement (2014).
9. This Plan promotes the maintenance, improvement and conservation of the cultural heritage resources of the District.
10. Land subject to environmental hazards and/or physical limitations such as poor drainage, organic soils, flood susceptibility, erosion, and steep slopes are protected in order to preserve and conserve the interconnected features of the natural environment and to avoid the potential for loss of life and economic investment.

## A.2.1 PURPOSE OF THE PLAN

The *Planning Act* states that 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” (Section 16(1)). The District is required by the *Planning Act* to conform to its Official Plan in any by-laws passed or capital works undertaken. This Plan establishes the criteria for evaluating proposals for change and growth, based on a policy-led system that focuses on the District’s long-term goals and objectives.

The Plan plays a number of essential roles in the future planning of the District of Manitoulin. Specifically, the Plan:

1. Establishes the basic land use framework for all land within the jurisdiction of the District.
2. Sets out a 20-year growth management regime for the District through to 2036.
3. Provides for the coordination of land use planning and infrastructure deployment to ensure that the District can accommodate anticipated population levels over the 20-year planning horizon to 2036.
4. Sets out policies to encourage economic development in the District, including policies for employment-based land uses, with the view to encourage synergies and collaboration between compatible businesses.
5. Guides private investment through land use and development policies to ensure efficient development approvals and administrative processes that strive to achieve the District’s goals through a number of objectives.
6. Provides policies to improve the sustainability of the District, to ensure the quality of life and to secure the health, safety, convenience and welfare for the present and future inhabitants of the District.
7. Responds to provincial policies, statements and guidelines that affect the District and appropriately incorporates them in the Official Plan.

The Official Plan is the principal land use planning document that the District uses to express its goals and objectives for development or redevelopment,

and to create a healthy, liveable, sustainable, and safe community. This Official Plan provides general policy direction and a planning framework to guide the physical, social, economic, and environmental management of the District of Manitoulin.


### **A.2.2 2036 PLANNING HORIZON**

The Official Plan for the District of Manitoulin is the primary land use planning tool used to manage growth and development within the District to the year 2036. The Plan also establishes policies that set a course for local municipal and Planning Board actions and responses for the next 20 years.

The Plan provides a framework to guide balanced decision-making in relation to the community's land use, development and growth, economic, environmental, and social goals. The Official Plan also provides a guide to other levels of government and other public agencies in the preparation of plans having an impact on the District of Manitoulin. Private interests shall also be guided by the land use and development policies of this Plan.

The policies of this Plan achieve the following:

1. Provide an overall policy framework to guide and manage the maintenance, rehabilitation, growth and development of the District in order to ensure a sustainable living environment and a quality of life that meets the needs of the community, not only over a 20-year planning horizon, but over the very long-term to the extent that is feasible. It is recognized that there are very long-term planning goals set out in this Plan that may take longer than 20 years to achieve.
2. Promote orderly growth and development in the District of Manitoulin through the logical, efficient and cost effective distribution of land uses and deployment of infrastructure that will safeguard the health, convenience and economic well-being of residents, businesses and visitors.
3. Recognize the financial position of the Planning Board and the municipalities and promote a satisfactory, long-term balance in assessment and, to the extent possible, ensure the financial sustainability of the District.
4. Establish goals, objectives and policies to reconcile existing conditions; maintain the ability of the District to provide



appropriate services; and respond to local aspirations in light of variables such as population and economic change.

5. Define the measures and means of implementing, monitoring, reviewing and updating the policies and schedules of this Plan, including, but not limited to, such matters as amendments to this Plan, secondary plans, community improvement plans, local Zoning By-laws, plans of subdivision and condominium, consents to sever land, site plan control, infrastructure and servicing, architectural control, and urban design guidelines.

Achieving the District's planning goals will require a careful balance amongst progressive economic development objectives, the imperative to conserve and enhance natural heritage, the maintenance of a healthy and vibrant community, and the establishment of a strong growth management regime.

### **A.2.3 ISSUES, GOALS, AND OBJECTIVES**

The planning framework and policies of this Plan are based on the District's fundamental issues, goals and objectives, which are identified in Table A.1 and were developed through a process that involved a reflection and interpretation of the Provincial Policy Statement. In addition, the issues, goals, and objectives were further refined based on the ideas collected from residents, the Citizens Advisory Committee, and Planning Board members and staff during the preparation of this Plan.

*Table A.1 – Official Plan Goals & Objectives*

Issue(s)	Goal(s)	Objective(s)
<b>Agriculture</b>		
<p>i. Agriculture uses have decreased over the planning period. However, agriculture continues to contribute significantly to the economy of the District.</p>	<p>i. Maintain and if possible, increase agriculture uses over the long term.</p>	<p>i. To recognize and retain agriculture on good agricultural lands and eliminate the conflict between agriculture and other land uses.                      ii. To prohibit non-agriculture development on Prime Agricultural Lands.                      iii. To discourage most forms of non-agriculture development on lands having high and moderate agricultural capacity (Classes 1 to 3 as defined by the Canada Land Inventory) and land presently used for agriculture purposes.                      iv. To discourage the fragmentation and abandonment of existing agriculture uses.                      v. To protect areas of organic soils for future use.                      vi. To encourage different types and sizes of agriculture that assist in promoting local food.                      vii. To encourage the growth of primary production agriculture in the District, expansion of agricultural infrastructure/ processing/sales, and the improvement of agriculture lands through drainage and fencing.</p>
<b>Economy</b>		
<p>i. The type and number of local businesses needs to increase to assist in attracting new people to the District.</p>	<p>i. Attract new businesses by marketing the unique attributes and workforce of the District.</p>	<p>i. To research and explore options to diversify the economy through more business development opportunities.                      ii. To market, promote and encourage the attraction and retention of more sustainable businesses.                      iii. To promote, support and encourage the existing local businesses</p>
<b>Tourism, Culture, and Recreation</b>		
<p>i. Recreational activities within the District are primarily water-oriented, which have led to the water bodies and the shorelines approaching capacity.</p>	<p>i. Maintain and, if possible, increase water-oriented and other tourism, culture, and recreation uses over the long term while minimizing impacts on the environment.</p>	<p>i. To encourage water-oriented tourism, culture, and recreation opportunities provided there are no adverse impacts on the environment.                      ii. To encourage public access to green spaces and water bodies through the retention of access by the municipalities.                      iii. To protect cultural heritage resources for the long term.                      iv. To revitalize the urban cores and waterfronts in the District.</p>

*Table A.1 – Official Plan Goals & Objectives*

Issue(s)	Goal(s)	Objective(s)
		<ul style="list-style-type: none"> <li>v. To ensure that residents enjoy a community that fosters social interaction and healthy lifestyles for all ages.</li> <li>vi. To utilize the cultural resources in the District by integrating them with the recreational opportunities provided there are no adverse impacts on the resource.</li> <li>vii. To manage, through an established policy framework, the conversions of tourist commercial uses/resorts to seasonal and permanent residential uses.</li> </ul>
<b>Natural and Human-Made Hazards</b>		
<ul style="list-style-type: none"> <li>i. There are areas located throughout the District that possess physical characteristics which could cause serious property damage or loss of life if developed upon.</li> </ul>	<ul style="list-style-type: none"> <li>i. To prevent the unacceptable risk to public health or safety or of property damage.</li> </ul>	<ul style="list-style-type: none"> <li>i. To identify all known Natural and Human-made Hazards and direct development away from these hazards, except under limited circumstances.</li> </ul>
<b>Natural Heritage Features and Areas</b>		
<ul style="list-style-type: none"> <li>i. The District has numerous areas which are environmentally fragile or special and over which controls are necessary to ensure that they are sensitively developed and/or protected.</li> <li>ii. The District's wildlife provides considerable benefit to the people of Manitoulin Island and the Province of Ontario as a whole. Human encroachment into wildlife areas and corridors, in part or in whole, could result in a severe reduction in both the quality and quantity of these benefits.</li> </ul>	<ul style="list-style-type: none"> <li>i. To maintain, restore or, where possible, enhance Natural Heritage Features and Areas in the District.</li> </ul>	<ul style="list-style-type: none"> <li>i. To direct development and site alteration away from significant wetlands, significant wildlife habitat, and significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.</li> <li>ii. To direct development away from the adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.</li> <li>iii. To maintain, enhance or, where possible, restore the diversity and connectivity of natural features in the District, and the long-term ecological function and biodiversity of natural heritage systems, recognizing linkages between and among natural heritage features and areas, and surface water and ground water features.</li> <li>iv. Direct development and site alteration away from fish habitat except in accordance with</li> </ul>



*Table A.1 – Official Plan Goals & Objectives*

Issue(s)	Goal(s)	Objective(s)
provincial and federal requirements.		
<b>Housing</b>		
<ul style="list-style-type: none"> <li>i. Much of the housing outside of the "Built-up" areas consists of scattered residential development along rural roads making the provision of services costly.</li> <li>ii. The conversion of seasonal residences to permanent homes, in many cases, provides a municipality with an extra financial burden in providing the services that are usually demanded such as snow plowing, road maintenance, police and fire protection, school bussing, etc., and particularly in areas where these services are not already being provided on a year round basis.</li> <li>iii. Soil conditions in much of the District are not conducive to conventional subsurface sewage disposal systems (septic tank and tile field) and in this respect, each lot would have to be assessed on its own merits.</li> <li>iv. Affordable and special needs housing should be considered in future planning decisions for the District.</li> <li>v. There is a significant seasonal population in the District, which is</li> </ul>	<ul style="list-style-type: none"> <li>i. To provide a variety and choice of housing types and tenures, recognizing the existing development patterns, the need to preserve agricultural lands and areas of environmental sensitivity.</li> <li>ii. To manage seasonal residential development so it will not be detrimental to the surrounding area and/or physical environment.</li> </ul>	<ul style="list-style-type: none"> <li>i. To encourage future development to occur in existing settlement areas where there is adequate servicing capacity.</li> <li>ii. To establish policies to guide growth outside of the settlement areas.</li> <li>iii. To establish minimum targets for the provision of housing for low and moderate income households.</li> <li>iv. To encourage the development of affordable and senior housing.</li> <li>v. To encourage compact forms of intensification, redevelopment and new residential development in the settlement areas.</li> <li>vi. To outline a policy framework for mobile homes; providing direction around the expansion of existing parks, the establishment of new parks, and any criteria that they must fulfill prior to approval.</li> <li>vii. To ensure that the decision to permit additional seasonal residential development will take into account:               <ul style="list-style-type: none"> <li>viii. Present and future water quality and quantity;</li> <li>ix. the current use of the resource from both a public recreational use and as a drinking water source;</li> <li>x. the interests of the people, including the local residents and people who use the water body or who are affected by its use; and,</li> <li>xi. The aesthetic and environmental implications of development on small islands.</li> </ul> </li> <li>xii. To ensure that the number of conversions of seasonal residences to permanent residences be monitored so that a municipality is not overly burdened with the extra costs of municipal services.</li> <li>xiii. To provide a set of criteria, for evaluating development applications, which reflect an overall development strategy for the District and would encourage development by plans of subdivision.</li> <li>xiv. To minimize conflicts between seasonal uses and other land uses through a development strategy which takes into consideration the optimal use of the resources of the District.</li> <li>xv. To develop criteria for the location, operation,</li> </ul>

**Table A.1 – Official Plan Goals & Objectives**

Issue(s)	Goal(s)	Objective(s)
<p>intended to increase over time. This raises a number of other issues:</p> <ul style="list-style-type: none"> <li>vi. The majority of seasonal lots have been created by consent, which may not reflect the priorities of the residents and an overall perspective for development within the District.</li> <li>vii. Public access to the lakes has been restricted by private ownership.</li> <li>viii. Seasonal development has been causing land use conflicts with agriculture uses and wildlife areas.</li> </ul>		<p>and expansion of trailer parks and campgrounds recognizing the growing importance of this sector of the tourism industry.</p>

**Employment**

<ul style="list-style-type: none"> <li>i. Youth and potentially other demographics have been leaving the District due to insufficient employment opportunities.</li> <li>ii. There are physical constraints regarding establishing a viable industry within the District.</li> <li>iii. Secondary industry (packing, processing, assembling) and tertiary industry (warehousing, distributing) would be desirable in the District and should be located where services and workers are available.</li> <li>iv. The establishment of pollution oriented industry is not in the</li> </ul>	<ul style="list-style-type: none"> <li>i. Employment opportunities will be encouraged within the District provided they do not impact the environment and the local residents.</li> </ul>	<ul style="list-style-type: none"> <li>i. To encourage the expansion of tourist facilities, including year-round operations.</li> <li>ii. To encourage, through appropriate land use policy, the development of secondary and tertiary industry in the District to bolster the economic base.</li> <li>iii. To ensure that there is an appropriate mix and range of employment areas in the District to meet long-term needs.</li> <li>iv. To ensure employment areas are located in proximity to adequate infrastructure to accommodate employment demands.</li> <li>v. To ensure major employment uses are appropriately designed, buffered and/or separated from sensitive land uses to minimized impacts on public health and safety.</li> </ul>
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*Table A.1 – Official Plan Goals & Objectives*

Issue(s)	Goal(s)	Objective(s)
best interests of the District.		
<b>Municipal Services</b>		
<ul style="list-style-type: none"> <li>i. Development pressures are strong on the fringe of built-up areas where services are available, which could create an early extension of piped services. This would be particularly true around Gore Bay, Manitowaning, Mindemoya, and Little Current.</li> <li>ii. Major development of some existing hamlets or village communities may eventually lead to the necessity of providing piped water distribution and sewage collection systems.</li> <li>iii. Some municipal services are already being shared by two or more municipalities (i.e. road maintenance and snow plowing). Additional services, such as fire protection, solid waste disposal, recreation, social services or libraries may be shared in the future to increase efficiencies.</li> <li>iv. Some existing waste disposal sites are inadequate and new sites are required.</li> </ul>	<ul style="list-style-type: none"> <li>i. To provide the residents of the District with the reasonable level of municipal services practical within the financial means of the individual municipalities.</li> </ul>	<ul style="list-style-type: none"> <li>i. To direct and accommodate growth in a manner that efficiently uses municipal sewage and water services, where available.</li> <li>ii. To provide services in a manner that sustains water resources, is financially viable and meets regulatory requirements, and protects human health and the natural environment.</li> <li>iii. To ensure that integrated servicing and land use considerations are included at all stages of the planning process.</li> <li>iv. To permit individual on-site sewage and water services where services are not available, provided that the site conditions are suitable for the long-term provision of these services.</li> <li>v. To ensure that waste disposal services are available for the District for the long term.</li> <li>vi. To develop and maintain sustainable waste and storm-water systems to support future growth.</li> </ul>
<b>Renewable and Non-Renewable Resources</b>		
<ul style="list-style-type: none"> <li>i. The full potential of the forest resources of the</li> </ul>	<ul style="list-style-type: none"> <li>i. To appropriately manage and protect</li> </ul>	<ul style="list-style-type: none"> <li>i. To direct development away from mineral resources/operations, including development</li> </ul>

**Table A.1 – Official Plan Goals & Objectives**

Issue(s)	Goal(s)	Objective(s)
<p>District cannot be determined because a forest resources inventory for the entire District does not exist.</p> <p>ii. Most of the District is under private ownership over which the Ministry of Natural Resources has little control with respect to forest management.</p> <p>iii. Hunting is important to the economy of the District.</p> <p>iv. There appears to be considerable potential for the extraction of mineral resources within the District. Their long term potential should not be compromised by uncontrolled development on the lands where these resources are located.</p> <p>v. The entire District has been designated under the <i>Aggregate Resources Act</i>.</p>	<p>renewable and non-renewable resources for the long term.</p>	<p>and activities that would hinder expansion or continued use, or be incompatible for reasons of public health, safety or environmental impact.</p> <p>ii. To identify all mineral aggregate resources and deposits so they may be protected from development.</p> <p>iii. To rehabilitate mineral aggregate resource lands, recognizing the interim nature of extraction.</p> <p>iv. To direct development away from ground and surface water resources due to their importance for drinking water</p>

**Transportation**

<p>i. There is one road connection to the mainland via the bridge in Little Current.</p> <p>ii. Ferry service to South Baymouth from Tobermory has capacity and frequency limitations which restrict access to the Island.</p> <p>iii. Air access for the District is constrained by the lack of commercial service and its connection to</p>	<p>i. To improve access and the transportation system as a whole within the District.</p>	<p>i. To facilitate the safe and efficient movement of goods and people.</p> <p>ii. To maintain and improve connectivity within the District and jurisdictional boundaries.</p> <p>iii. To make efficient use of existing and planned infrastructure.</p> <p>iv. To identify parking and traffic policies in the built up areas.</p> <p>v. To guide the use and expansion of the airports/ports and identifying them as potential transportation hubs.</p> <p>vi. To ensure that all new development has adequate access.</p>
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*Table A.1 – Official Plan Goals & Objectives*

<b>Issue(s)</b>	<b>Goal(s)</b>	<b>Objective(s)</b>
the Island and mainland. iv. There are parking capacity limits in the settlement areas which are especially noticeable in the peak tourist seasons. v. Limited road access is available to the western and central areas of the Island.		

### A.3 ORGANIZATION OF THE OFFICIAL PLAN

This Plan includes several interrelated components, which must be read together in order to determine those components and policies that have an impact on any land within the District of Manitoulin.

The Plan promotes sustainable development, by recognizing the interconnected nature of healthy communities, economic vitality and a protected natural environment, and the relationship of these matters to growth management and land use planning. The goals, objectives, and policies of the Plan, while divided into distinct sections, represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.

The Official Plan is organized into seven sections (Sections A to G):


1. Section A – Introduction is for information purposes. It provides a background and a basis as to why the Plan was prepared. Within this section important land use issues, goals, and objectives are provided, which are based on the findings from the Background Report (October 2012). The goals and objectives provide the framework within which the policies of the Plan have been prepared and should be read to understand the intent behind the policies;
2. Section B – General Policies provides detailed policies related to growth management, the District's land use structure, housing and community facilities, and renewable and non-renewable resources;
3. Section C – Land Use Policies provides the uses permitted in the various designations in the District, and the related land use policies;
4. Section D – Environment and Resource Policies provides detailed policies related to water resources, sourcewater protection, energy efficiency & conservation, natural heritage features & areas, natural heritage & open space system strategy, environmental impact studies, renewable and non-renewable resources, and risks to public health & safety;
5. Section E – Transportation and Servicing Policies provides detailed policies related to physical infrastructure. This Section discusses the water and wastewater systems, the transportation

networks, as well as other networks, corridors and facilities that help define the District's physical structure;

6. Section F – Implementation Policies describes the mechanisms and processes to implement the policies of the Plan; and
7. Section G – Interpretation Policies provides an understanding on how the Official Plan should be read including how certain words should be interpreted and how they may be defined.

The Plan is supported by the following schedules, which are described in the policies in order to enhance an understanding of the Plan:

- Schedule A – Community Structure;
- Schedule B – Land Use Key Plan;
- Schedule B1 – Cockburn Island;
- Schedule B2 – Dawson and Robinson Townships;
- Schedule B3 – Burpee and Mills Townships;
- Schedule B4 – Gordon and Barrie Island Townships;
- Schedule B5 – Billings Township;
- Schedule B6 – Central Manitoulin;
- Schedule B7 – Tehkummah Township;
- Schedule B8 – Assiginack Township;
- Schedule B11 – Manitowaning;
- Schedule B12 – Mindemoya;
- Schedule B13 – Gore Bay;
- Schedule C – Transportation;
- Schedule C2 – Transportation – Gore Bay Urban Area;
- Schedule C3 – Transportation – Manitowaning Urban Area;
- Schedule C4 – Transportation – Mindemoya Urban Area;
- Schedule D – Natural Heritage Features and Areas;
- Schedule D1 – Cockburn Island;
- Schedule D2 – Dawson and Robinson Townships;
- Schedule D3 – Burpee and Mills Townships;
- Schedule D4 – Gordon and Barrie Island Townships;
- Schedule D5 – Billings Township;
- Schedule D6 – Central Manitoulin;

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- Schedule D7 – Tehkumma Township;
  - Schedule D8 – Assiginack Township; and
  - Schedule E – Development Constraints.

## **B GENERAL POLICIES**

Providing a clear policy framework to guide the District's growth strategy, community structure, housing, economic development, and community revitalization is a key role of this Plan. Furthermore, ensuring appropriate and strategic policy direction for guidance is vital to assisting the Planning Board in evaluating various competing and/or opposing demands that require an alternative approach to the policy direction provided in this Plan.

When amendments to the Official Plan are contemplated in the future, attention is to be paid to this Section's policies, which set out the Planning Board's strategic approach to managing growth, community structure, housing and community facilities, economic development, and community revitalization. The general policy direction provided in relation to these topics includes planning principles, which will guide future land use decisions in a way that will support the District's sustainable future.

The Indigenous communities of Aundeck Omni Kaning, M'Chigeeng, Sheguiandah, Sheshegwaning, Whitefish River and Zhiibaahaasing First Nations and Wiikwemkoong Unceded Territory form an integral part of the economic, cultural and social fabric and history of Manitoulin Island. This Official Plan recognizes their interests in being regularly involved in land use planning processes and decisions on the Island. The Planning Board and its member municipalities will work cooperatively with the Indigenous communities on land use planning matters, as articulated in Sections F3.1 Cross-Jurisdictional Coordination and F.5 (b) Indigenous Engagement in the Planning Process.

## **B.1 MANAGING GROWTH**

Growth in the District will be managed by directing future development to Urban Areas, thereby optimizing the use of existing infrastructure, creating a vital and compact community, and protecting the natural environment. The District's Urban Areas will be the focus of growth with a range of land uses and opportunities for intensification, infill and redevelopment that can accommodate the anticipated growth to 2036. Schedule A and the related policies identify the fundamental community structure of the District and provide guidance for long-term growth over the planning horizon to the year 2036.

### **B.1.1 GROWTH PROJECTIONS**

The District's population, household, and employment growth projections in the October 2012 Background Report provide updated information with respect to population, household, and employment growth, as well as the associated land needs within the 20-year (2036) planning horizon.

The Planning Board and municipalities should plan for a population of approximately 8,900 residents in 2036 (a net increase of approximately 530 residents from 2011). As a result of this growth, the Planning Board and municipalities should also plan for a corresponding increase to the number of required dwellings (by approximately 220) in 2036. While the District's overall population is projected to increase, the working population (ages 15-69 years) is expected to experience a slight decrease. Consequently, employment is projected to reflect the slight decrease (by approximately 420) in 2036 (based on 2009 population projections and the 2010 employment participation rate of 55.8%). Population growth projections, which are based on the 2011 Census Profile and 2010 Ministry of Finance population projections for the District of Manitoulin, as well as dwellings and employment projections, are provided in Table B.1.

It will be the policy of the Planning Board that:

1. The population, dwellings, and employment projections in Table B.1 will form the basis for planning and growth management activities, in particular the establishment of land needs to accommodate growth.
2. The projections are partially dependent on factors outside of the control of the Planning Board and municipalities. Consequently,



planning and growth management activities within the District will ensure flexibility to accommodate growth, while avoiding inefficient and costly development patterns.

3. The Planning Board will monitor population and employment forecasts on an on-going basis in accordance with policies of Section F.2 of this Plan.

*Table B.1 2036 Growth Projections*

Year	Population	Dwellings	Employment
2011	8,350	3,710	3,370
2016	8,470	3,760	3,350
2021	8,610	3,820	3,290
2026	8,730	3,870	3,220
2031	8,810	3,910	3,050
2036	8,880	3,940	2,950

*Sources: Statistics Canada estimates, 2009; Ministry of Finance projections, 2010; and MMM Group Limited, 2012.*

*Notes: 1. Population as of July 1;  
2. Figures may not add to totals due to rounding; and  
3. Figures account for projections in the Town of Northeastern Manitoulin and the Islands in addition to the municipalities and unincorporated territories covered by this Plan.*

## B.2 COMMUNITY STRUCTURE

The District of Manitoulin is comprised of a large geographic area containing a number of communities within Urban Areas, Village Areas, and Shoreline Areas, which have resulted from historic growth and settlement trends. The Official Plan recognizes the District's unique challenges and its need for sustainable growth. In turn, the Plan promotes a comprehensive community structure that will serve as a framework to appropriately manage and guide future growth and development towards urban areas where appropriate. The Planning Board intends to monitor growth with the intent that 60% or more of residential lot creation will occur within Settlement Areas.<sup>8</sup>

The community structure for the District promotes the creation of complete communities, which meet immediate and future needs by providing access to a full range and mix of housing, employment and shopping opportunities, a range of local community services and facilities, recreational and open space opportunities, convenient transportation choices, and protection and enhancement of agricultural and natural resources.

This Section identifies community structure policy areas which provide guidance on the overall growth management and community structure for the District. Schedule A illustrates the planned community structure for the District over the planning horizon. Furthermore, there are several policy areas that overlay the land use structure, including the detailed land use designations described in Section C, the Natural Heritage Features and hazard constraints described in Section D, and the servicing systems and transportation networks outlined in Section E.

The growth management strategy and land use structure for the District is comprised of the following land use policy areas:

- Urban Areas;
- Village Areas; and
- Shoreline Areas.

This Plan recognizes the interrelationship between infrastructure planning and land use planning in managing and directing growth. The servicing hierarchy associated with the community structure is outlined in more detail in Section E.2 of this Plan.

Table B.2 identifies the District’s Urban Areas and Settlement Areas and their associated Land Use Policy Areas: Urban Areas; Village Areas; Shoreline Areas; Agriculture Areas; and Rural Areas. Settlement Areas are the focus of growth and provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. Settlement Areas promote the development of healthy and sustainable communities through compact urban forms, efficient use of infrastructure, and the provision of a range of land uses.

*Table B.2 – Settlement Areas*

Land Use Policy Area	Settlement Area
Urban Areas	<ul style="list-style-type: none"> <li>i. Gore Bay</li> <li>ii. Manitowaning</li> <li>iii. Mindemoya</li> </ul>
Village Areas	<ul style="list-style-type: none"> <li>i. Big Lake</li> <li>ii. Blue Jay Creek</li> <li>iii. Evansville</li> <li>iv. Ice Lake</li> <li>v. Kagawong</li> <li>vi. M’Chigeeng</li> <li>vii. Manitou River</li> <li>viii. Poplar</li> <li>ix. Providence Bay</li> <li>x. Sandfield</li> <li>xi. South Baymouth</li> <li>xii. Spring Bay</li> <li>xiii. Tehkummah</li> <li>xiv. Tolsmaville</li> </ul>

### **B.2.1 URBAN AREAS**

The Urban Areas within the District function as centres for growth, development and urban activities. Urban Areas will be the focus of residential, commercial, community-related employment, institutional, entertainment, cultural, recreational and open space uses, but not including heavy industrial uses. Urban Areas will support opportunities for development by way of plans of subdivision and consents where appropriate within the community’s local context.

It shall be the policy of the Planning Board and municipalities that:

1. Urban Areas are illustrated on Schedule A. The Urban Areas will be the focus of growth and will accommodate the fullest range and mix of residential, commercial, community-related employment, institutional, entertainment, cultural, recreational and open space uses available in the District, subject to the policies of this Plan, including the land use designations of Section C, and the servicing capacity and infrastructure availability required in Section E of this Plan.
2. It is anticipated that there is sufficient land designated to accommodate the projected growth and development within the 20-year planning horizon to 2036; however, the Planning Board will work with municipalities to continue to monitor the land supply and identify appropriate parcels for future growth should the land supply be unable to accommodate growth within the planning horizon. If any Urban Area lacks sufficient land at any point during the planning horizon, the Planning Board may initiate a Comprehensive Review, in accordance with the policies of Section B.1 to investigate an urban expansion.
3. The Planning Board and municipalities will identify and promote intensification, infill and redevelopment of designated and vacant and/or underutilized sites, and areas in transition in the Urban Area, taking into account existing building stock and the availability of suitable existing or planned infrastructure and public service facilities to accommodate projected needs.
4. As it is anticipated that sufficient land has been designated to accommodate Urban Area growth and development, Urban Area expansions are not contemplated within the planning horizon. Expansions of the Urban Area will only be considered through a comprehensive review of this Plan where it has been demonstrated by the proponent that:
  - a. sufficient opportunities for appropriate growth are not available within the Urban Area to accommodate projected needs over the planning horizon within the District, or sufficient opportunities for growth are not available as a result of locational or economic considerations;
  - b. opportunities for intensification, infill and redevelopment have been considered in evaluating alternatives to an Urban Area expansion, in accordance with policies of Section E.2 of this Plan;

- c. the amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the District as a whole, and the population and employment projections for the District;
- d. the proposed expansion is a logical extension of the Urban Area and will be serviced by full municipal sanitary sewage, stormwater management and potable water services, to the satisfaction of the Planning Board, in accordance with the policies of Section E.2;
- e. the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features and Areas;
- f. the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
- g. suitable community and public facilities are available, or can be provided to accommodate the expansion area;
- h. a suitable plan for phasing, financing and constructing of the infrastructure for the expansion area is developed;
- i. the proposed expansion will not negatively impact cultural heritage resources;
- j. cross-jurisdictional issues, as described in this Plan, have been considered; and
- k. should additional lands be required to meet development demands, consideration will first be given to re-designating Future Development Areas to meet the demand. In approving an Official Plan Amendment to re-designate Future Development Area lands, the municipality will consider the following:
  - i. the need for additional land, if it is to be used for residential purposes;
  - ii. the use for which the land is needed and compatibility with existing and future adjacent uses;
  - iii. the need for and availability of municipal water and sewer services;
  - iv. a Servicing Options Study;
  - v. the adequacy of road access;

- vi. the need and cost to extend other services;
- vii. the potential impact of the development on natural resources; and
- viii. the potential impact on the ability of the remaining Future Development Area lands to develop in an efficient manner.

### **B.2.2 Village Areas**

Village Areas include small villages and settlements that provide limited residential, commercial, institutional and recreational services to the surrounding rural areas. Village Areas may continue to experience limited growth through appropriate infilling and development of vacant lands. For the purposes of this Plan, 'infilling' refers to the development or redevelopment of existing vacant and/or under-utilized lots. Limited growth should support the rural character and evolving role of the Village Areas as a service and residential centre in recognition of changing social and economic conditions. It is anticipated that sufficient land has been designated to accommodate growth and development in Village Areas, therefore, expansions to Village Area boundaries are not contemplated within the planning horizon. Where municipal services are available in accordance with the policies of Section E.2, expansions to the Village Area boundaries may only be considered through a comprehensive review.

The following polices will apply to the Village Areas:

1. Locations of Village Areas are shown on Schedules A, B, and Sub-Schedules B1 to B13. Village Areas may continue to experience limited growth through infilling, in accordance with the policies of Section E.2, and development of vacant lands by way of consents or plans of subdivision as appropriate. Where municipal services are available in accordance with the policies of Section E.2, expansions to the Village Area boundaries may be considered through a comprehensive review of this Plan.
2. Village Areas will maintain a rural settlement character and evolve as service and residential centres for their surrounding rural areas. Village Areas may accommodate a range of residential, commercial, institutional and recreational services.
3. The Planning Board will monitor and review the Village Areas on an on-going basis to ensure that they are appropriately managed and the policies of this Plan are fulfilled. It is anticipated that sufficient land has been designated to accommodate Village

Areas growth and development, therefore, expansions to the boundaries of Village Areas are not contemplated within the planning horizon. A proposal to expand the boundaries of a Village Area will only be considered through a comprehensive review of this Plan. A comprehensive review is an Official Plan review that may be undertaken at any time by the Planning Board or an Official Plan Amendment initiated or adopted by the Planning Board in accordance with the policies of Section F.2, and only where it is demonstrated that:

- a. there is a need for the amount of land included in the proposed expansion area in the context of the supply of designated and available land to accommodate proposed growth in the District within the planning horizon;
  - b. the expansion is a logical extension of the Village Area and is compatible with existing development and avoids linear development land use patterns along roads or watercourses;
  - c. appropriate sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section E.2;
  - d. the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
  - e. the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
  - f. suitable community and public facilities are available, or can be provided to accommodate the expansion area;
  - g. where Agriculture Areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
  - h. the proposed expansion will not negatively impact cultural heritage resources; and
  - i. the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Village Areas on Agriculture Areas are mitigated to the extent feasible.
4. Full municipal sanitary sewage, stormwater management and potable water services are the preferred means of servicing within



the Village Areas, where full municipal services exist. Development within the Village Area will be subject to policies of this Section and Section E.2 of this Plan.

5. For the purposes of the Plan, all cemeteries within the District will be classified as a Type B land use under the Minimum Distance Separation Formulae.
6. For Village Areas where full municipal services do not exist, development will only be permitted on partial services within the existing Village Area to:
  - a. address failed individual on-site sewage and individual on-site water services within existing development;
  - b. allow for infilling and rounding out of existing development provided that the development is within the reserve sewage system and/or reserve water system capacity; and
  - c. provided site conditions are suitable for the long-term provision of such services.
7. The municipalities may use their zoning by-laws to differentiate between types of Village Areas and further define the nature of development and land uses to be permitted.

### **B.2.3 SHORELINE AREAS**

Shoreline Areas consist of concentrations of residences and recreational camps that have historically been developed along, or in proximity to, the Lake Huron shoreline and inland lakes. Shoreline Areas generally reflect the extent of the existing development patterns. Expansions to Shoreline Areas are not contemplated within the planning horizon; however, proposed expansions to Shoreline Areas may be considered through an Official Plan Amendment. Expansions to Shoreline Areas that promote strip development where it results in the fragmentation of Rural or Agriculture Areas will generally not be permitted.

The following policies apply to Shoreline Areas:

1. Locations of Shoreline Areas are illustrated on Schedule A. Shoreline Areas will accommodate predominately existing residential, commercial, recreational and open space, and related uses.
2. Limited growth and development may be accommodated through appropriate infill, in accordance with the policies of Section E.2, and



through the development of vacant lands in accordance with the following:

- a. environmental policies of Section D are complied with; and
  - b. an appropriate servicing system is provided in accordance with policies of Section E.2.
3. Expansions to Shoreline Areas will only be permitted through an Official Plan Amendment in accordance with Section F.2.1 of this Plan. An Official Plan Amendment initiated by a proponent and/or the Planning Board or municipality will be justified in accordance with the policies of Section F.2.1, and only where it is demonstrated that:
- a. there is a need for the amount of land included in the proposed expansion area in the context of the supply of designated and available land to accommodate proposed growth in the District within the planning horizon;
  - b. the expansion is a logical extension of the Shoreline Area, compatible with existing development, and does not result in the fragmentation of lands designated as Rural Area or Agriculture Area;
  - c. appropriate municipal sanitary sewage, stormwater management and potable water services will be provided, to the satisfaction of the approval authority having jurisdiction, in accordance with the policies of Section E.2;
  - d. the land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;
  - e. the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
  - f. suitable community and public facilities are available, or can be provided to accommodate the expansion area;
  - g. where Agriculture Areas are included, they are lower priority agricultural land, or there are no reasonable alternatives to agricultural lands;
  - h. the new lands will not negatively impact cultural heritage resources; and

- i. the proposed expansion satisfies the Province's Minimum Distance Separation Formulae and impacts from new or expanding Urban Areas on Agriculture Areas are mitigated to the extent feasible.
- 4. Development will be permitted in existing Shoreline Areas on private water and sewer services only if the site conditions are suitable for the long-term provision of such services, in accordance with Section E.2.
- 5. Notwithstanding Policy B.2.3(4), the Sunsite Estates, which is serviced on a piped water system, development may proceed on municipal services where capacity is available. Where the water system is unable to service the proposed development, development will be required to provide adequate private services that satisfy the criteria of policy B.2.3(4), the policies of Section E.2, and the Province.
- 6. The Planning Board and municipalities will promote opportunities for public access to the waterfront and the development of a waterfront trail system and open space linkages along Lake Huron and Shoreline Areas throughout the District.
- 7. Development within Shoreline Areas will be subject to servicing policies of Section E of this Plan.

#### **B.2.4 CROWN LAND**

Water lots and the beds of navigable waters are predominantly Crown Land regulated under the *Public Lands Act* and administered by the Province. Any construction of or alteration to a building on or above Crown Land requires a work permit issued by the Province, and potentially a form of occupational authority under the *Public Lands Act*.

It shall be the policy of the District that:

- 1. Development on or above the bed of navigable waters will be reviewed and approved by the Province.
- 2. Where ownership is unconfirmed, the potential ownership of lands by the Crown will be explored.
- 3. Future releases of Crown land are determined by the Province and will be guided by the policies of this Plan. In this regard, the following items are viewed by the Planning Board and the municipalities as critical to the long term implementation of the policies of this Plan.

The Province is encouraged to consider the following when disposing of Crown land:

- a. Proposed new lots or use areas created through Patents, Land Use Permits, Leases or Letters of Authority will meet the minimum standards of this Plan and the implementing Zoning By-laws.
- b. Proposed new uses will be consistent with the intent of the settlement hierarchy and land use policies of this Plan, particularly as they relate to servicing, transportation access, and character of the area.
- c. Where lots have been created by MNR and accessed over Crown Land, the municipality will not be obligated to assume any road accessing said lot(s), or provide any services thereto, unless it has been negotiated between all parties. If the municipality chooses to assume the road, it will not create a financial burden on the municipality and the road will be brought up to the standard applicable, and at no cost, to the municipality.

## **B.3 HOUSING AND COMMUNITY FACILITIES**

Planning for the human environment promotes the community's quality of life and ensures that housing for special needs of socio-economic groups such as seniors, the physically challenged, and low-income persons are being met. Furthermore, it provides adequate opportunities for education, recreation and the arts.

### **B.3.1 HOUSING**

The provision of housing is an essential part of planning in the District. There are many factors that affect supply and demand in the housing market, and only some of them can be managed by the municipalities. The Planning Board and municipalities may influence the location, timing and scale of development through the provision of infrastructure and the review of residential development proposals. It is desirable to have close cooperation between all levels of government and the private sector in order to provide for sufficient, diverse and affordable housing, and a stable residential housing market.

#### **B.3.1.1 SUPPLY OF LAND FOR HOUSING**

The following policies apply to the supply of land for housing:

1. At all times, the Planning Board will maintain the ability to accommodate residential growth for a minimum of 10 years through

intensification and infill development and land which is designated and available for residential development. Additionally, the Planning Board and municipalities will ensure that where new development is to occur, land with servicing capacity is available to provide at least a 3 year supply of residential units in draft approved and registered plans, or in cases of residential intensification and redevelopment, land appropriately zoned in the Zoning By-laws and available for development or redevelopment.

2. The Planning Board and municipalities will work with proponents to ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs will be encouraged.

#### **B.3.1.2 AFFORDABLE HOUSING**

The provision of housing that is affordable and accessible to low and moderate-income households will be a priority. A housing strategy may be completed by the Planning Board and/or municipality, in consultation with the Manitoulin-Sudbury District Services Board (DSB) to establish an appropriate target for the provision of housing to be affordable to low and moderate-income households.

The following policies apply to affordable housing:

1. The Planning Board and municipalities will work with proponents of development, where appropriate, to ensure that a portion of new housing is affordable, as defined in this Plan, and available and accessible to a broader range of demographics in the population, including younger workers and families, lower-income seniors, and renters, and that a supply is maintained.
2. The Planning Board will encourage the provision of affordable housing through:
  - a. supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, redevelopment and residential intensification, where practical;
  - b. providing infrastructure in a timely manner;
  - c. supporting the reduction of housing costs by streamlining the development approvals process;

- d. negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;
  - e. considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form; and
  - f. considering developing a Municipal Housing Strategy with the DSB that will outline annual housing targets, mixes of housing types, affordability thresholds and related data.
3. The municipalities may adopt a Municipal Housing Facilities By-law to develop affordable housing as a “community facility” under the *Municipal Act*. In an effort to facilitate affordable housing the municipalities may:
- a. enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing;
  - b. use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing; and
  - c. enter into public/private partnerships for the provision of new affordable housing.
4. The Planning Board will encourage innovative and appropriate housing development that exhibits design, efficiency, and adaptability characteristics, and may represent non-traditional additions to the District’s housing stock.
5. The Planning Board will actively discourage the conversion of affordable rental housing stock to a condominium if such conversion results in a reduction in the amount of rental housing available to an unacceptable level, as determined by the Planning Board, municipalities, and the DSB. However, regardless of the current vacancy rate, a conversion will be considered provided the following conditions have been met:
- a. 75% of the existing tenants in a development, which is proposed to be converted, have signed an agreement to purchase their units;
  - b. when an application has been made for condominium approval, all tenants will be given notice by the developer, by registered mail, that the development is being considered for condominium

- approval. All existing tenants are to be given first right to purchase their units at a price no higher than that price for which the units are offered to the general public;
- c. the proposed condominium development is inspected, at the expense of the developer, by a qualified professional engineer licensed in Ontario, and a report is submitted to the Planning Board, describing the condition of the building and listing any repairs and improvements required to ensure that it complies with all applicable Provincial and Municipal regulations. These repairs and improvements will be made a condition of draft approval; and
  - d. Parkland is dedicated, in accordance with Section F.4.14, where no parkland was previously dedicated at the time of construction.
6. The Planning Board will encourage that affordable housing be considered when opportunities for redevelopment become available. This includes the redevelopment of existing single-use and underutilized areas with full municipal services, such as shopping plazas, business and employment sites and older commercial and residential areas, especially where the land is in close proximity to community facilities. Special attention will be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses.
  7. The Planning Board will encourage municipalities to develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures, except in locations serviced by individual or communal sewage disposal systems. The Planning Board may also coordinate the development of such zoning provisions.
  8. The Planning Board and municipalities will first consider surplus municipal land for affordable housing. Furthermore, the municipalities will work with other levels of government to make surplus land available to providers of affordable housing at little or no cost.
  9. The Planning Board shall permit a second residential unit in a single detached dwelling, semi-detached dwelling or rowhouse or in an ancillary structure thereto.
  10. The Planning Board recognizes the value of older residential neighbourhoods and will support the maintenance and improvement of established neighbourhoods and older housing stock through



measures such as participation in Federal and Provincial government programs.

11. The Planning Board will encourage the development of low-income housing geared towards seniors, which may include lower maintenance housing types such as condominiums and townhouses.
12. The Planning Board will encourage affordable housing in a variety of building forms to meet the housing needs of the District's population in support of a broad range of employment opportunities.
13. The Planning Board will work with the DSB to ensure that 25% of new residential development will contain units that are affordable to low and moderate income households. For the purpose of this policy, low and moderate incomes means in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market, and 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.

### **B.3.1.3 SPECIAL NEEDS HOUSING**

The Planning Board and municipalities intend to improve access to housing for those people with special needs, including assisted housing for low-income people, seniors housing, as well as various forms of supportive housing, including group homes and emergency/transitional housing, subject to the policies of this Plan.

The following policies apply to special needs housing:

1. The Planning Board and municipalities will work with the Manitoulin-Sudbury District Services Board (DSB) and other agencies and local groups to assess the extent of the need for these forms of housing.
2. The Planning Board and municipalities will support community agencies interested in pursuing additional funding from the Provincial Government to address identified needs for special needs housing.
3. The Planning Board and municipalities will support the distribution of special needs housing provided by community groups.
4. The Planning Board and municipalities will work with DSB and other agencies and providers of housing for those people with special

needs to assist in identifying lands that are available and suitable for special needs housing.

5. Group homes are defined as a single housekeeping unit in a residential dwelling. The home is licensed or approved under provincial statute. Group homes will be compatible with adjacent uses.
6. When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a group home, hostel, temporary shelter, emergency shelter or other similar form of special needs shelter, the Planning Board and municipalities will be satisfied that:
  - a. the traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent land uses, particularly residential uses;
  - b. the facility is of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;
  - c. the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-laws, including those related to parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
  - d. where appropriate, a licence has been granted by the licensing Provincial or Federal agency.
7. Aging-in-place for seniors will be encouraged so that:
  - a. individuals living in a non-healthcare environment, will have access to municipal services and amenities so that they may carry out their daily life without having to relocate as their circumstances change; and
  - b. where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing is to be encouraged in residences for seniors, such as in a continuing care retirement community.
8. Long-term care facilities that meet the needs of the community will be encouraged.



9. The Planning Board and municipalities will endeavour to provide a barrier-free environment where possible.
10. The Planning Board and municipalities will have regard for requirements of the Ontarians with Disabilities Act and will work towards establishing an Accessibility Committee. This Committee will prepare an Accessibility Plan every year covering the identification, removal and prevention of barriers to persons with disabilities in by laws and policies, programs, practices and services.

#### **B.3.1.4 SECOND RESIDENTIAL UNITS**

Second residential units are defined as separate and complete dwelling units that are contained within the structure of a single detached, semi-detached, or rowhouse residential dwelling or within a secondary building on the same property as a principal dwelling unit.

The following policies apply to second residential units:

1. Within the District, a maximum of one second residential unit will be permitted per lot within the boundaries of the subject property. Specific locational provisions will be identified in the Municipality's Zoning By-law. Any second unit, whether in an existing or new dwelling, or in a secondary unit on the same lot, shall obtain a permit from the Chief Building Official of the municipality. Where another special housing form exists on the lot, as determined by the Planning Board and municipalities, a second residential unit will not be permitted.
2. Appropriate water and sewer services will be provided to the satisfaction of the Planning Board and municipalities.
3. Development of a second residential unit will be subject to the following criteria:
  - a. long-term servicing capacity will be able to support the development;
  - b. required parking will be accommodated on the same lot;
  - c. compliance with the provisions of the Ontario Building Code, the Fire Code and all other relevant municipal and Provincial standards, including the Zoning By-laws, will be required; and

- d. the unit will be incidental to the main permitted residential use, and conform to the building permit process.

#### **B.3.1.5 GARDEN SUITES**

Garden suites, which are also commonly referred to as “granny flats,” are one-unit accessory residential dwellings that take the form of a small building, physically separate from the principal dwelling unit with which it is associated, contain bathroom and kitchen facilities, and are designed to be portable.

The following will be the policy of the Planning Board and municipalities in the development of garden suites:

1. A single garden suite may be permitted on a lot of an appropriate size as determined in the Zoning By-law, by way of a Temporary Use By-law, in accordance with the policies of Section F.4.2.2 of this Plan and Sections 39 and 39.1 of the *Planning Act*. A garden suite will only be permitted in association with a single-detached residential dwelling on a lot within a municipality. Where another special housing form, including an accessory dwelling unit exists on the lot, as determined by the municipality, a garden suite unit will not be permitted. In addition to requirements of Section F.4.2.2, prior to approval of a Temporary Use By-law, the municipality will be satisfied that:
  - a. appropriate sanitary sewage, stormwater management and potable water services will be provided, all to the satisfaction of the approval authority having jurisdiction;
  - b. the exterior design of any proposed unit in terms of height, massing, scale and layout will be consistent with the residential land uses in the area;
  - c. the siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards;
  - d. the unit will be removed, in accordance with the *Planning Act*, once the time period set out in the temporary use by-law expires.

#### **B.3.1.6 MOBILE HOME PARKS**

The following policies apply to Mobile Home Parks:

1. Mobile Home Parks may be maintained as a single entity (property) provided that ownership and maintenance rests with the management of the park.
2. Existing Mobile Home Parks will be identified in the municipal Zoning By-law.
3. Proposals to expand existing Mobile Home Parks will meet the requirements set out in the Zoning By-law provided that the lands are not adjacent to existing Urban Areas or Village Areas and are subject to the same standards established for all other low density residential uses in addition to the following:
4. Internal road systems will be built to a standard acceptable to the municipality, the Fire Chief, and anyone else that may require access to said lands for emergency purposes.
5. Expansions to a Mobile Home Park development should be limited to the size of its existing land holdings as of the date of approval of this Plan.
6. The maximum density of mobile homes within a Mobile Home Park will not exceed 20 units per hectare.
7. Expansions to existing Mobile Home Parks will only be permitted if the existing mobile home park has direct access to an opened, publicly owned road which is maintained on a year-round basis, and served by school buses; and furthermore, will not create the need for additional municipal services beyond those currently provided by the municipality.
8. Expansions to existing Mobile Home Parks will be provided with an on-site communal water supply and sewage disposal systems and are subject to the servicing policies in Section E.2, and will enter into a default agreement with the applicable municipality regarding their use and maintenance.
9. All existing and expansion areas of Mobile Home Parks will be serviced by existing municipally owned waste disposal sites.
10. Adequate parking for any expansion will be provided on-site for both the residents of, and visitors to, any mobile home located within the expansion area of an existing Mobile Home Park.
11. Expansions to Mobile Home Parks will be landscaped according to design principles that complement the residential nature of the development. The following design guidelines will be adhered to:

- a. Expansions to a Mobile Home Park will have a landscaped buffer area around its boundary, on which no lots, buildings or structures will be permitted; and
  - b. Expansions to Mobile Home Parks will have an area of the expansion set aside for passive and active recreation uses, in addition to the above mentioned landscaped buffer.
12. Existing and expanded Mobile Home Parks will provide year-round access to an adequate supply of water for fire protection purposes.
  13. The maintenance of new internal roads, parks, and soft services (including garbage collection, snow removal, etc.) will be the responsibility of the Mobile Home Park management or by an agreement with the applicable municipality.
  14. Recreational Vehicles will be subject to provisions of the implementing Zoning By-law.
  15. For the purposes of this Plan, Recreational Vehicles, also known as travel trailers, motor homes, park model trailer, campers and trailers, are defined as follows: any vehicle constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its' running gear is removed.

### **B.3.2 COMMUNITY FACILITIES**

The municipalities will endeavour to provide adequate community services and facilities to meet the needs of the District's existing and future residents, businesses and visitors through the provision of adequate opportunities for education, care, parks, open space and recreation, libraries, places of worship, cultural and heritage facilities, health and safety.

The following policies apply to community facilities:

1. In consultation with the School Boards, the need for new schools are not anticipated within the planning horizon of this Plan. Where closure and sale of a school is proposed, the open space component of the school site may be retained or incorporated in a redevelopment proposal.

2. A wide-range of alternative educational opportunities will be encouraged to support life-long learning and skills development, including apprenticeship, co-operative learning and adult education.
3. The provision of social infrastructure, such as daycare facilities, will be encouraged within larger development proposals, where practical and appropriate.
4. The Planning Board will encourage municipalities, where practical and appropriate, to develop plans for the development and/or expansion of community-serving health care facilities.
5. The Planning Board will encourage municipalities to develop plans for the development and/or expansion of local Public Libraries, where practical and appropriate, in order to provide important cultural and community resources for learning, research, and community activities.
6. The Planning Board encourages municipalities to co-locate Community Facilities and develop community hubs where appropriate, to promote cost-effectiveness, facilitate service integration, and increase ease of access.

## **B.4 ECONOMIC DEVELOPMENT**

Economic sustainability and the fostering of economic development opportunities are critical underlying objectives of this Plan. In order to respond to changing economic conditions, this Plan maintains an appropriate land use framework to accommodate evolving land use needs as they relate to economic activity. The Planning Board and municipalities encourage economic development in a manner that balances social, cultural, natural environment and other initiatives.

Extraction and management of natural resources remains an important industry and employs a large percentage of the District's working population. The success of the District's agriculture industry is evident through the continuation of viable traditional agriculture and related processes.

This Section of the Plan addresses broad areas and influences of economic activity, including the locations of economic activity and tourism. Furthermore, economic development policies relating to agriculture,

employment areas, natural resources, and retail and services are identified throughout this Plan as they related to those specific uses.

#### **B.4.1 LOCATIONS OF ECONOMIC ACTIVITY**

Economic activity takes many forms. However, some forms of economic activity have location-related requirements that need to be satisfied in order to provide an optimal environment for economic success. For example, concentrated employment activities, including industrial parks have specific requirements such as access to transportation networks and services, while tourism activities require access to transportation networks, resources, and amenities. This Plan focuses specific types and scale of economic activity in the local environment best suited to their success.

The following policies apply to the economy:

1. The Planning Board and municipalities will promote opportunities for economic activity by adopting different strategies for different parts of the District in an effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development they require to thrive.
2. Commercial, retail and office employment uses will be encouraged in the Urban Areas to create strong central business district environments.
3. Commercial uses, which support agricultural activities, may be permitted in Rural Areas where proximity to agriculture operations is necessary.
4. Tourism uses will be encouraged in close proximity to areas of natural and recreational amenity, areas of natural heritage appreciation, and the shoreline areas, where appropriate.
5. The Planning Board and municipalities support the use of Community Improvement Plans to proactively stimulate community improvement, rehabilitation and revitalization of areas in need of improvement.
6. The Planning Board and municipalities will support the expansion and development of transportation, parking and telecommunications infrastructure to increase the locational advantage of existing and proposed business and employment uses.
7. Proximity to Lake Huron provides a critical locational advantage to the District in terms of wind energy production. In accordance with



the policies of this Plan, the Province is encouraged to consult with the Planning Board, municipalities, and First Nations where wind energy generation is being contemplated.

#### **B.4.2 TOURISM**

The municipalities may prepare an individual tourism strategy to promote tourism development. Alternatively, a regional tourism strategy may be prepared. The District of Manitoulin offers a range of tourism assets and opportunities, which include the waterfront recreational uses associated with the inland lakes and Lake Huron, cultural and heritage resources, parks and open spaces, and areas of agricultural and natural amenity.

The following policies apply to tourism in the District:

1. The municipalities may develop local tourism strategies to identify tourism assets and opportunities to promote and enhance tourism. Alternatively, a regional tourism strategy may be developed.
2. The municipalities may promote agriculturally related tourism and identify such current and potential uses and provide a regulatory framework to promote the growth of agriculturally related tourism.
3. The municipalities may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the District and encourage the establishment of additional tourism opportunities in the form of accommodation facilities, and appropriate entertainment and recreational attractions.
4. The municipalities recognize and support the development of tourism uses within the Urban Areas and the Lake Huron waterfront that will encourage visitor stops, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include support for:
  - a. tourist-recreational activities associated with the shoreline and initiatives to enhance the Urban Areas and Village Areas;
  - b. promotion of connected multi-purpose trail systems connecting the District's communities and natural amenities;
  - c. new and existing tourism-related attractions such as a craft market, farmer's market, summer theatre and outdoor festivals, particularly if such uses are located to encourage interaction with the Core Areas within the Urban Areas or Village Areas;

- 
- d. establishment of Heritage Districts to promote cultural heritage resources, particularly in the Urban Areas and Village Areas; and
  - e. bed and breakfast accommodations in accordance with the policies of this Plan.
5. The Planning Board and municipalities will support the development and promotion of scenic, recreational and educational parkways with well-signed and interesting attractions along the Lake Huron shore and throughout the District.
  6. The Planning Board and municipalities will support the maintenance and improvement of accommodations for tourists, including hotels, motels, bed and breakfast establishments and camping facilities.



## B.5 COMMUNITY REVITALIZATION

The Plan employs a range of planning policies geared towards the revitalization, regeneration, and improvement of the existing communities in the District. The following policies support the tools of community revitalization.

### B.5.1 COMMUNITY IMPROVEMENT

Community Improvement provisions of the *Planning Act* give municipalities a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide the municipalities with various powers to maintain and promote attractive and safe living and working environments through community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment.

1. It will be the policy of the municipalities to accomplish community improvement through the:
  - a. ongoing maintenance, rehabilitation, redevelopment and upgrading of areas characterized by deficient/obsolete/deteriorated buildings and social, community or recreational services, land use conflicts, deficient municipal hard services, or economic instability;
  - b. establishment of programs to encourage private sector redevelopment and rehabilitation that addresses identified economic development, land development, environmental, housing, and/or social development issues/needs;
  - c. designation by by-law of Community Improvement Project Areas, the boundaries of which may be the entire District, or any part of the District; and
  - d. preparation, adoption and implementation of Community Improvement Plans, pursuant to the *Planning Act*.
2. The designation of Community Improvement Project Areas will be based on one or more of the following conditions being present:
  - a. buildings, building facades, and/or property, including buildings, structures and lands of heritage and/or architectural significance, in need of preservation, restoration, repair, rehabilitation, or redevelopment;

- b. brownfield or derelict properties in need of remediation and redevelopment;
  - c. non-conforming, conflicting, encroaching or incompatible land uses or activities;
  - d. deficiencies in physical infrastructure including, but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking facilities, sidewalks, curbs, streetscapes, and/or street lighting;
  - e. poor road access and/or traffic circulation;
  - f. deficiencies in community and social services including, but not limited to, public open space, parks, indoor/outdoor recreational facilities, and public social facilities;
  - g. inadequate mix of housing types;
  - h. known or perceived environmental contamination;
  - i. poor overall visual quality, including but not limited to, streetscapes and urban design;
  - j. high commercial vacancy rates;
  - k. shortage of land to accommodate widening of existing rights-of-ways, building expansions, parking and/or loading facilities;
  - l. other barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings; and
  - m. any other environmental, social or community economic development reasons.
3. Community Improvement Plans will be prepared and adopted to:
- a. encourage the renovation, repair, rehabilitation, remediation, redevelopment or other improvement of lands and/or buildings;
  - b. encourage the remediation and redevelopment of brownfield or derelict properties and/or buildings;
  - c. encourage residential and other types of infill and intensification;
  - d. upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
  - e. encourage the preservation, restoration, adaptive reuse and improvement of cultural heritage values or interests;
  - f. encourage the construction of a range of housing types and the construction of affordable housing;
  - g. improve traffic circulation within the Community Improvement Project Areas;
  - h. encourage off-street parking and provide municipal parking facilities where feasible and appropriate;

- i. promote the ongoing viability and revitalization of the downtowns and main streets in the Urban Areas and Village Areas as the focus of retail, civic, cultural, entertainment and government uses;
  - j. promote sustainable development and energy efficiency;
  - k. improve environmental conditions;
  - l. improve social conditions;
  - m. promote cultural development;
  - n. facilitate and promote community economic development; and
  - o. improve community quality, safety and stability.
4. Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans will be given to those areas where:
- a. the greatest number of conditions (as established in B.5.1(2)) are present;
  - b. one or more of the conditions (as established in B.5.1(2)) are particularly acute; and/or
  - c. one or more of the conditions (as established in B.5.1(2)) exist across the District.
5. In order to implement Community Improvement Plans within designated Community Improvement Project Areas, the municipalities may undertake a range of actions, including:
- a. the municipal acquisition of land and/or buildings within Community Improvement Project Areas, and the subsequent:
    - i. clearance, grading, or environmental remediation of these properties;
    - ii. repair, rehabilitation, construction or improvement of these properties;
    - iii. sale, lease, or other disposition of these properties to any person or governmental authority; and
    - iv. other preparation of land or buildings for community improvement.
  - b. provision of public funds such as grants, loans and other financial instruments;
  - c. application for financial assistance from senior level government programs;

- d. participation in any senior level government programs that provide assistance to private landowners for the purposes of community improvement;
  - e. provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
  - f. supporting heritage conservation through the Ontario Heritage Act and the Heritage Committee;
  - g. supporting the efforts of the Chambers of Commerce and Business Improvement Associations to revitalize the downtowns and main streets in the Urban Areas and Village Areas, through the implementation of various programs; and
  - h. encouraging off-street parking and providing municipal parking facilities where feasible and appropriate.
6. All developments participating in programs and activities contained within Community Improvement Plans will conform with the policies contained in this Plan, the Zoning-By-laws, Property Standards By-laws, and all other related municipal policies and by-laws.
7. The municipalities will be satisfied that its participation in community improvement activities will be within its individual financial capabilities.

### **B.5.2 CULTURAL HERITAGE**

Cultural heritage resources are an important component of the District's history and community identity and will be preserved and enhanced. The District's rich cultural heritage resources include: buildings, structures, monuments or artifacts of cultural heritage value or interest, and areas of unique or rare settlement composition, streetscape, landscape or archaeological value or interest. It is the intent of the Planning Board and municipalities to support the conservation of these cultural heritage resources for the benefit of the District.

The Planning Board and municipalities support public awareness, participation and involvement in the preservation, restoration and utilization of heritage, through the implementation of the following policies.

### **B.5.2.1 CULTURAL HERITAGE RESOURCES**

The following policies apply to cultural heritage resources:

1. The Planning Board and municipalities will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the Ontario Heritage Act to do so.
2. The Planning Board and municipalities may use any government programs available to assist in the implementation of heritage conservation policies. Where appropriate, the Planning Board and municipalities will co-operate with First Nations and other levels of government, as well as private agencies and individuals in the conservation of cultural heritage resources in the District. The municipalities will co-ordinate its heritage plans and programs with heritage plans and programs of other levels of government and First Nations.
3. The municipalities may restore, rehabilitate, enhance and maintain heritage properties owned by the municipalities in fulfillment of the heritage policies. Where feasible, relevant by-laws, programs and public works undertaken by the municipalities should further the heritage policies of this Plan.
4. The Planning Board and municipalities will work to prevent the demolition, destruction, or inappropriate alteration or use of heritage resources and encourage the adaptive reuse and an investigation of the potential of repurposing of the heritage properties prior to entertaining the demolition of any building or structure.
5. The municipalities will seek the acquisition of easements on properties with cultural heritage values or interests in order to ensure the preservation of these properties in perpetuity.
6. The Planning Board and municipalities will ensure that each municipally-owned heritage resource which is sold, transferred or leased to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation and maintenance, and which will be used in a manner that respects its cultural heritage value or interest. When appropriate, the Planning Board and municipalities may require a heritage restoration agreement which will require that certain restoration works be undertaken by the new owner or lessee to a standard acceptable to the Planning Board and municipalities.


7. The Planning Board and municipalities may prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, resulting in inventories of heritage buildings, heritage districts, and cultural heritage landscapes with cultural heritage values or interests within the District.
8. The Planning Board and municipalities will maintain a list of properties worthy of designating under the Ontario Heritage Act and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
9. The Planning Board and municipalities may undertake a cultural heritage master plan which may address matters such as:
  - a. cultural heritage resource mapping and inventories;
  - b. identification and evaluation of cultural heritage resources, cultural facilities and organizations;
  - c. strategies for conserving and enhancing these identified resources;
  - d. programs to foster interpretation and promotion; and
  - e. education and public participation in cultural heritage conservation.
10. To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

#### **B.5.2.2 MUNICIPAL HERITAGE COMMITTEES**

Municipal Heritage Committees may be established and maintained pursuant to the *Ontario Heritage Act* to advise and assist Planning Board and local Councils on matters related to the Act and other matters of heritage conservation. Additionally, local Councils may elect to expand the role of the Heritage Committee(s) to advise and assist Planning Board and local Council on other matters of cultural heritage conservation.

Should one or multiple Heritage Committees be established, it will be the policy that:

1. The Heritage Committee(s) may prepare and monitor an inventory of heritage resources within the District or municipality, and generally advise on heritage matters. The local Council will consult the Heritage Committee(s) on decisions to designate a property under Part IV of the *Ontario Heritage Act*.

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2. The Heritage Committee(s) may be responsible for monitoring properties on the municipal registry and recommending new properties to the municipal Clerk to be added to the register. The following criteria may be used in determining the value or interest of heritage resources included, or proposed to be included in the inventory:
    - a. The property has design value or physical value if it meets one of the following criteria:
      - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method;
      - ii. displays a high degree of craftsmanship or artistic merit; or
      - iii. demonstrates a high degree of technical or scientific achievement.
    - b. The property has historical value or associative value if it meets one of the following criteria:
      - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
      - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
      - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
    - c. The property has contextual value if it meets one of the following criteria:
      - iv. is important in defining, maintaining or supporting the character of an area;
      - v. is physically, functionally, visually or historically linked to its surroundings; or
      - vi. is a landmark.
  3. The municipalities may also seek the advice of local historical societies and genealogical societies in addressing cultural heritage matters.



### **B.5.2.3 HERITAGE PROPERTIES OR DISTRICTS**

The following policies apply to heritage properties or districts:

1. The municipalities may choose to designate certain properties under Part IV or districts under Part V of the Ontario Heritage Act.
2. The municipal Clerk will maintain a register of all properties designated under Part IV and Part V of the Ontario Heritage Act. This register may also contain properties that have heritage conservation easements placed upon them and properties that are not designated, but which are considered by the local Council to be of cultural heritage value or interest.
3. The Planning Board and municipalities may utilize the Ontario Heritage Act to conserve, protect and enhance the cultural heritage resources of the District through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites.
4. The municipalities may pass by-laws providing for the making of a grant or loan to the owner of a property designated under the Ontario Heritage Act to pay for the whole or any part of the cost of maintenance, preservation, restoration or alteration of such designated property, on such terms and conditions as the local Council may prescribe.
5. The municipalities may choose to designate a Heritage Conservation District (HCD) or Districts under Part V of the Ontario Heritage Act. Local Councils may pass a by-law defining an area to be examined for future designation as such a district, and will prepare a plan for the area to determine the feasibility and appropriateness of such a designation. Such a plan will contain policies and guidelines respecting development proposals and applications for alterations within the HCD and be prepared in accordance with the Province's guide for Heritage Conservation Districts.
6. The preservation of cultural landscapes in the District, such as hedgerows, stone fences or tree lines will be encouraged.

### **B.5.2.4 ARCHAEOLOGICAL RESOURCES**

The Planning Board and municipalities recognize that there may be archaeological remains of pre-contact, First Nation, and historic habitation, or areas containing archaeological potential within the District.



The following policies apply to archaeological resources:

1. Areas of archaeological potential be determined through the use of Provincial screening criteria, or criteria based on known archaeological records with the municipalities and developed by a licensed archaeologist.
2. For a proposed development within an area of archaeological potential, an archaeological assessment, prepared by a licensed archaeologist, will be required prior to final planning approval, or as a condition of final planning approval. First Nations will be consulted on archaeological assessment reports prepared by licensed archaeologists and will be in compliance with guidelines set out by the Province, as well as licensing requirements developed under the *Ontario Heritage Act*.
3. Where archaeological resources are identified, the Planning Board and municipalities recognize that there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. The Planning Board and municipalities may consider archaeological preservation in situ, in consultation with a licensed archaeologist, to ensure that the integrity of the resource is maintained. The Planning Board and municipalities may also maintain the integrity of archaeological resources by enacting a Zoning By-law, under Section 34(1) 3.3 of the *Planning Act* to prohibit incompatible land uses and/or the erection of buildings or structures on land that is a site of a significant archaeological resource.
4. The Planning Board and municipalities may undertake the preparation of an Archaeological Management Plan for all or a portion of the District prepared by a qualified archaeologist retained for that purpose. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the District having archaeological potential. The Master Plan may also outline policies, programs and strategies to protect significant archaeological sites.
5. The Planning Board and municipalities will ensure adequate archaeological assessment and consult First Nations and appropriate government agencies, including the Province, when an identified, marked or unmarked cemetery is impacted by development. The provisions of the *Ontario Heritage Act* and the *Cemeteries Act* will apply.

#### **B.5.2.5 MARINE HERITAGE RESOURCES**

The Planning Board and municipalities recognize that there may be marine archaeological remains from the pre-contact period through to the modern era up to the last 50 years. These marine archaeological resources may include the remains of First Nations and other explorers, colonists, and indigenous peoples' ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft, and other items of cultural heritage value. The remains may currently be, or at one time, submerged under water.

The following policy applies to marine heritage resources:

1. In considering applications for waterfront development, the Planning Board and municipalities will ensure that cultural heritage resources, both on shore and in the water, within their jurisdiction are not adversely affected. When necessary, the Planning Board and municipalities will require appropriate archaeological assessments (land and/or marine) and satisfactory measures to mitigate any negative impacts on significant cultural heritage resources. The Planning Board and municipalities will consult with the Province, Department of Fisheries and Oceans, and appropriate agencies to determine the requirement for archaeological assessments for development applications that may impact archaeological resources outside of municipal jurisdiction.

#### **B.5.2.6 DEVELOPMENT POLICIES SPECIFIC TO CULTURAL HERITAGE RESOURCES**

The following policies apply to development in proximity to cultural heritage resources:

1. New development and redevelopment will have regard for heritage resources and will, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or redevelopment within the District.
2. A Heritage Impact Assessment will be prepared by a qualified professional where proposed development and/or site alteration may impact a protected heritage property or cultural heritage resource.
3. The Planning Board and municipalities will encourage the conservation and protection of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources through

conditions of consent and subdivision approval and agreements. Where potential impacts to known cultural heritage resources are considered to be minor, as determined through consultation with Planning Board and municipal staff and the Province, the requirements for a Heritage Impact Assessment or Archaeological Assessment may be waived.

4. In areas considered to have cultural heritage value or interest, the Planning Board will encourage the preservation of cultural heritage resources to be included in proposals for redevelopment, intensification or infill.
5. The Planning Board and municipalities may consider amendments to the Zoning By-laws, including increased density provisions, which would facilitate the restoration of a historical facility.
6. The Planning Board and municipalities will, when appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the Zoning By-law to facilitate the retention of heritage resources.
7. In attaining its goal for establishing a barrier-free environment to municipal owned property, local Councils will endeavour to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. Local Councils recognize that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes. Local Councils encourage this practice for privately-owned heritage buildings that are open to and used by the public.
8. Planning Board and municipalities will conserve cultural heritage resources when considering the establishment of new areas for mineral extraction or when considering the establishment of new operations or the expansion of existing operations. When necessary, Planning Board and municipalities will require satisfactory measures to mitigate any negative impacts on cultural heritage resources.
9. Planning Board and municipalities will only permit retrofits for achieving energy efficiency in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building.
10. The Planning Board and municipalities will ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse

when considering demolition applications for designated heritage properties.

11. The Planning Board and municipalities will ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation will be the responsibility of the applicant in consultation with the local Heritage Committee and the Province.
12. The Planning Board will ensure that development and site alteration on land adjacent to a designated heritage resource is evaluated and that it is demonstrated, through the preparation of a Heritage Impact Assessment conducted by a qualified professional, that the heritage attributes of the designated heritage resource will be conserved. Mitigating measures and/or alternative development approaches may be required to conserve the heritage attributes of the heritage resource affected by the adjacent development or site alteration. Where potential impacts to known cultural heritage resources are considered to be minor, as determined through consultation with Planning Board staff, and the Province, the requirements for a Heritage Impact Assessment or Archaeological Assessment may be waived.


### **B.5.3 COMMUNITY DESIGN**

Safe and attractive neighbourhoods contribute to the overall community health of the District. Community design is essential for creating a physical environment where people have the appropriate places to interact, live, work, recreate and learn.

Appropriate community design will be promoted through the review of new development applications in the District, including plans of subdivision, infill development proposals, site plans and through community improvement.

The following policies apply to community design:

1. The Planning Board and municipalities will seek to maintain and improve the physical design characteristics of the Urban Areas and Village Areas in the context of new and existing development, and stress a generally high quality of community design and built form.
2. Through the review of development applications, including plans of subdivision, site plans and other development proposals, the Planning Board:

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- a. will ensure that new development is designed in keeping with the traditional character of the Urban Areas and Village Areas in a manner that both preserves their traditional community image and enhances their sense of place within the District;
  - b. will promote efficient and cost-effective development design patterns that minimize land consumption;
  - c. will promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
  - d. will encourage tree retention or tree replacement;
  - e. will encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure; and
  - f. may require, at the Planning Board's sole discretion, that proponents submit design and architectural control guidelines with development applications establishing how the policies of this Plan have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, signage, garage placement, and architectural treatment in accordance with any local design guidelines and zoning by-laws.
3. Measures will be taken to ensure that the permitted uses address compatibility with adjacent land uses. Adequate separation buffering or screening will be provided between any uses where land use conflicts might be expected, such as the provision of grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also represent appropriate buffering measures.
  4. The Planning Board will require that infill developments be compatibly scaled and designed to enhance the character of the area.
  5. Streetscaping that reflects the intended character of the community will be encouraged. In particular, contextually appropriate streetscaping in the Urban Areas and Village Areas will be encouraged.
  6. The Planning Board, in consultation with a development proponent(s) and the local Heritage Committee, will define a style of street furnishing that should include shared and accessible bicycle racks, garbage receptacles, benches and street lamps to be used in a new development.

7. A high quality of architecture and site design for institutional uses such as schools, places of worship, community centres, libraries and other public service buildings will be encouraged.
8. A high quality of park and open space design will be strongly encouraged. The land for parkland dedication will, in accordance with Section F.4.13 policies, be carefully selected to facilitate its use as a central focal point for new or existing neighbourhoods.
9. Public art in the District will generally be encouraged to incorporate themes supporting and promoting local history, civic pride, businesses and technology. The provision of public art in Urban Areas or Village Areas will be encouraged, where appropriate.
10. The Planning Board will promote the integration and accessibility of community uses including schools, municipal facilities, institutional uses, parks and open spaces and recreational uses through pedestrian, cycling and trail linkages. The Planning Board may require the provision of certain pedestrian, cycling and trail linkages through the development approvals process, in accordance with the policies of this Plan and associated master plans as approved by local Councils or the Planning Board.
11. The municipalities may undertake the preparation of urban design guidelines to achieve the policies of this Section for all or parts of Urban Areas and Village Areas of the District.
12. The Planning Board will encourage development design that considers the principles of Crime Prevention Through Environmental Design (CPTED). Specifically, the Planning Board will encourage proponents of new development to situate buildings on lots to maximize natural surveillance and to use appropriate lighting to deter crime.
13. The Planning Board will consider locating utilities within the public rights-of-way as well as on private property. Utilities will be clustered or grouped where possible to minimize visual impact. The Planning Board encourages utility providers to consider innovative methods of containing utility services on, or within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large utility equipment and utility cluster sites.
14. The Planning Board will review the design and layout of parking areas in accordance with the municipality's parking guidelines.



#### **B.5.4 PARKS AND OPEN SPACE**

The provision of a variety of recreational opportunities is critical to maintaining healthy communities in the District. The Plan strives to ensure that sufficient recreational, open space, and park facilities are provided within the District to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to the District. The District's waterfront provides the community with a valuable recreational resource and opportunities to use this resource in an appropriate and sustainable manner will be encouraged.


The following policies apply to Parks:

1. The Planning Board and municipalities will encourage appropriate recreational development in parks, open spaces, along the waterfront area and other similar areas of the District that provide opportunities for active, passive and programmed community recreation and leisure, and that contribute to the preservation and protection of open space and the natural environment.
2. The Planning Board and municipalities will work cooperatively with various government ministries, resource agencies, and non-governmental organizations to promote natural resource-based recreational opportunities.
3. In areas suitable for recreation, public open space will be encouraged in the waterfront area. The recreational resources of the waterfront area shall be protected and enhanced. Land in the waterfront area in the ownership of the municipality shall be maintained for public access to the water's edge and for public access to publicly owned properties.
4. The Planning Board and municipalities will encourage private recreation development to complement public recreational opportunities, and encourage and support involvement by private recreation groups within the area.
5. The Planning Board and municipalities will assess the feasibility of acquiring private land within the waterfront area for public park or open space uses.
6. The Planning Board and municipalities will promote the provision of pedestrian, cycling and trail linkages and the integration of recreational and parks and open space uses.

7. The District's parks shall respond to and support the various recreational needs of its residents and visitors.
8. The Planning Board and municipalities will undertake programs to acquire new parks, improve existing parks and facilities and provide public parks to meet the needs of the community, as well as to address existing park deficiencies.
9. The Planning Board and municipalities will secure the maximum benefit of the *Planning Act* with respect to parkland dedication from development. Parkland dedication shall be conducted in accordance with Section F.4.14 of this Plan.
10. Where parks are located adjacent to existing and proposed Residential Areas, appropriate measures may be taken to minimize potential adverse effects associated with recreation activity areas and parking areas.
11. The District's parks and open spaces shall provide venues for a diverse range of both structured and unstructured, active and passive leisure pursuits for children, teens, adults and seniors to pursue activities of personal interest, skills development, and volunteering active engagement in community life.
12. The District's parks and open spaces shall provide venues to protect and conserve valued natural resources, such as wetlands, waterfronts, and other natural features vital to a healthy and sustainable ecology and natural environment, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity.
13. Parks and open spaces shall provide lands that contribute to the greening and beautification of the District via both natural and planted materials and venues, and shall create unique identifiers and focal points for the community.
14. Parks and open space lands may be provided by conveyance in accordance with the provisions of the *Planning Act* and through other actions by public authorities. All lands conveyed as part of parkland dedication must be suitable for public recreational uses and acceptable to the Planning Board and municipalities in accordance with the *Planning Act*.



15. New development may be required to incorporate an integrated walkway and bicycle path and trail system, interconnecting residential neighbourhoods, commercial areas, schools, public buildings, and major recreation facilities.
16. The retention and expansion of parks and open spaces is of high priority and shall be encouraged subject to the land ownership, location, and existing conditions. Prior to acquiring new Parks, the completion of an Environmental Site Assessment may be required to determine the level of contamination, if any.
17. A system of pedestrian and bicycle trails may be developed providing internal circulation within the Residential Areas, as well as to the larger community and the Core Commercial Areas. Trail design elements shall be sympathetic to the surrounding environment.
18. The Planning Board and municipalities, with support from the Province and other agencies and organizations, shall seek opportunities to create linked open spaces through the integration of:
  - a. Natural Heritage Features and Areas in public ownership;
  - b. existing municipal rights-of-way;
  - c. established and proposed service and utility corridors;
  - d. existing park and open space lands;
  - e. sidewalks and pathways;
  - f. linkages provided through the draft plan of subdivision approvals process;
  - g. agreements with private landowners;
  - h. retention or acquisition of access easements; and
  - i. land acquisition.
19. The Planning Board and municipalities may establish design principles to accommodate parking at strategic locations along the linked open space system.
20. The Planning Board and municipalities will encourage residential, commercial, industrial, and institutional developers to connect with and provide opportunities to expand the trail system.



21. When any lands designated as Open Space Areas are under private ownership, this plan does not intend that these lands will necessarily remain as Open Space indefinitely. This Plan also does not imply that the Open Space Areas are free and open to the public or that such lands will be purchased by any of the municipalities.

## C LAND USE POLICIES

This Plan contains 12 land use designations as set out on Schedule B and Schedules B1 to B13, which designate all lands within the District of Manitoulin. This Section outlines all the permitted uses and land use policies pertaining to these designations. There are also general policies (found throughout the Plan) that may also apply when interpreting permitted uses and development entitlements on specific parcels of land and within the specific land use designation.

Land use designations of this Plan include the following:

- Residential Areas (Section C.1.1);
- Core Commercial Areas (Section C.1.2);
- Arterial Commercial Areas (Section C.1.3);
- Employment Areas (Section C.1.4);
- Community Facility Areas (Section C.1.5);
- Open Space Areas (Section C.1.6);
- Future Development Areas (Section C.1.7);
- Village Areas (Section C.2);
- Shoreline Areas (Section C.3);
- Agriculture Areas (Section C.4);
- Rural Areas (Section C.5); and
- Aggregate Resource Areas (Section C.6).

## **C.1 URBAN AREAS**

Land use designations applied to Urban Areas are shown on the following schedules:

- Schedule B11 – Manitowaning Urban Area;
- Schedule B12 – Mindemoya Urban Area; and
- Schedule B13 – Gore Bay Urban Area.

Land use designations applicable to Urban Areas are as follows:

- Residential Areas (Section C.1.1);
- Core Commercial Areas (Section C.1.2.);
- Arterial Commercial Areas (Section C.1.3);
- Employment Areas (Section C.1.4);
- Community Facility Areas (Section C.1.5);
- Open Space Areas (Section C.1.6); and
- Future Development Areas (Section C.1.7).

### **C.1.1 RESIDENTIAL AREAS**

Lands designated Residential Areas consist of predominantly residential uses in a variety of housing forms, whether they are located inland or along the water. Where lands are located in proximity to the water, additional approvals and/or restrictions may be required. Residential Areas are expected to continue to accommodate attractive neighbourhoods and foster the creation of complete communities which provide for facilities and services such as elementary schools, parks, places of worship, and local neighbourhood-oriented commercial uses which are integral to and supportive of a residential environment.

A variety of housing types are anticipated to be developed to meet the varying demands and characteristics of the population. Opportunities to provide housing for individuals or groups with special needs including the elderly and those with special physical, social or economic needs within the District will be encouraged.

### C.1.1.1 PERMITTED USES

Subject to other policies of this Plan, the following policies will apply in determining uses permitted on lands designated as Residential Areas on Schedules B10, B11, B12, and B13.

#### C.1.1.1.1 RESIDENTIAL USES

1. The predominant use of land will be for a variety of residential dwelling types, including single detached dwellings, semi-detached dwellings, and duplex dwellings.
2. Low density residential uses will be permitted including single detached dwellings, semi-detached dwellings, and duplex dwellings developed with a density of 10 – 15 units per gross hectare and lot sizes will be comparable with those that currently exist in the area.
3. Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the following criteria:
  - a. the density, which is not to exceed 35 units per net hectare, height and character of the development will be compatible with adjacent uses;
  - b. the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;
  - c. the development will be encouraged to have direct access to a Provincial Highway, Secondary Highway, or Major Road, where possible and appropriate;
  - d. the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the municipality, save and except where private septic systems will be permitted;
  - e. the development is adequately serviced by parks and school facilities;

- j. the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
  - k. all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section E.1.2 of this Plan, will not be accepted by the Planning Board and/or the municipality;
  - l. in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
  - m. except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Planning Board and/or the municipality; and
  - n. triplexes, fourplexes, freehold street townhouses or other similar smallscale developments, may be subject to site plan control, in accordance with the policies of Section F.4.5 of this Plan.
4. Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes will be permitted to develop in accordance with the medium density residential policies of Section C.1.1.1.1(3).
  5. Bed and breakfast establishments will be permitted in any single detached residential dwelling, provided that all the required parking is accommodated on the same lot, and subject to criteria established in the Zoning By-laws.

#### C.1.1.1.2 INSTITUTIONAL USES

1. Elementary schools and day care centres will be permitted, provided that they have direct access to a Provincial Highway, Secondary Highway, or Major Road and can provide a safe means of access.
2. Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale will be permitted, provided the following criteria are met:

- a. the use will have direct access to a Provincial Highway, Secondary Highway, or Major Road;
- b. the density, height and character of the development will be compatible with adjacent uses;
- c. the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the municipality, save and except where private septic systems will be permitted;
- d. the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
- e. all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section E.1.2 of this Plan, will not be accepted by the Planning Board or municipality;
- f. driveway access will be approved by the municipality or the Province; and
- g. the use will be subject to site plan control, in accordance with the policies of Section F (implementation) of this Plan.

#### C.1.1.1.3 OPEN SPACE USES

1. Neighbourhood (or small, local) parks and trails will be permitted, whereas larger community parks, major parks and other large-scale recreational uses will only be permitted in the Open Space Designation.

#### C.1.1.1.4 COMMERCIAL USES

1. Small scale neighbourhood convenience commercial and personal service uses to serve the daily shopping needs of a neighbourhood will be permitted, provided the following criteria are met:
  - a. no more than one commercial structure or building will be permitted on any site or in any one location, and the gross floor area of the commercial use will generally not exceed 300 square metres;
  - b. the building height will be limited to one storey unless residential apartments are located on the upper floor(s), in

- which case the maximum building height will be compatible with the surrounding residential uses;
- c. landscaping, fencing, berming and other screening will be provided adjacent to residential land uses where appropriate;
  - d. all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section E.1.2 of this Plan, will not be accepted by the municipality;
  - e. driveway access will be approved by the municipality or Province, where appropriate;
  - f. the commercial use will be located at or in close proximity, generally no more than 50 metres, from the intersections of Provincial Highway, Secondary Highway, and Major Roads, and will not be located mid-block within a residential area;
  - g. the commercial use will be subject to a zoning by-law amendment, in accordance with Section F.4.2 of this Plan; and
  - h. the use will be subject to site plan control, in accordance with the policies of Section F.4.5 of this Plan.

#### C.1.1.1.5 HOME OCCUPATIONS

1. A home occupation in a dwelling unit will be permitted, provided the use does not change the residential character of the building and lot, and residential remains the principal use. The use will be compatible with the surrounding residential uses. Sufficient parking will be made available on-site.

#### C.1.1.1.6 MOBILE HOMES

1. Mobile homes and mobile home parks will only be permitted in accordance with the policies of Section B.3.1.7.

#### C.1.1.1.7 ACCESSORY USES

1. Uses accessory to any of the permitted uses in Residential Areas are permitted.
2. The specific uses permitted and accessory uses will be established in the Zoning By-laws.



### **C.1.1.2 LAND USE POLICIES**

The following policies apply to land designated Residential Areas:

1. Development within Residential Areas will be subject to servicing and transportation-related policies of Section E of this Plan.
2. Development within Residential Areas will be subject to policies of Section D and boundaries of Schedule D to determine any natural resources, Natural Heritage Features and functions, which may be a constraint to development.
3. Development in proximity to a water resource may require additional approvals from the municipality, Planning Board, and/or the Province, thereby requiring additional restrictions for development not contemplated herein.

### **C.1.1.3 SITE SPECIFIC POLICY AREAS**

Site Specific Policy Areas within lands designated as Residential Area, as shown on Schedule B and Schedules B10 and B13, require policy direction independent of Residential Areas.

#### **C.1.1.3.1 SITE SPECIFIC POLICY AREA C.1.1.3.1**

Site Specific Policy Area (SSPA) C.1.1.3.1, as shown on Schedule B13 is to permit seasonal (not four season) residential uses for existing lots of record having only water access and not on maintained roads. Four season residential uses may be permitted only when access is provided by a maintained year round municipal road.

#### **C.1.1.3.2 SITE SPECIFIC POLICY AREA C.1.1.3.2**

Site Specific Policy Area (SSPA) C.1.1.3.2, as shown on Schedule B10, is to permit residential uses with access via an existing private road until such time that it may be gained from a municipal road maintained year-round.

### **C.1.2 CORE COMMERCIAL AREAS**

Core Commercial Area designations apply to lands within Urban Areas. Core Commercial Areas include a wide array of uses and, in turn, typically serve as centres for employment, shopping, institutions, services, and entertainment for municipalities and their surrounding areas. Due to the wide array of uses within Core Commercial Areas, particularly in relation to

commercial and residential uses, these areas include variations in terms of density, height, and built form in order to ensure land use compatibility with adjacent uses.

#### **C.1.2.1 PERMITTED USES**

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on lands designated as Core Commercial Areas in Schedules B10 through B13.

1. Existing low density residential uses may be permitted;
2. Residential units above ground-floor commercial uses will be permitted.
3. Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses are permitted. Offices are permitted, exclusive of industrial-related uses such as manufacturing, warehousing, processing, assembly, trucking and storage uses.
4. Large Format Retail uses are defined as any retail use, including supermarkets, home improvement stores, department stores and specific category retail uses over 3,000m<sup>2</sup>. Large Format Retail uses are not contemplated in this Plan; however, should a use of this type and size be proposed, an Official Plan Amendment will be required and the Planning Board may, in accordance with Section F.4.12 of this Plan, require the proponent to undertake the following studies:
  - a. a planning rationale report to assess the impact of the Large Format Retail use in relation to the planned function of the Core Commercial Area and impacts on adjacent uses, as well as any other matters determined by the Planning Board;
  - b. a retail market impact study;
  - c. a traffic impact study in accordance with the specific requirements of the Planning Board, municipality, and the Province, as appropriate;
  - d. a servicing and stormwater management plan in accordance with the specific requirements of the Planning Board and municipality, as appropriate;
  - e. an Urban Design Strategy and guidelines; and

- f. a comprehensive site plan addressing the total gross floor area, location of building(s), parking, landscaping, pedestrian amenities, phasing and other site elements.
5. Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale will be permitted, provided the following criteria are met:
- a. the use will have direct access to a Provincial Highway, Secondary Highway, or Major Road;
  - b. the density, height and character of the development will be compatible with adjacent uses;
  - c. the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the municipality, save and except where private septic systems will be permitted;
  - d. the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
  - e. all required parking will be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section E.1.2 of this Plan, will not be accepted by the municipality;
  - f. driveway access will be approved by the municipality; and
  - g. the use will be subject to site plan control, in accordance with the policies of Section F.4.5 of this Plan.
6. Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes will be permitted to develop in accordance with the medium density residential policies of Section C.1.2.1(4).
7. Uses accessory to any of the permitted uses in Core Commercial Areas are permitted.
8. The specific uses permitted and accessory uses will be established in the Zoning By-law.

#### **C.1.2.2 LAND USE POLICIES**

The following policies apply to land designated Core Commercial Areas.

1. Development within Core Commercial Areas will be subject to policies of Section C.1.2.1 of this Plan. Servicing within Core Commercial Areas is subject to the policies of Section E.2;
2. Development within Core Commercial Areas will be subject to parking policies of Section E.1.2 of this Plan;
3. Development within the Core Commercial Designation will also be subject to policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development;
4. The Planning Board will encourage the consolidation of land to create large and more comprehensive commercial development blocks. Consents are not permitted for the purposes of dividing land into smaller parcels for the creation of low density residential uses;
5. The proximity of the water to the Core Commercial Area plays a key role in facilitating pedestrian traffic between the two areas. As such, where new buildings and/or uses are proposed, provision will be made for pedestrian access to and from the waterfront where applicable. This will be a consideration when siting new buildings or redeveloping existing properties.

### **C.1.3 WATERFRONT POLICY AREA**

Notwithstanding the Core Commercial Area designation, the following policies apply to lands identified as Waterfront Policy Area on Schedules B10, B11, and B13:

1. Permitted uses will be limited to tourism-based uses, including:
  - a. Hotels, motels, restaurants, and other commercial uses oriented to the tourism industry;
  - b. Business or professional offices;
  - c. museums and other cultural facilities;
  - d. boat repair establishments;
  - e. marine operations and other in-water facilities; and
  - f. specific use defined in the Zoning By-law(s) of municipalities.

### **C.1.4 ARTERIAL COMMERCIAL AREA**

Lands designated Arterial Commercial Area apply to lands along the major transportation routes including major roads and waterbodies where

commercial uses catering to the travelling public, destination oriented commercial uses, and/or space extensive commercial uses can be accommodated. The Arterial Commercial Area primarily provides for commercial and retail uses and generally provides a less diverse array of goods, services and uses than permitted within Core Commercial Areas.

#### **C.1.4.1 PERMITTED USES**

Subject to other policies of this Plan, the following policies will apply in determining uses permitted on lands designated as Arterial Commercial Area on Schedules B10, B11, B12, and B13.

1. The primary permitted uses will include commercial and retail establishments that are destination oriented or are intended to serve the travelling public, including automobile service stations, vehicle sales and service, public garages, repair service and rental establishments, motels, hotels, restaurants, banks, professional offices, animal hospitals, commercial recreation uses, private clubs, funeral homes, day care centres, food stores, drug stores, personal service shops, hardware, automotive and highway commercial uses.
2. Existing residential uses are permitted.
3. Residential uses above ground-floor commercial uses are permitted.
4. Uses accessory to any of the permitted uses in Arterial Commercial Areas are permitted.
5. The specific uses permitted and accessory uses will be established in the Zoning By-law.

#### **C.1.4.2 LAND USE POLICIES**

The following policies apply to land designated as Arterial Commercial:

1. Development within Arterial Commercial Areas is dependent upon the particular Settlement Area and will be subject to servicing and transportation policies of Section E of this Plan.
2. Development within the Arterial Commercial Areas will be subject to policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development.

3. Development within Arterial Commercial Areas will be compatible with surrounding uses and will be adequately buffered from adjacent sensitive land uses in accordance with the guidelines of the Province.
4. Adequate off-street parking and loading spaces will be provided in accordance with the Zoning By-laws.
5. Uses proposed on Provincial Highways within Arterial Commercial Areas will be subject to the approval of the Province and the municipality, or in the case of Secondary Highways or Major Roads, subject to the approval of the municipality.
6. A high standard of site design and maintenance will be required through site plan control in accordance with Section F.4.5.

#### **C.1.4.3 SITE SPECIFIC POLICY AREAS**

Site Specific Policy Areas within lands designated as Arterial Commercial Areas on Schedule B require policy direction independent of Arterial Commercial Areas.

##### **C.1.4.3.1 SITE SPECIFIC POLICY AREA C.1.4.3**

In addition to all other requirements, on lands identified on Schedules B and B10 to this Plan and described as Part Park Lots 9 and 10, surveyed as Part 1, Plan 31 R-3973, Townplot of Shaftesbury, Municipality of the Town of Northeastern Manitoulin and the Islands, District of Manitoulin, where endangered and/or threatened species have been identified through a habitat evaluation completed by a qualified professional to the satisfaction of Council, the appropriate setbacks as recommended by the Ontario species recovery strategy shall be implemented through the zoning by-law. If an Overall Benefit Permit under the *Ontario Endangered Species Act* has been issued the zoning by-law may be amended to implement the requirements of the permit.

#### **C.1.5 EMPLOYMENT AREAS**

Lands designated Employment Areas consists of lands that are characterized by their high visual profile and accessibility and are generally comprised of industrial, employment, accessory commercial and related uses. Employment Areas are located along a Provincial Highway, Secondary Highway, Major Road, or a Local Road in the municipality. Generally, these areas are expected to accommodate a wide range of employment uses requiring high visibility and good accessibility but depending on the particular employment use, may not be appropriate in the municipality's boundary.

### C.1.5.1 PERMITTED USES

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated as Employment Areas on Schedules B10, B11, B12, and B13.

1. The predominant use of land will be a wide range of employment and industrial uses, subject to the policies of this Section, including manufacturing, logistics operations, warehousing, distribution, offices and related industrial and business park uses, in addition to ancillary service commercial uses serving the Employment Area employees and the travelling public.
2. Industrial uses that require open storage of goods and materials such as manufacturing, processing, assembling, repairing, wholesaling, warehousing, trucking and storage will be permitted; however, the open storage will be screened such that it is not visible from a Provincial Highway, municipal road, or adjacent residential uses.
3. For uses that exhibit any or all of the following characteristics, a study will be prepared in accordance with the relevant Provincial guidelines to demonstrate that the proposed use is compatible with any nearby potentially incompatible or sensitive uses:
  - a. outdoor storage of goods and materials;
  - b. frequent shipment of products and/or materials;
  - c. long production hours and shift operations/unusual hours of operation;
  - d. large volumes of traffic at off-peak hours; and/or
  - e. likelihood of nuisances, such as noise, odour, dust, lighting or vibration.
4. Commercial and office uses associated with and clearly ancillary to the main employment use are permitted.
5. Institutional uses or destination oriented commercial and shopping uses, such as Large Format Retail uses will not be permitted.
6. Parks and open space uses will be permitted.
7. Uses accessory to any of the permitted uses in Employment Areas will be permitted.
8. The specific uses permitted and accessory uses will be established in the Zoning By-law.



### C.1.5.2 LAND USE POLICIES

The following policies apply to land designated Employment Areas.

1. Development on lands designated as Employment Area will be subject to policies of Section B. Servicing within the Employment Designation is dependent upon the particular Settlement Area and will be subject to policies of Section E and the requirements of the Province.
2. Development on lands designated as Employment Area will be subject to policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development.
3. Those uses that create or potentially create extreme environmental stress as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment satisfactory to the Planning Board and/or the municipality, both of which may consult the Province on such matters.
4. Industrial uses located adjacent to or within the municipality will generally be limited to self-contained uses that produce and/or store a product where there is a low probability of significant emissions.
5. An appropriate separation distance, based upon the Province's relevant guidelines related to land use compatibility, will be established between an industrial land use and any sensitive land use. This separation distance will be enforced through a site specific amendment to the applicable Zoning By-law and site plan control through the use of a minimum building setback applied to any industrial use building adjacent to an established or approved sensitive land use.
6. Deviation from established separation distances will require detailed supporting studies of the potential impacts of any industrial use on nearby sensitive land uses, and vice-versa, and any recommended mitigation measures.
7. Separation distances between sensitive land uses and industrial uses, or for industrial uses abutting Provincial Highways or municipal roads will be implemented through the Zoning By-law and be subject to site plan control and may include measures such as:
  - a. building orientation, design and setbacks;
  - b. landscaping and screening;

- c. access controls;
  - d. road improvements and widenings;
  - e. restrictions on the range of permitted uses; and
  - f. restrictions on outside storage.
8. Adequate off-street parking and loading facilities will be provided for all permitted uses for employees and visitors. Vehicle access will be oriented such that industry-related traffic will be discouraged from using local roads where other options are available. Loading facilities and service areas will be located to avoid conflict between pedestrian circulation, service vehicles and movement along the public rights-of-way and visibility from roadways.
9. The provision of appropriate and adequate landscaping and/or other forms of buffering will be provided to:
- a. enhance all parking lots, and outdoor loading, storage and service areas; and
  - b. provide separation between the use and any adjacent use, where appropriate.
10. Industrial uses will be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads.
11. Access to a Provincial Highway will require approval from the Province and the municipality. Access to a municipal road will require approval from the municipality.
12. A high standard of site design and maintenance will be required through site plan control in accordance with Section F.4.5.

#### **C.1.6 COMMUNITY FACILITY AREAS**

Lands designated Community Facility Areas are intended to recognize those major public institutions that benefit the residents of the entire municipality or District, and occupy large and prominent sites. These community facility uses are important sources of both specialized services and employment for the entire District, and include uses such as hospitals, secondary schools, post-secondary educational facilities, correctional facilities, courthouses, and government complexes. These institutional uses tend to be intensely built and attract high traffic volumes, and consequently require an independent land use designation.

### **C.1.6.1 PERMITTED USES**

Subject to other policies of this Plan, the following policies will apply in determining uses permitted on land designated Community Facility Areas on Schedules B13 to B16.

1. Permitted uses will include major institutional uses, such as hospitals, clinics and treatment facilities, secondary schools, post-secondary educational facilities, government offices, places of worship, cemeteries, and government-operated institutions.
2. Places of worship, nursing and retirement homes, museums and other cultural facilities, and private clubs are uses permitted principally in other land use designations, which will also be considered as appropriate in Community Facility Areas.
3. Ancillary uses that are of an appropriate scale and intended to service the main permitted use, such as a variety store, gift shop, restaurant/cafeteria, financial institution, pharmacy, or residence will also be permitted.
4. Uses accessory to any of the permitted uses in Community Facility Areas are permitted.
5. The specific uses permitted and accessory uses will be established in the Zoning By-laws.

### **C.1.6.2 LAND USE POLICIES**

The following policies apply to land designated Community Facility Areas.

1. The integration of active transportation elements, such as bicycle paths, bicycle storage, and walkway systems, will be encouraged in lands designated as Community Facility Areas, in accordance with Policy E.1(8) of this Plan.
2. Development within Community Facility Areas will be subject to the Policies of Section D and Schedule D in order to determine and protect any natural resources, Natural Heritage Features and Areas, which may be a constraint to development.
3. Specific development standards for permitted uses and ancillary uses will be included in the Zoning By-laws and may include floor space limitations, parking requirements, and limitations on signage and advertising.

4. Where an existing use in a Community Facility Area ceases, the Planning Board and the municipality may consider the redesignation of the site to an appropriate alternative designation only after examination of the following options for part or all of the site:
  - a. the use of the site for a suitable alternative institutional purpose;
  - b. acquisition of the site or a portion of it by the municipality for institutional or open space use, based on the park needs of the surrounding area; and
  - c. the use of the site to meet housing targets, particularly for special needs housing.
5. Any proposal to add or enlarge a Community Facility Area will be evaluated on the basis of:
  - a. the impact on and the compatibility with the uses surrounding the proposed site; and
  - b. the adequacy of social and physical services, including roads to accommodate the proposed use.
6. Adequate off-street parking areas will be provided in accordance with the provisions of the Zoning By-laws, and access to parking areas will be limited and designed to provide maximum safety for pedestrian and vehicular traffic.
7. Uses within Community Facility Areas will be located where there is a minimal amount of impact on nearby residential uses and local roads.
8. The profile of the development will relate to the adjacent buildings and uses and result in a gradual transition in terms of the profile of buildings, where applicable and appropriate.
9. The site will be designed to be accessible to all persons within the community, including the elderly and those persons with physical disabilities.
10. Appropriate landscaping and buffers will be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

#### **C.1.7 OPEN SPACE AREAS**

The District's Urban Areas provide a range of passive and active recreational opportunities to residents and visitors through the uses accommodated in Open Space Areas. The Open Space Areas designation accommodates recreational facilities, community centres, parks and other

public open spaces, and in specific circumstances, marina and other in-water facilities. Neighbourhood parks form a component of the municipality's recreational facilities and are accommodated in other land use designations. Additionally, the cultural needs of the municipality and District may be met to some degree through facilities within Open Space Areas.

#### **C.1.7.1 PERMITTED USES**

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated as Open Space Area on Schedules B10, B11, B12, and B13.

1. Large-scale recreational facilities, arenas, community centres, cemeteries, fairs or exhibition grounds, community parks, major parks and other public park uses will be permitted, in accordance with the policies of Section D.
2. Marinas and other in-water facilities will be permitted where specifically identified on Schedule C.
3. The conservation and enhancement of land and/or the environment, as well as the provision of active and passive outdoor recreational and educational opportunities will be permitted, particularly on land exhibiting environmental sensitivity or containing Natural Heritage Features.
4. Uses accessory to any of the permitted uses in Open Space Areas are permitted.
5. The specific uses permitted and accessory uses will be established in the Zoning By-laws.

#### **C.1.7.2 LAND USE POLICIES**

The following policies apply to land designated Open Space Areas.

1. Development within Open Space Areas will also be subject to the policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development.
2. Notwithstanding the policies of this Plan, where specifically identified on Schedule C, marinas and other in-water facilities will be subject to the following policies:

- a. adequate off-street parking facilities will be provided in accordance with Section E.1.2;
  - b. all facilities related to the fuelling of marine craft or aircraft will be in accordance with the applicable legislation;
  - c. a restaurant, a residence for an owner or manager, and/or other accessory uses will be permitted on the same lot as a marina provided that they can meet the policies of this Plan related to parking, servicing, design, and compatibility;
  - d. adequate dry-land boat storage will be provided and its visual impact on adjacent uses and shoreline views should be mitigated;
3. New private marinas will be subject to an Official Plan Amendment.
  4. Environmental policies of Section D will apply to lands within Open Space Areas.

### **C.1.8 FUTURE DEVELOPMENT AREAS**

Lands designated as Future Development Areas represent lands within urban areas that may be reserved for future urban development but either cannot be readily serviced or there is no current demand. New uses will not be permitted that would preclude the future, orderly development of these lands.

#### **C.1.8.1 PERMITTED USES**

Subject to land use policies of Section 1.8.2, the following uses will assist in guiding the range of development permitted within Future Development Areas of the municipality, recognizing that a more definitive list will be provided in the Zoning By-law:


1. Existing uses are permitted to continue.
2. Residential uses are permitted on existing lots of record.
3. Small-scale agriculture uses.
4. Accessory uses to the foregoing will be permitted.


#### **C.1.8.2 LAND USE POLICIES**

The following policies apply to lands designated as Future Development Areas:

1. A single detached dwelling unit will be permitted on existing lots of record designated as Future Development Area lands. Development will only be permitted on Future Development Area lands if it does not negatively impact the function and character of any neighbouring Rural Areas or uses in the Urban Area.
2. Development within Future Development Areas will account for the protection of wooded and scenic landscapes, and should take steps to mitigate adverse impacts on wildlife habitat, in accordance with Section D of this Plan.
3. Any lands to be developed in Future Development Areas will have access to and frontage on a Local Road maintained year-round by the municipality, in accordance with Section E.
4. Development will not be permitted in any Future Development Areas susceptible to flooding or any other hazards in accordance with policies of Section D and boundaries of Schedule E.
5. The proposed use will be required to meet criteria established herein for the Minimum Distance Separation formulae, separation distances from incompatible land uses, etc.
6. Development will satisfy servicing requirements of the policies of Section E of this Plan.
7. Any use proposed other than a single detached dwelling will provide a servicing options report to the satisfaction of the municipality.
8. If for any reason development does not occur in the designated development areas and additional land is required to meet demand, the municipality will first consider re-designating Future Development Areas to meet the demand. In approving an Official Plan Amendment to re-designate Future Development Area lands, the municipality will consider the following:
  - a. the need for additional land, if it is to be used for residential purposes;
  - b. the use for which the land is needed and compatibility with existing and future adjacent uses;
  - c. the need for and availability of municipal water and sewer services;
  - d. a Servicing Options Study;
  - e. the adequacy of road access;
  - f. the need and cost to extend other services;



- 
- g. the potential impact of the development on natural resources; and
  - h. the potential impact on the ability of the remaining Future Development Area lands to develop in an efficient manner.

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## C.2 VILLAGE AREAS

The District of Manitoulin's Village Areas originated as service and residential centres for Rural and Agriculture Areas. The Village Areas include:

- Big Lake;
- Evansville;
- Kagawong;
- Manitou River;
- Providence Bay;
- Spring Bay;
- Tolsmaville; and
- Blue Jay Creek;
- Ice Lake;
- M'Chigeeng;
- Poplar;
- Sandfield;
- South Baymouth;
- Telkummah.

The Village Areas designation recognizes the continued role and function of these communities. Development, in concentrations of residential, commercial, community and industrial service uses, is the preferred development form over scattered development in Rural or Agriculture Areas.

### C.2.1 PERMITTED USES

Subject to other policies of this Plan, the following policies will apply in determining uses permitted on lands within Village Areas, as shown on Schedule A.

1. Low density residential dwellings will be permitted.
2. Home occupations will be permitted in association with a residential use.
3. Bed and breakfast establishments will be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-laws.
4. Small scale commercial and industrial uses will be permitted provided they are of a dry nature and do not require excessive amounts of water for their operations, and are compatible with adjacent uses.
5. Small scale institutional uses including schools and places of worship, and park and open space uses will be permitted.

6. Uses accessory to any of the permitted uses in a Village Area will be permitted.
7. The specific uses permitted and accessory uses will be established in the Zoning By-law.

### **C.2.2 LAND USE POLICIES**

The following policies apply to lands within a Village Area.

1. Servicing within Village Areas is dependent upon the particular Village Area and will be subject to policies of Section E and the Provincial Guidelines.
2. Development within Village Areas will also be subject to the policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development.
3. Development within Village Areas will also be subject to the Provincial Guidelines respecting land use compatibility.

### **C.3 SHORELINE AREAS**

Lands within Shoreline Areas consist of the historic predominately low density residential dwellings abutting inland lakes, Lake Huron, or watercourses. The existing lakeshore/rural character of Shoreline Areas will be recognized and maintained. Development and site alteration will be subject to the environmental policies of Section D that outline the natural limitations relating to flood and erosion areas, hazard lands, soil, and topography.

#### **C.3.1 PERMITTED USES**

Subject to other policies of this Plan, the following policies will apply in determining uses permitted on land designated Shoreline Areas on Schedule B.

1. A single detached dwelling unit will be permitted provided it has the ability to accommodate appropriate servicing systems and has access to a municipal road or has access to public docking facilities for water access lots only.
2. Home occupations will be permitted in association with a residential use.
3. Bed and breakfast establishments will be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-law.
4. Small scale commercial uses, such as neighbourhood convenience and personal service uses that serve the immediate area will be permitted subject to the approval of a site specific Zoning By-law Amendment and the satisfaction of the following criteria:
  - a. no more than one commercial structure or building will be permitted on any site or in any one location;
  - b. the building height will be limited to one storey;
  - c. landscaping, fences, berms, and other forms of screening will be provided adjacent to residential land uses where appropriate;
  - d. all required parking will be provided on the site and will be in accordance with the Zoning By-law. Cash-in-lieu of required parking will not be accepted by the municipality;

- e. driveway access will be approved by the municipality or Province, where appropriate;
  - f. the commercial use will be subject to a Zoning By-law Amendment, in accordance with Section F.4.2 of this Plan; and
  - g. the use may be subject to Site Plan Control, in accordance with the policies of Section F.4.5 of this Plan.
5. Uses accessory to any of the permitted uses in Shoreline Areas will be permitted.
  6. The specific uses permitted and accessory uses will be established in the Zoning By-laws.

### **C.3.2 LAND USE POLICIES**

The following policies apply to land within Shoreline Areas.

1. Servicing within Shoreline Areas is dependent upon the particular Shoreline Area and will be subject to the policies of Section E.
2. Development within Shoreline Areas will also be subject to the policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, and hazards which may be a constraint to development.
3. Small-scale commercial uses may be subject to a site-specific Zoning By-law Amendment, Site Plan Control, and the policies of Section F.4.5 of this Plan.
4. Any scale of industrial use will not be permitted.
5. Residential development will only be permitted on lots where there is sufficient land to accommodate appropriate servicing systems in accordance with Section E of this Plan. Land requirements will only include lands located outside the Natural Heritage Features and Areas and hazard land areas, in accordance with Section D of this Plan.
6. Lands within Shoreline Areas that have servicing constraints will be placed in a holding zone in the Zoning By-law, in accordance with Section F.4.2.1.1 of this Plan. The holding symbol will be removed when appropriate water improvements and any other servicing improvements are undertaken to the satisfaction of the Planning Board and the municipality.

### **C.3.3 SITE SPECIFIC POLICY AREAS**

Site Specific Policy Areas within lands designated as Shoreline Areas, as shown on Schedule B and B9-A, require policy direction independent of Shoreline Areas.

#### **C.3.3.1 SITE SPECIFIC POLICY AREA C.3.3.1**

##### **C.3.3.1.1 PERMITTED USES**

The two lots of record, legally described as Lots 14 and 15, Conc. VII, and Lot 14, Concession VIII, being Parts 1, 2 and 3, Plan 31R-3552, excepting Parts 1 And 2, Plan 31R-4026, Township of Bidwell, and existing at the time this Plan is approved, shall be permitted seasonal residential uses and may be redesigned and approved by consent, separate from any phased subdivision application noted in Policy C.3.3.1.2.3.

##### **C.3.3.1.2 LAND USE POLICIES**

1. No more than two lots on the subject lands shall be zoned for development at any time unless the additional lots are part of the subdivision contemplated in Policy C.3.3.1.2.3.
2. No other application for severance or plan of subdivision shall be granted, unless:
  - a. The application is for legal or technical reasons, and conforms with the generally applicable policies of this Plan, or
  - b. The application is in accordance with the conditional phased development proposal outlined in policy 3.a below.
3. An application for plan of subdivision may be made to the Manitoulin Planning Board to be approved in two phases.
  - a. The first phase would only permit the creation of 6 additional lots. Approval of this phase shall not be granted except in the context of a subdivision agreement that includes, at minimum, the following terms:
    - i. Sewage systems on each lot will be constructed as a conventional septic tile field or an Ontario Building Code approved tertiary treatment system, and partially treated effluent would then be directed to drain fields on each lot having B horizon Precambrian Shield soils



that meet the same characteristics as the native soils in the Ministry of the Environment Lake Capacity Assessment Handbook, (May 2010) on page 38, section 5.2. It is understood that on three of these lots, the Ecoflow or Waterloo Biofilter tertiary system with phosphorus treatment unit will be installed.

- ii. The installation of the sewage systems and the piezo meters/wells, including verifying that the correct B horizon soil has been used, will be approved and certified by an independent qualified expert. This expert shall be retained by the Applicant, and shall be an individual acceptable to the Ministry of Municipal Affairs and Housing. All costs associated with retaining the experts shall be paid for by the Applicant, prior to any occupancy of an individual lot.
- iii. Once any of the septic systems have been commissioned and wastewater is being discharged to the systems, three continuous years of monitoring (coordinated by the applicant) on each system, will be undertaken by a qualified expert retained by the Applicant at the Applicant's expense, plus monitoring at year five and year ten, as outlined below. The expert shall be a person or organization satisfactory to the Ministry of Municipal Affairs and Housing.
  1. Three piezometer/wells will be installed in each of the six drain fields to evaluate distribution of the treated effluent, with a fourth piezometer/well in the down gradient mantle. The locations of the four piezometer/wells will be determined in consultation with the Ministry of Municipal Affairs and Housing. All piezometers/wells will be installed upon the completion of the drain fields being constructed. These wells will generally be of a shallow depth (<3 m) and may be constructed to the bedrock depth if site conditions dictate. The depth position of the screened intervals of the wells will be decided upon by the qualified expert after site conditions are assessed, but will generally include the bottom 30 cm thickness of the filter bed sand and any

- permeable zones present underneath the filter bed.
2. For the first six months after installation of septic systems and occupancy of the residences, no sampling shall be required.
  3. Thereafter, groundwater sampling of the piezometers/wells shall be conducted within one week of each of the long holiday weekends in May, July, August and September or October until the completion of three years following the date of installation, occupancy and initial testing of each system. If the home is occupied during December through April, one additional sample would be required following this period of usage. The Applicant is responsible for ensuring that this monitoring will take place at his own or the individual new lot Owner's expense.
  4. All groundwater samples will be filtered (0.45 µm) and collected in two sample bottles, one untreated and one acidified to pH <2, prior to delivery to an accredited laboratory. Analysis will be for chloride and nitrogen compounds (ammonia, ammonium, nitrates) and total phosphorus (acidified sample) within the laboratory specified holding times.
  5. The Ecoflo or Waterloo Biofilter phosphorus treatment units shall be designed to permit the sampling of effluent. Effluent from the Ecoflo or Waterloo Biofilter phosphorus treatment units shall be collected on the same sampling schedule as the piezometers/wells. Effluent samples shall be unfiltered prior to delivery to an accredited laboratory and shall be analyzed for chloride and nitrogen compounds (ammonia, ammonium, nitrates), and total phosphorus. A field pH reading shall also be taken of the effluent.
  6. Annual reports will be provided to the Ministry of Municipal Affairs and Housing and the

Ministry of the Environment and Climate Change within two months following the end of each calendar year once a monitoring program for any of the test systems is established. The annual report shall be prepared by a qualified expert, retained by the Applicant and satisfactory to the Ministry. The report shall include, at minimum:

- a. A summary and interpretation of all monitoring data with a comparison to the performance standard;
  - b. A description of sampling protocol and any difficulties encountered;
  - c. A discussion regarding the quality assurance/quality control program;
  - d. A summary of occupancy, a description of any operating problems encountered and corrective actions taken;
  - e. A scale site plan or plans of the entire site illustrating significant site features such as surface water features, seeps, ponds, ditches, roadways, the septic systems, as well as all the sampling locations;
  - f. A groundwater contour map showing the groundwater elevations for each well and the groundwater flow directions;
  - g. Tables summarizing all historical and current analytical results for all parameters;
  - h. Hydrographs and tables summarizing all historical and current water level data;
  - i. A copy of the borehole logs for all groundwater monitoring wells; and
  - j. A copy of the original laboratory analytical results.
7. Near the end of the three year monitoring period, on each of the lots with only imported

soils (no tertiary system), sediment cores will be retrieved immediately adjacent to each monitoring well location in the filter bed (three locations), and 5 depth-discrete samples of the filter bed sand per well location will be analyzed for desorbable P ('plant-available' P) assay provided by the University of Guelph Soil and Nutrient Laboratory. Sediment sample splits will be retained for a period of 1 year after collection for additional analysis if required (e.g. acid-extractable P analysis).

- iv. The Applicant agrees to provide permission to the Province or its authorized agent to attend on site to monitor the piezometers/wells once at 5 years and 10 years from the installation of the system, with the monitoring to be undertaken at the expense of the Ministry and not the applicant. The applicant agrees to maintain the piezometers during this time.
- v. The sewage systems must meet a performance standard of no more than 0.3 mg/l, total phosphorus in 80% of the samples from all of the monitoring wells.
- vi. Monitoring will be implemented through the Applicant. The Applicant or individual new lot owner will post with the Town of Northeastern Manitoulin and the Islands, as part of the subdivision agreement, a bond or other security of \$36 000 (that is, equal to the cost of the monitoring for three years on all lots), or \$6,000 per lot (or such lesser amount as the Ministry and the applicant agree) and in the event the Applicant or new land owner fails to carry out the monitoring in a satisfactory manner, the Town, after consultation with the Ministry of the Environment and Climate Change, may call on the bond or other security to carry out the monitoring.
- vii. The recommendations as contained in the Water Quality and Fish Habitat Assessment completed by Michalski Nielsen Associates Limited, and dated April 2010, will be supported within a Site Plan Agreement and/or the Subdivision Agreement.

- viii. Until such time as the second phase is approved, as noted in Policy 3.c, below, the Phase 2 block of land shall not be developed and will be placed in a Holding zone and will be subject to an inhibiting order in the subdivision agreement.
  - ix. A copy of all monitoring reports will be provided to the Lake Manitou Area Association (LMAA) at the time they are submitted to the Ministries. The Association will be afforded the opportunity to offer its comments to the Ministries within 30 days of receipt of the reports, prior to the Province making its determination as to whether the results are satisfactory. It is understood that the LMAA has no veto authority.
- b. The minimum terms of the Subdivision Agreement as outlined in 3.a.iii may be varied without an amendment to this Plan, upon consent of the applicant and the Ministry of Municipal Affairs and Housing with respect to practical details; but, in no case shall the variation reduce the general extent of required monitoring outlined in Section 3.a.iii.
  - c. The second phase of the plan of subdivision may include up to thirteen additional lots, and shall not be approved unless:
    - i. The Ministry of Municipal Affairs and Housing confirms that the performance of the technologies and/or soils used in Phase 1 is satisfactory,
    - ii. The second phase is to employ the same technologies and/or soils as were used in Phase 1 for septic purposes, and
    - iii. The Planning Board determines how the phasing is to be implemented, and will consider how the phasing can be accomplished through a red-line revision to the subdivision approval.
  - d. Any new lots created in either phase of the plan of subdivision shall be for seasonal residential uses and shall have a minimum lot area of 0.4 hectares, or larger if determined necessary by the results of the studies required in Policy 3f below.
  - e. Prior to final approval of the first phase of the plan of subdivision, Council shall adopt an amendment to the Town

of Northeastern Manitoulin and Islands Zoning By-law that restricts the residential uses to seasonal residential uses. The zoning for the subject lands shall have a holding symbol put in place on the lands not included in the lots to be developed under the first phase of the subdivision, including the existing two building lots referenced in policy 1 above. The holding symbol is only to be lifted when the Ministry of Municipal Affairs and Housing has provided its confirmation in accordance with Policy 3.a.iii.3 above.

- f. A Servicing Options Statement and prescribed hydrogeological assessment shall be prepared prior to draft approval of the plan of subdivision. If water wells are to be the source of water supply; a study in accordance with Ministry of the Environment Guideline D-5-4 to demonstrate water quality and quantity will be required.
- g. A stormwater management plan shall be completed prior to the final approval of each phase of the plan of subdivision. This plan shall be to the satisfaction of the Planning Board and the municipality.
- h. An archaeological assessment must be completed by a licenced archaeologist prior to final approval of each phase of the plan of subdivision and is to be registered with the Ministry of Tourism, Culture and Sport.
  - 4. No development or site alteration shall be permitted on any lot within a 30 metre natural vegetated buffer, which extends inland from the normal high water mark, adjacent to Lake Manitou, except for:
    - a. A pathway no greater than two metres in width to provide access to the shoreline;
    - b. Measures intended to improve safety, such as the removal of dead or ailing trees; and
    - c. Measures to permit improved views, such as minor limbing.

## C.4 AGRICULTURE AREAS

Land within Agriculture Areas consists primarily of Prime Agricultural Lands as established by the Ontario Ministry of Agriculture, Food and Rural Affairs. The Plan requires that these lands will be protected for agricultural uses unless appropriate justification is provided for alternative uses.

Traditional as well as value added agriculture and associated activities make an important contribution to the economy of the District. Lands designated as Agriculture Areas are intended to preserve and strengthen the continued viability of the agricultural community. The policies protect agriculture from the intrusion of incompatible uses, such as non-farm related residential dwellings and other uses that are sensitive to contemporary agricultural practices.

### C.4.1 PERMITTED USES

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Agriculture Areas on Schedule B:

1. The primary use of land will be for agricultural uses, agriculturally-related uses and secondary agricultural uses including:
  - a. the growing of crops, including nursery and horticultural crops;
  - b. raising of livestock;
  - c. raising of other animals for food, fur or fibre, including poultry and fish;
  - d. aquaculture;
  - e. apiaries;
  - f. agro-forestry;
  - g. maple syrup production; and
  - h. associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
2. A single residential dwelling will be permitted per lot. A secondary farm residence may be permitted when the size and nature of the operation requires additional employment, and provided the secondary farm residence is on the same lot, is accessory to the main farm operation, is used for full time farm help, servicing is



adequate, and it meets the requirements of the Zoning By-law. A consent for land division for such a dwelling will not be permitted. The accommodation of seasonal or temporary farm help may include the use of bunkhouses provided such use is in conformity with the Zoning by-law.

3. Permitted uses that are secondary to the principal use of the property, including but not limited to: small-scale home occupations, subject to C.4.1(5), small-scale home industries, subject to C.4.1(6), and those uses which add value to farm produce which may include such uses as the processing, preserving, storing and packaging of the farm's products on the farm property.
4. Agriculture related commercial and industrial uses directly related to, and supportive of an agricultural operation are permitted, provided the following policies are considered:
  - a. the agriculture related commercial or industrial operation is of a small scale and cannot reasonably be located in a non-agriculture designation and is required in close proximity to the farm operation;
  - b. such uses will be located to conform with the Minimum Distance Separation Formula;
  - c. an amendment to the Zoning By-law is approved;
  - d. the agriculture related commercial or industrial use will not require large volumes of water nor generate large volumes of effluent and will be serviced with appropriate water supply and sewage treatment facilities;
  - e. the agriculture related commercial and industrial uses will be located and designed to minimize potential adverse impacts including noise, visual, odours, and air emissions, upon nearby residential or other sensitive uses by buffering measures such as landscaping, berming and building setback and layout; and
  - f. the location of agriculture related commercial and industrial uses must provide for appropriate access and minimum sight distances in either direction along a municipal road.
5. Small-scale on-farm diversified uses will be permitted, provided the use remains clearly secondary to the farm operation, and may include home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

6. New livestock facilities and the expansion of existing livestock facilities are permitted in Agriculture Areas without an amendment to the Zoning By-law provided the proposed location is in compliance with the Minimum Distance Separation (MDS) Formulae.
7. The specific uses permitted and accessory uses will be established in the Zoning By-laws.
8. The Zoning By-law provisions will establish provisions relating to built form, lot design, parking, screening/buffering, outside storage, and landscaping for any commercial and industrial uses within Agriculture Areas.

#### **C.4.2 LAND USE POLICIES**

The following policies apply to land designated Agriculture Areas.

1. Development within Agriculture Areas will be subject to the policies of Section D and Schedule D to determine any natural resources, Natural Heritage Features and Functions, and hazards which may be a constraint to development.
2. In order to avoid land use conflicts within the Agriculture Area designation, it is the policy of this Plan that the Minimum Distance Separation (MDS) Formulae be used to establish appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. These standards will also apply to circumstances where new residential lots or other incompatible land uses are proposed in proximity to existing livestock facilities. The MDS-I and MDS-II calculation methods of the Province will apply. The Zoning By-laws will establish separation distances between livestock operations (to be defined within the By-law) and non-agricultural land uses in accordance with Minimum Distance Separation Formulae.
3. The Planning Board and/or municipality will not apply the MDS Formulae to approved residential development proposed by building permit on existing lots of record.
4. The Planning Board and/or municipality will not apply the MDS Formulae to the construction of a new residential dwelling that is replacing a dwelling destroyed in whole, or in part, by a catastrophe, provided that the new dwelling is located no closer to an existing livestock facility than prior to the catastrophe.

5. Land application of manure, biosolids and septage is regulated by the Province in accordance with the *Nutrient Management Act* and the *Environmental Protection Act*. Land application of manure, bio-solids and septage will follow the requirements of the above noted legislation, and the regulations made under those Acts.
6. Proposed development in Agriculture Areas will be serviced with adequate water supply and sanitary sewage disposal services. Development proposals for non-agricultural uses will demonstrate the suitability of the site for the proposed method of water supply, sanitary sewage disposal and stormwater management to the satisfaction of the municipality, the Planning Board, and other approval agencies including, but not limited to, the Sudbury and District Health Unit.

#### **C.4.3 AGRICULTURAL LOT CREATION AND LOT ADJUSTMENT**

In Agriculture Areas, the long-term interests of agriculture, including the preservation of farmland and the enhancement of farming operations, will be the primary role of the designation. The following consent policies will apply to the lands designated as Agriculture Areas in the District.

A consent to sever may be granted for the following purposes:

1. To divide a lot subject to the following conditions:
  - a. the minimum area of both the retained and severed lots will be approximately 40 hectares in size, unless otherwise provided for in this Plan. Smaller severed lot sizes will only be considered by amendment to the Zoning By-law where the sizes of the parcel to be severed and the parcel to be retained are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.
  - b. when either the proposed severed or retained lot does not contain an existing dwelling, and the subject lot is within 1,000 metres of an existing livestock facility, the consent must be implemented by a Zoning By-law amendment requiring any new dwelling construction to meet the Minimum Distance Separation I Formula, including the Minimum Distance Separation Guidelines.

2. Where a previous or current farm acquisition has rendered a habitable farm dwelling to be surplus to the needs of a farm operation, a consent may be permitted subject to the following conditions:
  - a. the retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
  - b. the surplus dwelling parcel will be subject to Minimum Distance Separation I setback provisions, and be zoned to recognize the non-farm residential use;
  - c. any livestock facilities to remain on the retained parcel will remain suitable, as determined by the Planning Board and/or municipality and the farm operator for further livestock operations if the Minimum Distance Separation I provisions can be met; and
  - d. the implementing Zoning By-laws will not impose a setback on nearby expanding livestock operations greater than that required by the application of Minimum Distance Separation II Formula including the Minimum Distance Separation Guidelines.
3. For agricultural-related uses, which means those farm-related commercial and farm-related industrial uses that are small scale, directly related to the farm operation and required in close proximity to the farm operation, where the lot created will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.
4. For the enlargement of an existing lot subject to the following conditions:
  - a. the viability of the retained lot as a farm parcel is not threatened;
  - b. need must be demonstrated where the proposed enlargement is for a non-farm use; and
  - c. the proposed severance must merge with the lot being enlarged in accordance with Sections 50(3) and (5) of the *Planning Act*.
5. For minor boundary adjustments or corrections and easements, and in accordance with Sections 50(3) and (5) of the *Planning Act*, which do not result in the creation of a new lot.

## **C.5 RURAL AREAS**

Lands designated as Rural Areas on Schedule B are intended to protect the natural amenities of the District and provide opportunities for rural and other agricultural and resource-based activities.

### **C.5.1 PERMITTED USES**

1. Permitted uses will include agriculture, farm related and secondary uses as well as resource-based activities, such as forestry, and other rural uses that are not appropriate in Urban Areas, Village Areas, Shoreline Areas, or Agriculture Areas, as well as limited residential development in accordance with consent policies of Section F.4.4.2, where appropriate. Farm-related commercial and farm related industrial uses will include such uses that are small in scale, directly related to the farm operation required in proximity to the farm operation. Secondary uses will include uses that produce value added agricultural products from the farm operation on the property.
2. In addition to agricultural and agriculture-related uses, rural industrial/commercial uses which are resource-based, including dry industrial/commercial uses and forestry uses, may be permitted without an amendment to this Plan, subject to the policies of Section C.5.2 and a site-specific rezoning.
3. In addition to the uses permitted above, service and tourist commercial uses, publicly-owned open spaces, and limited residential development in the form of single detached dwellings may be permitted in Rural Areas without requiring an amendment to this Plan, but may be subject to a rezoning, provided the proposed use meets the criteria established herein for Minimum Distance Separation Formulae and separation distances from incompatible land uses.
4. Notwithstanding the foregoing, within Rural Areas, existing uses that may be zoned for waterfront residential or tourist commercial type uses are permitted to continue as such.
5. The specific permitted and accessory uses will be established in the Zoning By-law.

### C.5.2 LAND USE POLICIES

1. Any agriculture or agriculture-related use will meet the requirements of Section C.4.2.
2. Development in Rural Areas will be subject to the policies of Section E.2.
3. All farm and non-farm development will comply with the Provincial Minimum Distance Separation Formulae as amended from time to time.
4. In the interest of protecting the quality of ground and surface waters, new intensive farms for raising animals and existing farms expanding to the scale of an intensive farm for the raising of animals will prepare a Nutrient Management Plan in accordance with a municipal by-law, if applicable, enacted under the Municipal Act and/or the *Nutrient Management Act* and other applicable provincial requirements for nutrient management planning. Such Nutrient Management Plan will require the approval of agencies having jurisdiction. Existing animal farms are encouraged to prepare a Nutrient Management Plan.
5. Development will be subject to policies of Section D and boundaries of Schedule D to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to development.
6. Opportunities to support a diversified rural economy should be promoted by protecting locally-significant agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses. Locally-significant agricultural and other resource-related lands will be identified and protected in the Zoning By-law and as a guide an approximate minimum lot area of 40 hectares will be applied to prevent fragmentation of lands.
7. Those uses that create or potentially create extreme environmental stress as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment satisfactory to the Planning Board.
8. Rural industrial uses located adjacent to Urban Areas, Village Areas, or Shoreline Areas will generally be limited to self-



contained uses that produce and/or store a product where there is a low probability of significant emissions.

9. An appropriate separation distance, based upon the Province's relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any sensitive land use. This separation distance will be enforced through a site specific amendment to the applicable Zoning By-law and site plan control through the use of a minimum building setback applied to any rural industrial use building adjacent to an established or approved sensitive land use.
10. Rural industrial uses will be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads.
11. Access to a Provincial Highway, or development or works within its Permit Control Area, will require approval from the Province and the municipality. Access to a municipal road will require approval from the municipality.
12. Site design and maintenance will be approved through site plan control in accordance with Section F.4.5.
13. Where rural industrial/commercial uses, including dry industrial/commercial uses, are proposed, the following must be met:
  - a. The proposed use will not create or add to a negative impact on the environment, adjacent or nearby sensitive land uses, or traffic patterns;
  - b. The proponent will demonstrate how outside storage, if any, and the storage and removal of on-site generated waste is to be accommodated;
  - c. The proponent will demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;
  - d. For a use that may have the ability to compromise or contaminate the subject lands, the proponent will submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the municipality, Planning Board, and the applicable Ministry(ies); and



- e. Upon filing an application for a rezoning, the proponent will submit a study that not only justifies the proposed use of land, but also demonstrates how the foregoing and any other requirements set out in this Plan will be met. If a study or studies have not been submitted at the time of filing an application for rezoning, as indicated in Section F.4.12, the Planning Board may not accept the application and deem it incomplete.

### **C.5.3 SITE SPECIFIC POLICY AREAS**

Site Specific Policy Areas within lands designated as Rural Area, as shown on Schedule B and Schedules B6 and B7, require policy direction independent of Rural Areas, as the Planning Board and municipalities have specific intents for these lands.

#### **C.5.3.1 SITE SPECIFIC POLICY AREA C.5.3.1**

Site Specific Policy Area (SSPA) C.5.3.1, as shown on Schedule B, B6 and B7, will be for fully planned and serviced communities oriented towards retirement, recreation, resort or one or more combinations of these functions. The primary intent of this SSPA is to provide for major development proposals to be considered by the Planning Board.

##### **C.5.3.1.1 PERMITTED USES**

1. Permitted uses will include a variety of tenures and types of residential uses, marinas and other in-water facilities, recreation and community facilities, commercial uses related to the community's function as well as parks, open space, and conservation uses. Those uses not specifically mentioned, but which the Planning Board and individual municipalities deem ancillary or complementary to the 'planned community' concept will also be permitted.

##### **C.5.3.1.2 LAND USE POLICIES**

1. Prior to any development being approved, an amendment to the Official Plan, which is supported by a Development Master Plan for the entire site will be required, in addition to the following general policies:

- a. development will be by plan of subdivision based on an overall Development Master Plan that uses current and/or innovative planning principles and standards;
  - b. development will only be permitted if connected to municipal water and sewage systems or individual (private) services approved by the Sudbury District Health Unit or the Province where design capacity would be greater than 10,000L/day;
  - c. Development Master Plans will include provisions for ensuring that environmentally sensitive or fragile lands within and adjacent to proposed development lands are adequately protected to the satisfaction of the Planning Board and Province;
  - d. where a development proposal includes shoreline development, whether existing or proposed, it will be ensured that parks, beaches, marinas, and dock facilities are provided with adequate public access to the waterfront; and
  - e. development will be approved only on the basis of a satisfactory development agreement between the municipality and developer, which ensures that there will be no financial burden placed on the municipality involved in the development.
2. The Planning Board may request that an Environmental Impact Statement be prepared by the developer in accordance with policies of Section D.6.
  3. Any implementing Zoning By-law Amendment will establish as many zones as are required to ensure the implementation of any approved planned development proposal.
  4. Any development will be subject to the servicing policies of Section E.2, transportation policies of E.1, and environmental policies of Section D.

#### **C.5.3.2 SITE SPECIFIC POLICY AREA C.5.3.2**

Site Specific Policy Area (SSPA) C.5.3.2, as shown on Schedules B and B6, is intended for rural uses such as logging/forestry operations, agriculture-related operations, seasonal residences, and hunting camps. Further, the Planning Board regards these lands as a potential site for future development. SSPA C.5.3.2 lands consist of all and/or part of the following lots within the Township of Carnarvon:

- Lots 21 - 22, Concession XIV;
- Lots 14 - 27 and 29 and 30, Concession XV;
- Lots 17 - 19, Concession XVI;
- Lots 22 and 23, Concession XVI;
- Lots 25 to 30, Concession XVI;
- Pt. Lots 17 - 20, Concession XVII;
- Lots 21 to 30, Concession XVII; and
- Pt. Lots 21 - 30, Concession XVIII.

#### C.5.3.2.1 PERMITTED USES

1. Uses for SSPA C.5.3.2 lands will include forestry/logging operations, agriculture-related operations, hunting camps, and residential uses.
2. Accessory uses to the foregoing.

#### C.5.3.2.2 LAND USE POLICIES

1. The development of uses not identified in Section C.5.3.2 within SSPA C.5.3.2 lands will require a complete application and an amendment to this Plan. Applications for any such amendment should address the following:
  - a. the minimum lot size will be 95 acres (or 39 hectares) and there will be a maximum of 33 lots; and
  - b. a 20 metre right-of-way will be maintained for Carter Bay Road. The right-of-way will be retained by present owners of the site. Should Carter Bay Road become a public road in the future, those lots fronting on Carter Bay Road may be developed with the full range of uses permitted in Rural Areas. If shoreline development occurs to the south of the subject property and access along Carter Bay Road to such development is necessary, Carter Bay Road will be upgraded by the present owners to a standard acceptable to the municipality and will be dedicated to the municipality. Any work on upgrading the road may require an approval under the *Environmental Assessment Act*.
2. SSPA C.5.3.2 lands will be zoned appropriately in the implementing Zoning By-law.

### **C.5.3.3 SITE SPECIFIC POLICY AREA C.5.3.3**

SSPA C.5.3.3, as illustrated on Schedules B and B1, applies to lands designated as Rural Area within Cockburn Island. The Planning Board has a specific intent for these lands.

#### **C.5.3.3.1 PERMITTED USES**

1. Uses permitted on SSPA C.5.3.3 lands include single detached dwellings and accessory uses thereto, subject to the Policies of Section C.5.3.3.2.

#### **C.5.3.3.2 LAND USE POLICIES**

1. A single detached dwelling may be erected on existing lots abutting Lake Huron if they are 10 hectares or larger, provided that any further severance or subdivision of the land will require an amendment to this Plan to redesignate the lands as Shoreline Areas and the Policies of Section C.3. For the purposes of this subsection, 'existing' will mean existing on the date of approval for this Official Plan.
2. No new lots will be created within SSPA C.5.3.3 that are less than 15.0 hectares. Notwithstanding the foregoing, where a lot abuts Lake Huron, one lot with a minimum area of 10 hectares may be created on that portion of the lands abutting Lake Huron provided that the area of the remaining portion of the lot is not less than 15.0 hectares.
3. A single detached dwelling may be erected on lots of 15.0 hectares or more that do not abut Lake Huron, provided that it is understood that the municipality will not be responsible for any servicing, such as hydro, snow removal, or any other services that are not provided at the time of this Plan's approval.
4. Where, in the opinion of municipal Council and the Planning Board, the minimum lot area requirements of 15.0 hectares create an undue hardship on a landowner, they may implement a site-specific Zoning By-law to provide for a minimum lot area of 11.0 hectares.

## **C.6 AGGREGATE RESOURCE AREAS**

The Aggregate Resources Area designation represents land uses related to the extraction and processing of raw materials from the earth. Aggregate Resource lands are essential to maintaining and enhancing the District's industry, employment, and infrastructure.

### **C.6.1 PERMITTED USES**

Permitted uses for lands designated as Aggregate Resource Area are as follows:

1. Lands designated as Aggregate Resource Areas are intended primarily for pits and quarries and the extraction of sand, gravel, bedrock and other aggregates. Associated operations such as crushing, blending, screening, washing, aggregate storage (stock-piling), aggregate recycling operations, weigh scales, asphalt manufacture, and concrete batching may be permitted as accessory uses to an active aggregate extraction operation.

### **C.6.2 LAND USE POLICIES**

The following policies will be considered in the development and zoning of Aggregate Resource Areas:

1. It is the intent of this Plan to zone all existing licensed pits and quarries in the Zoning By-law.
2. Other land use activities, particularly sensitive uses such as residential uses, proposed to be developed within land use designations abutting Aggregate Resources Areas, must provide an adequate separation distance by the following distances:
  - a. 150 metres from a pit operation above the water table;
  - b. 300 metres from a pit operation below the water table; and
  - c. 500 metres from a quarry operation.
3. The protection of Aggregate Resources Areas for long term use is a priority of this Plan. However, in approving new pits or quarries, the number and proximity of existing sensitive uses in the immediate area of the proposed new use must be considered.
4. The above separation distances may be altered to reflect site specific conditions related to such matters as land use compatibility,

groundwater, noise, dust, vibration, and other appropriate matters without amendment to this Plan. In contemplating the reduction of the minimum distance separation, the appropriate assessment is required to establish an appropriate distance, and investigate all of the potential impacts on the pit or quarry operation.

### **C.6.3 SITE SPECIFIC POLICY AREAS**

Lands within Site Specific Policy Areas (SSPA) C.6.3.1 and C.6.3.2 require policy direction independent of the Aggregate Resource Area policies in Sections C.6.1 and C.6.2, as the Planning Board and municipalities have specific intents for these lands.

#### **C.6.3.1 SITE SPECIFIC POLICY AREA C.6.3.1**

SSPA C.6.3.1, as illustrated on Schedules B and B2, applies to lands designated as Aggregate Resource Area. These SSPA lands exclude the 20 metre shoreline road allowance and specifically apply to the following lots in Dawson Township:

- Lots 33-42 Concession V;
- Lots 33-40 Concession VI;
- Lots 33-37 Concession VII; and
- Lots 33-36 and 39-40 Concession VIII.

##### **C.6.3.1.1 PERMITTED USES**

1. Notwithstanding the policies of this Plan, any mineral aggregate operation associated with lands identified as SSPA C.6.3.1 will be protected and available for use in accordance with Provincial Policy to support long-term resource-based employment in Dawson Township. Permitted uses will include mineral aggregate operations and associated offices, weight equipment, and parking and garage areas for equipment.

##### **C.6.3.1.2 LAND USE POLICIES**

1. SSPA C.6.3.1 lands recognize the District's significant resources and ensure their protection as well as long-term resource-based employment.

2. A mineral aggregate operation on SSPA C.6.3.1 lands will be protected from activities that would preclude or hinder its expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Uses described in Section C.6.1 are permitted subject to provisions of the Zoning By-law and *Aggregate Resources Act*.
3. Notwithstanding provisions of Policy C.6.2(2), the minimum distance from the edge of the proposed excavation to any adjoining property line outside of the quarry area will be 15 metres.
4. Within SSPA C.6.3.1 lands, extraction is prohibited within 300 metres of the Lake Huron shoreline. The implementing Zoning By-law and *Aggregate Resources Act* licence will define protected setback areas.
5. In order to have regard for the conservation of archeological resources the *Aggregate Resources Act* site plan for these lands should include requirements related to accidental discovery of archeological resources.
6. Mitigation requirements related to noise, vibration and airborne contaminants necessary to prevent unreasonable adverse effects on sensitive land uses should be incorporated on the *Aggregate Resources Act* site plans that will regulate operations at this location.
7. The quality and quantity of ground water and surface water will be protected. Appropriate operational requirements including a detailed monitoring program will be applied through Provincial licences and/or permits.
8. The policies of Section F.4.5 related to site plan agreements, rehabilitation security, and other operational considerations will be addressed through the *Aggregate Resources Act*, licences and site plans given that the *Aggregate Resources Act* has come into effect for this area since the Official Plan Policies were approved.

#### **C.6.3.2 SITE SPECIFIC POLICY AREA C.6.3.2**

SSPA C.6.3.2, as shown on Schedules B and B2, applies to the following lots within Robinson Township that are designated as Aggregate Resource Area:

- Lots 6-9, Concession VIII;
- Lots 6-10, Concession IX;



- Lots 17 – 19, Conc. VIII; and
- Lots 17 & 18, Conc. IX

#### C.6.3.2.1 PERMITTED USES

1. Notwithstanding the policies of this Plan, lands identified as SSPA C.6.3.2 will only include the extraction and removal of large pieces of limestone located above the water table and associated offices, weight equipment, parking and garage areas for equipment, gravel pit operations, washing, screening, crushing and storage of sand, gravel, ballast, aggregates, clay, brick, peat, and other surface/subsurface materials, as well as cement and concrete batching plants, asphalt plants, and road material operations.

#### C.6.3.2.2 LAND USE POLICIES

1. Lands designated as SSPA C.6.3.2 recognize the District's significant resources, including limestone, and ensure their protection as well as long-term resource-based employment.
2. A limestone extraction/removal operation on SSPA C.6.3.2 lands will be protected from activities that would preclude or hinder its expansion or continued use, or which would be incompatible for reasons of public health, public safety, or environmental impact. Uses described in Section C.6.1 are not permitted.
3. In order to have regard for the conservation of archeological resources, the *Aggregate Resources Act* site plan for these lands should include requirements related to accidental discovery of archeological resources.
4. Mitigation requirements related to noise, vibration and airborne contaminants necessary to prevent unreasonable adverse effects on sensitive land uses should be incorporated on the *Aggregate Resources Act* site plans that will regulate operations at this location.
5. The quality and quantity of ground water and surface water will be protected. Appropriate operational requirements including a detailed monitoring program will be applied through Provincial licences and/or permits.
6. The policies of Section F.4.5 related to site plan agreements, rehabilitation security, and other operational considerations will be addressed through the *Aggregate Resources Act*, licences and site



plans given that the *Aggregate Resources Act* has come into effect for this area since the Official Plan Policies were approved.



## **D ENVIRONMENT AND RESOURCE POLICIES**

In partnership with the Federal and Provincial governments, the Planning Board municipalities and the Indigenous communities strive to protect natural resources, Natural Heritage Features, Areas and their functions, as well as the environment in general. It is a priority of the Planning Board and municipalities to ensure the sustainable use of resource assets, to protect and enhance significant natural features and functions, and to reduce the risk to public safety and property from hazards, such as flooding, unstable slopes and human-made hazards.

## D.1 WATER RESOURCES

The District contains many lakes, in addition to many streams and rivers that connect to Lake Huron. Among other resources, the lakes, streams and rivers support the natural environment and the vibrant communities. Water resource issues arise from various forms of human activity. Demands on water resources can contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating lake water quality, flooding and erosion, which all impact the quality of life in the District.

The protection of water resources from contamination and degradation associated with certain land uses and activities is an important element to maintaining the quality of life experienced by both existing residents and businesses, and supporting future growth. Integrating land management and the protection of water resources allows for the continuance of a healthy environment, solid tourism and economic development, and healthy communities.

The followings policies apply to Water Resources:

1. The Planning Board and municipalities will work cooperatively with the Province and interested Indigenous communities in dealing with land management issues within the watersheds draining to any of the watercourses, including those that extend beyond the District Boundaries on the mainland into other jurisdictions.
2. The Planning Board and municipalities will support appropriate flood control management programs of the Province.
3. The Planning Board and municipalities will encourage the protection and restoration of Natural Heritage Features and Areas to improve water quality and quantity.
4. Under the very limited circumstances where permitted by this Plan, development applications that propose to make use of a private water source, such as any commercial, industrial, or any other large water user, will be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction in addition to any water taking permits/studies required by the Province to ensure protection of the natural ecosystem, fair sharing and conservation of water, and prevention of unacceptable interference with other water users. The permits/studies will be prepared to the satisfaction of the Planning Board, municipalities, and the Province.

5. The Planning Board and municipalities will require the use of stormwater management facilities on-site and/or downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The Planning Board and municipalities will promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for development will be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Province's Stormwater Management Planning and Design Manual.
6. In cooperation with the private sector and the community, the Planning Board and municipalities will encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water conservation measures within existing and new development.

#### **D.1.1 LAKE CAPACITY**

Development adjacent to a waterbody shall be defined as land within 300 linear meters from the high water mark of a lake or permanently in-flowing tributary.

The following policies apply to all in-land Lakes:

1. Where lakes and other water resources are determined to be at capacity or a sensitive resource, the creation of new lots, through the consent process or by plan of subdivision, will only be permitted within adjacent to a waterbody under limited circumstances as outlined in D.1.1.2.
2. Where any development (including the creation of a new lot) is proposed adjacent to a waterbody where the Provincial Water Quality Objective for phosphorous or other standards set by the province for dissolved oxygen are exceeded, one of the following conditions must be satisfied:
  - a. the severance is to separate existing habitable dwellings, each of which would be on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;

- b. all new septic system tile fields are located such that they would drain into a drainage basin that contains lakes which are not at capacity;
  - c. all new tile fields are set back at least 300 metres from the shoreline of the lake or permanently flowing tributary to the lake; or
  - d. the effluent pathway from a tile field would flow in a manner for a distance of at least 300 metres to the lake. This must be supported by a report prepared by a qualified professional that is a licensed member of the Association of Professional Geoscientists of Ontario or a licensed member of the Professional Engineers of Ontario who is qualified to practice geoscience and is satisfactory to the municipality, Planning Board, and any applicable provincial agency.
3. Development adjacent to a waterbody shall not cause the water quality to exceed the Provincial Water Quality Objectives for phosphorous as set out by the Ministry of Environment and Climate Change, or exceed the dissolved oxygen criterion for protection of lake trout habitat as set out by MNRF on designated lake trout lakes. Lake Manitou is considered at-capacity and there may be other lakes where water quality is a concern. The water quality status of lakes may change as new information becomes available. It will be the responsibility of the property owners, including proponents of development proposals, to ensure that they are aware of the current water quality status of a lake at all times and in particular prior to submitting a planning application involving adjacent lands.
4. On lakes determined to be at-capacity, unique or special circumstances, such as the physical features of the property, may allow some limited development to be considered. In these circumstances, detailed studies are required to demonstrate that the physical features and the siting and design of the development shall result in no impact on the lake. The Province shall be consulted in these situations.

Notwithstanding the foregoing policies, no new development shall be permitted on Lake Manitou or adjacent to a waterbody at or exceeding the PWQO, except for the development of existing lots of record and in accordance with existing zoning.


## D.2 SOURCEWATER PROTECTION

The protection, conservation and careful management of groundwater resources is necessary to meet the present and future needs of residents, businesses, visitors, and the flora and fauna within the natural environment. Sourcewater contamination is extremely difficult and costly to resolve, effects everyone, and once it occurs, it may be too late to correct; prevention and education are the most realistic strategies. Lakes and rivers must be protected across the District to ensure a clean water baseflow for creeks and streams, and water sources for ponds and wetlands.

The followings policies apply to Sourcewater Protection:

1. The Planning Board and municipalities will support and participate in initiatives that implement the *Clean Water Act*, where necessary and appropriate.
2. Assurance that sourcewater quality and quantity will not be negatively impacted will be required for approval of applications for development.
3. The Planning Board and municipalities will contribute to and promote a culture of conservation among all public, private, and community groups and local citizens and aim to reduce water use in all sectors.
4. The municipalities may establish sector-specific targets for water use reductions.
5. In accordance with this Section as well as Sections F and D.3 of this Plan, the Planning Board and municipalities will contribute to and show leadership by considering water conservation and efficiency within its municipal decision making and operations.
6. The Planning Board and municipalities will pursue opportunities to engage, collaborate and partner with local community groups and private businesses to identify and implement goals, programs, and initiatives related to water conservation and efficiency.
7. The Planning Board and municipalities encourage the design and development of buildings that conserve water in accordance with Section B.5 of this Plan.
8. The Planning Board and municipalities will promote and encourage business and homeowner participation in programs that reward or provide incentives for investments in water saving technologies.



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9. The Planning Board and municipalities, where possible, will require the preservation and enhancement of natural stream bank vegetation and promote suitable erosion control methods.
  10. The Planning Board and municipalities will promote tree planting along watercourses, where possible, to enhance the natural corridor function, provide for cool water temperatures and protect watercourse banks from erosion.
  11. The Planning Board and municipalities will ensure that proponents use best management practices and that interim measures are utilized during construction projects adjacent to watercourses to reduce sedimentation and erosion.
  12. The Planning Board and municipalities, with the Province, will establish an appropriate setback from the top of the bank for all new development in order to prevent erosion, improve water quality, enhance wildlife corridors and protect fish habitat.
  13. The Planning Board and municipalities will promote the use of adjacent lands to watercourses, provided there is an appropriate buffer from the watercourse, for pedestrian movement and passive recreation areas, where feasible.


### D.3 ENERGY EFFICIENCY AND CONSERVATION

Energy efficiency and conservation is an important element of sustainable policy in the District. Energy conservation reduces the energy consumption and energy demand, which reduces the requirements for generation and, depending on the source, impacts on the environment. The reduced energy demand allows for a more sustainable approach to the management of energy use and could provide additional opportunities for local renewable energy production.

By reducing the impacts of greenhouse gas (GHG) emissions, energy conservation is an important part of lessening climate change. Energy conservation facilitates the replacement of non-renewable resources with renewable energy. Energy conservation is often the most economical solution to energy shortages, and is a more appropriate alternative to increased energy production.

The following policies apply to Energy Efficiency and Conservation:

1. The Planning Board and municipalities will contribute to and promote a culture of conservation among all public, private, and community groups and local citizens and aim to reduce energy use in all sectors.
2. The municipalities may establish sector-specific targets for energy use reductions.
3. The Planning Board and municipalities will contribute to and show leadership by considering energy conservation and efficiency within its municipal decision making and operations.
4. The Planning Board and municipalities will also pursue opportunities to engage, collaborate and partner with local community groups and private businesses to identify and implement goals, programs, and initiatives related to energy conservation and efficiency.
5. The Planning Board and municipalities may prepare a Conservation and Demand Management Plan (as required) in accordance with the *Green Energy Act*.
6. The Planning Board and municipalities will support the increased availability of cleaner and more efficient sources of energy to all sectors, and will aim to attract economic growth in the development of renewable energy projects and green industries that are in-keeping with the policies of this Plan for the conservation of Natural Heritage Features and Areas.

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7. The Planning Board and municipalities will support district energy projects as an efficient method of heating and cooling buildings, especially in the agricultural sector.
  8. The Planning Board and municipalities will encourage the design and development of neighbourhoods and buildings that conserve energy in accordance with Section B.5 of this Plan.
  9. The Planning Board and municipalities will promote and encourage business and homeowner participation in programs that reward or incentivize investments in energy efficient technologies.

## D.4 NATURAL HERITAGE SYSTEM FEATURES AND AREAS

### D.4 (a) Natural Heritage Systems

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.

A natural heritage system informs and supports land use planning and resource management while providing a strategic focus for restoration, stewardship, securement and the conservation of biodiversity. It also serves to:

- Limit landscape fragmentation;
- Mitigate the effects of climate change by facilitating migrations to more suitable habitats;
- Facilitate the maintenance of ecosystem health resilience and enjoyment / use by humans; and
- Provide ecosystem services such as clean air, flood attenuation, erosion prevention, and productive soils.

Within the three years after the approval of the Official Plan, the Manitoulin Planning Board shall prepare an Area-Wide Natural Heritage System Strategy. The Planning Board will carry out this work in consultation with interested organizations, agencies, and/or partners. The Planning Board will work co-operatively with interested Indigenous communities to help inform the delineation of the Natural Heritage System through the integration of:

- a) Natural heritage features and areas as identified and described in this Section;
- b) Natural corridors such as streams, flood plains, steep slopes, valleys, contiguous woodlands and wetlands that connect two or more natural heritage features;
- c) Traditional Indigenous knowledge;
- d) Existing municipal rights-of-ways;
- e) Established and proposed service and utility corridors, where appropriate;
- f) Existing public parkland and open space lands;
- g) Watercourses, where appropriate;
- h) Trails and pathways;

- i) Linkages provided through the draft plan of subdivision approval process;
- j) Agreements with private lands owners; and
- k) Land acquisition.

The identification and planning for the natural heritage system will be achieved through a comprehensive approach consistent with the definition of 'natural heritage system' in the Provincial Policy Statement, 2014. Such an approach will involve the inclusion of the fundamental components and characteristics as well as the inclusion of landscape and features-based analyses outlined in the Natural Heritage Reference Manual and traditional Indigenous knowledge. In this regard, the Planning Board and member municipalities will work collaboratively with the Indigenous communities regarding the inclusion of traditional knowledge in the establishment of the Natural Heritage System.

Until such time as a natural heritage system strategy has been completed, the Planning Board and municipalities shall review development applications against the natural heritage features and areas identified in Section D.4 Natural Heritage Features and Areas and other available information to ensure that these features and areas are not adversely impacted by development activity. In this regard, new development or site alteration in component areas of the natural heritage system (as permitted by the policies of this Plan) shall demonstrate that:

- a) There will be no negative effects on key natural heritage features or key hydrologic features or their functions; and
- b) Connectivity between key natural heritage features and key hydrologic features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape.”

#### D.4 (b) Natural Heritage Features and Areas

Natural features and areas shall be protected for the long term. The significant Natural Heritage Features and Areas are lands that represent the legacy of the natural landscape of the area and as a result have important environmental and social value. Natural Heritage Features and Areas in the District have been identified on Schedule D. The Planning Board and municipalities will work to conserve, restore and enhance them, wherever possible. The Plan divides Natural Heritage Features and Areas into six categories:

- Wetlands:
- Provincially Significant; and

- Unevaluated.
- Habitat of Endangered or Threatened Species;
- Fish Habitat;
- Significant Wildlife Habitat;
- Areas of Natural and Scientific Interest (ANSI); and
- Other Natural Heritage Areas.

The following policies apply to Natural Heritage Features and Areas:

1. Delineation of certain Natural Heritage Features and Areas is based on data provided by the Province. These features will be conserved for the long-term in the development, redevelopment and alteration of land within the identified areas. The delineation of these features may be determined and/or refined through the preparation of a detailed Environmental Impact Study (EIS), as described in Section D.7.
2. The Planning Board and municipalities will encourage, wherever possible and appropriate, that trees be planted to replace trees removed if a development proceeds. The Planning Board and municipalities will also encourage the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development. Financial compensation for tree loss is not considered as the preferable means of appropriate mitigation for development.
3. The Planning Board and municipalities will use the Province's Natural Heritage Reference Manual as a guideline for the completion of an EIS, referenced in Section D.7, to ensure that development proposals are consistent with Provincial policies and the Plan's Natural Heritage policies.
4. When considering development proposals, the Planning Board and municipalities will encourage the exploration of opportunities for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation.
5. The Planning Board and municipalities will encourage the conservation of species at risk, either aquatic or terrestrial, and species recovery strategies. The Planning Board and municipalities

will support the implementation of the relevant findings of recovery strategies.

6. Where components of Natural Heritage Features and Areas are held in private ownership, nothing in this Plan will require that these lands be free and available for public use, and the identification of land will not oblige the Planning Board, municipalities, or other public agencies to purchase the land.
7. Subject to Provincial and Federal statutes, the policies of this Plan will not prevent the continuation of existing agricultural uses within or adjacent to Natural Heritage Features and Areas. New or expanding agricultural uses into Natural Heritage Features will not be permitted without further study and approvals from the Province.
8. The Planning Board and municipalities will, to the extent feasible, ensure that required maintenance of existing drains is carried out in a manner that mitigates impacts of the maintenance of drains on Natural Heritage Features, Areas, and their functions.
9. When considering applications or initiating projects under the *Drainage Act* or *Water Resources Act* for drainage works, the Planning Board and municipalities, in consultation with the Province, will be satisfied that the works will be engineered and constructed to ensure no negative impact on Natural Heritage Features, Areas, and their functions. Such considerations may include completion of an EIS or an environmental evaluation/appraisal carried out under the *Drainage Act*.

#### **D.4.1 PROVINCIALY SIGNIFICANT WETLANDS**

Existing Provincially Significant Wetlands in the District of Manitoulin will be conserved. If any additional Provincially Significant Wetlands are identified during the life of this Plan, this Plan will be amended in accordance with Section F.2.1. The following policies apply to existing Provincially Significant Wetlands and also will apply to any additional future Provincially Significant Wetlands:

1. Provincially significant wetlands (PSWs) and the contiguous land 120 metres adjacent to the PSW will be protected from development or anything that may adversely impact the sensitive resource. As a result, no development or site alteration will be permitted within a PSW.
2. The contiguous land adjacent to PSWs represents an area where it is likely that development or site alteration would have a negative



impact on the feature or area. Development and site alteration will not be permitted on land adjacent to a PSW, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An Environmental Impact Study (EIS) will be required for all development proposals within 120 metres or abutting areas identified as being a Provincially Significant Wetland. Prior to considering development and/or site alteration, the Planning Board, in consultation with the Province, will be satisfied that the EIS demonstrates that there will be no negative impacts on the PSW and the sustaining ecological and/or hydrologic functions.

3. The boundaries of PSWs will be defined based on information from the Province. The boundaries of PSWs may be refined without an amendment to this Plan provided approval is obtained by the Province. The addition or removal of a PSW will require an amendment to this Plan.

#### **D.4.2 UNEVALUATED WETLANDS**

The following policies apply to Unevaluated Wetlands:

1. Unevaluated Wetlands (UWs) are delineated on Schedule D.
2. The boundaries of UWs will be defined based on information from the Province, which may be amended from time to time. Where new information becomes available, the Planning Board will review and update the policies related to unidentified wetlands as part of any subsequent review to this Official Plan.
3. Development and site alteration will not be permitted within a UW. Development or site alteration may be permitted on land adjacent to a UW, provided the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An EIS may be required for all development proposals within 120 metres or abutting areas identified as being a UW. Prior to considering development and/or site alteration, the Planning Board, in consultation with the Province, will be satisfied that an EIS

demonstrates that there will be no negative impacts on the UW and the sustaining ecological and/or hydrologic functions.

4. The Planning Board may request that a Wetland Evaluation be prepared for any development or site alteration adjacent to a UW in accordance with the Province's Natural Heritage Reference Manual.

#### **D.4.3 HABITAT OF ENDANGERED OR THREATENED SPECIES**

The following policies apply to Habitat of Endangered or Threatened Species:

1. Habitat of Endangered Species and Threatened Species will be defined based on the *Endangered Species Act* and the Species at Risk in Ontario (SARO) list.
2. In accordance with common practices to protect the associated features from disturbance, the Habitat of Endangered or Threatened Species are not illustrated on the schedules to this Plan. Instead, a screening map, prepared by the Province showing areas of potential habitat of endangered and/or threatened species has been provided to the Planning Board for reference, which may be updated from time to time. Where the screening map identifies the potential habitat of endangered and/or threatened species, an ecological site assessment (EcoSA) will be required in support of a planning application. The EcoSA will assess the potential for habitat and delineate the extent of habitat of endangered and/or threatened species within or adjacent to an area proposed for development or site alteration. In cases where an environmental impact study (EIS) is triggered by this Plan, the above requirements may be addressed as part of the EIS, provided it is undertaken by a qualified individual.
3. The Province is the responsible authority to approve the delineation of habitat of endangered and/or threatened species identified by an ecological site assessment or as part of an environmental impact study.
4. Development and site alteration will only be permitted in Habitat of Endangered or Threatened Species subject to the authorization under the *Endangered Species Act*.

#### **D.4.4 FISH HABITAT**

The following policies apply to Fish Habitat:

1. The Planning Board and municipalities recognize that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem in the District and beyond. The harmful alteration, disruption or destruction of fish habitat is prohibited under the *Fisheries Act*.
2. Development will only be permitted provided that it does not harmfully alter, disrupt or destroy (HADD) fish habitat. Through a fish habitat mitigation/compensation assessment, in consultation with the Planning Board and the Department of Fisheries and Oceans (DFO), it is the Planning Board's objective to secure a "no net loss" of productive capacity of fish habitat, and where possible, secure a net gain of productive capacity of fish habitat.
3. Any development or change in land use within or adjacent to an existing fish habitat area, or potential fish habitat area along lands adjacent to any lake, river, stream, or wetland, will be reviewed by the Planning Board in consultation with the DFO with respect to the potential impact. Adjacent lands will be defined by the Planning Board, in consultation with the Province and DFO, and will generally be 30-120 metres from the edge of the identified Fish Habitat. Any such proposal may be subject to a scoped Environmental Impact Study, in accordance with Section D.7, to determine if proposed development will adversely impact the fish habitat. If it is determined that development will impact the fish habitat, development will not be permitted. If it is determined, through consultation with DFO, that development will not impact fish habitat then the requirement for an EIS may be waived, in accordance with Section D.7. An example of this may include development on full municipal services and nearby, intervening development between the site and the identified fish habitat.
4. The Planning Board may, subject to the requirements of the Province's Natural Heritage Resource Manual, determine the minimum vegetative buffer zone adjacent to existing or potential fish habitat areas where development is proposed.
5. Where it has been determined by the DFO that the development or change in land use will affect the natural functions of the fish habitat, the preparation of a fish habitat mitigation/compensation assessment will be required. The assessment will typically be required to include the following information:
  - a. identify the nature and extent of potential impacts;

- b. determine appropriate mitigative measures to protect the affected fish habitat;
  - c. specify compensation for loss of fish habitat through near-site replacement of habitat, off-site replacement of fish habitat or an on-site increase of fish habitat capacity;
  - d. determine appropriate buffering and how such buffering will be protected in the future; and
  - e. address other matters as determined by the DFO.
6. Any requirements imposed through a fish habitat mitigation/compensation assessment will be implemented by the proponent with input from, and to the satisfaction of the Planning Board and the DFO.
  7. Any development or site alteration within 20 metres above the high water mark will have regard to the Shoreline Management Plan (SMP), which was developed by the Province.

#### **D.4.5 SIGNIFICANT WILDLIFE HABITAT**

Significant wildlife habitats are ecologically important and includes species ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Significant wildlife habitat is an area where plants, animals and other organisms live and find adequate amounts of food, shelter, water and space needed to sustain their populations. All plants and animals have individual habitat requirements, which vary for different periods in their life cycles. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their life cycle, and areas, which are important to migratory or non-migratory species. An example of this includes Deer Wintering Areas, which are identified on Schedule D to this Plan.

##### **D.4.5.1 Deer Wintering Areas**

The following policies apply to Deer Wintering Areas:

1. Deer populations provide a broad range of economic, social and cultural benefits to Manitoulin Island residents. These include both direct benefits (e.g. hunting, viewing, tourism) and indirect benefits (e.g. contributions to biodiversity, bequest to following generations). It is the intent of the Planning Board to conserve important Core Deer

Yards as part of the natural ecology of Manitoulin. Core deer yard boundaries are shown on Schedule D of this Plan.

2. Core deer yards consist mainly of coniferous trees (pines, hemlock, cedar, spruce) with a conifer canopy closure of more than 60% and may include interspersed areas of deciduous forest. Core deer yards provide suitable areas of cover, food, and adjacent natural lands. Lands surrounding the core deer yard can be agricultural, or mixed /deciduous forest; however, a core deer yard is predominantly woodland habitat with minor components of cultural lands. These areas are traditionally used by deer and are absent of barriers to migration to and from the yard itself.
3. Development and site alteration can be beneficial when it maintains cover and provides winter browse. It can be detrimental when excessive amounts of conifer cover are removed or converted to mixed woods or hardwoods. The three most important features of a successful yard are traditional use, cover and browse.
4. Policies aim to be enabling and flexible to allow for local land use planning decisions to address local circumstances and needs, while still contributing to the broader landscape-based deer management needs.
5. In areas identified as Core Deer Yard or adjacent lands, shown on the land use schedules to this Official Plan, and outside of the identified urban areas and village areas, new development or site alteration may be permitted without an Environmental Impact Study provided:
  - a. The proposed new lots have a minimum 90 metre frontage and 90 metre depth, and vegetation retention is maximized through the use of tools such as a development agreement or a subdivision agreement, miscellaneous notification agreement (and subject to the other policies of this plan). Smaller lot sizes may be considered if through means of an Environmental Impact Study it can be demonstrated that no adverse impact will occur to the habitat or herd.
  - b. An Environmental Impact Study as set out in Section D-7 will be required for the creation of more than three new lots as a means to determine the extent of conifer habitat to be retained and other mitigation measures. A Township lot as originally surveyed, i.e. 40 hectare lot, may be severed from an entire holding without affecting the three lot limit.

- c. Where development is proposed in shoreline areas, coniferous fringe habitat along the shoreline (providing deer browse and shelter habitat) shall be conserved.
6. For development proposals within or adjacent to deer habitat, the Planning Board will require an applicant to provide the following information:
- a. a map or sketch indicating the property and the location of the deer habitat on or adjacent to the proposed development and identifying all adjacent land uses;
  - b. identify existing land use and proposed land use;
  - c. identify alternative development locations or forms considered;
  - d. describe the existing forest cover of the area including species, extent of existing forest types etc., including pictures and maps to assist in review of the application;
  - e. describe other identified natural heritage features or development constraints present on the site;
  - f. provide any previous habitat assessments or studies that exist;
  - g. identify the potential impacts of the proposal on key ecological functions including loss of existing conifer cover, food production areas, and linkages;
  - h. identify how the identified deer wintering habitat will be protected or enhanced;
  - i. outline the proposed mitigation measures which will be employed to reduce potential impacts to the deer wintering area as a result of the proposed development; and
  - j. specify the net predicted effect of the development and proposed mitigation measures.
7. Where requested to be completed by Planning Board an Environmental Impact Study must be completed by a qualified professional, the cost of which will normally be borne by the applicant. Planning Board may require a peer review of an Environmental Impact Study.
8. An Environmental Impact Study may be required for a planning application, other than new lot creation, for a change in land use to a commercial, industrial, or institutional use where the proposed building coverage and clearing may result in negative impacts to the natural features and their ecological functions.



9. An Environmental Impact Study will be required when a planning application is made for a large scale recreational use (e.g. a golf course, serviced campground, tourist lodge, motor sport track) that will require large scale site alteration, or the large scale removal of the natural vegetation coverage.
10. On existing lots of record, where planning approvals are not required and residential uses permitted, new residential uses do not require the submission of an Environmental Impact Study.

#### **D.4.5.2 Other Significant Wildlife Habitat**

The following policies apply to other Significant Wildlife Habitat:

1. Other than Deer Wintering Areas, significant wildlife habitats are not identified on any Schedules to this Plan. However, while the habitats are not on the Schedules, the Planning Board will consult the available data provided by the Province when reviewing planning applications. Should additional, or more recent, information become available, the the Planning Board will review and update the policies related to other significant wildlife habitat as part of any subsequent review to this Official Plan.
2. Development and/or site alteration will not be permitted within other significant wildlife habitat unless it meets the following policies:
  - a. Applications for development and/or site alteration within other significant wildlife habitat, within 120 metres, or potentially larger areas as determined through consultation with the Province of such habitat, must be accompanied by an Environmental Impact Study prepared in accordance with Section D.7 of this Plan to demonstrate that there will be no negative impact on the Habitat.


#### **D.4.5.3 Alvars**

Alvars are naturally open areas of thin or no soils over essentially flat limestone, dolostone, or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs. Alvars are shown on Schedule D.

The following policy applies to alvars:

1. Development or site alteration will not be permitted within or adjacent to of an alvar unless it has been demonstrated by the completion of an EIS that there will be no negative impact on the





features or functions of the habitat. The extent of adjacent lands will be defined as being a minimum of 120 metres.

#### **D.4.6 AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)**

ANSIs are areas of land and water containing natural landscapes or features, which have been identified as having values related to protection, appreciation, scientific study or education. These areas have been identified, mapped, and ranked by the Province. The boundaries of some ANSIs have been shown on Schedule D. Development and site alteration may be permitted within an ANSI subject to the following policies:

1. Applications for development and/or site alteration within an ANSI or within 120 metres of an ANSI must be accompanied by an Environmental Impact Study prepared in accordance with Section D.7 of the Official Plan to determine the potential impacts on the ANSI.
2. Changes to the boundaries of an ANSI require the approval of the Province.


## D.5 ESCARPMENT AREA

Lands within the Escarpment Area include those lands having steep slopes and rock faces that are generally regarded as natural extensions to the Niagara Escarpment, but which are not included in the Niagara Escarpment Plan or the Greenbelt Plan. The intent of these policies is to conserve the unique visual and scenic qualities of the brow, face, or base of these Escarpment Areas or lands in their immediate vicinity.

The following policies apply to the Escarpment Area illustrated on Schedule D to this Plan:

1. The uses and activities envisaged on or adjacent to Escarpment Area lands are primarily oriented towards forestry, open space, and recreational uses, including hiking and nature trails, as well as cross-country skiing trails, natural parks, or a combination of these uses.
2. The establishment of municipal and/or accessible hiking and nature trails, cross country skiing trails and parks will be carried out in accordance with the following guidelines:
  - a. prior to the removal of any vegetation or the development of any trails, a park or trail development plan will be prepared by a qualified engineer, who will consult with an ecologist and/or a landscape architect. The development plan will indicate the route of the proposed trail(s) or the layout of the proposed park(s), the vegetation that is to be removed and the techniques to overcome any erosion that may occur as well as the form of buffering or screening that will be employed to reduce visual impact of the trail or park and any remedial works that may be required;
  - b. all trail or park development plans will receive the approval of the Planning Board, municipality, and the Province;
  - c. all parks and trails will be designated so as to minimize the amounts of clearing and to prevent the effects of wind erosion through the use of irregular clearing, narrow trails, and reforestation;
  - d. all parks and trails will be suitably drained so as to eliminate or reduce the possibility of soil erosion; and
  - e. any approved grading operations will be conducted in the early summer or early fall so as to allow sufficient time for seeding and mulching operations on all exposed slopes, clearing, or trails.

3. There will be no buildings for human habitation erected on Escarpment Area lands, as illustrated on Schedule D to this Plan.
4. Prior to the erection or construction of any building, structure, or facility within the Escarpment Area, reports from a professional engineer, landscape architect and/or an ecologist must be submitted and approved by the Planning Board, the municipality, and the Province. Any development within 60 metres of the brow or base of the escarpment must have a slope stability analysis prepared by a qualified professional engineer. The reports will indicate how the structure can be reasonably located without disrupting the natural environment by the removal of excessive amounts of vegetation and the removal of soils through erosion and the techniques used to provide screening or buffering in order to reduce the visual impact of the proposed development. The report will describe the proposed engineering or remedial works and will include a plan or plans showing the following:
  - a. the existing physical features of the land;
  - b. all buildings and structures located on the site;
  - c. the proposed structures to be erected and the final layout of the development of the land;
  - d. the proposed remedial works to be undertaken; and
  - e. the final grade elevations and proposed vegetative cover.
5. Existing extraction operations licenced under the *Aggregate Resources Act* will be permitted to continue and any proposal for a new extraction operation will be required to meet Provincial requirements and the policies of this Plan.
6. Notwithstanding the foregoing, it is recognized that in some instances, Escarpment occurrences are located in close proximity to water bodies where development could take place. The Escarpment Area will not preclude the development of adjacent lands, but where such development is proposed, the Planning Board and municipality will be satisfied that:
  - a. the development does not detract from the unique visual and scenic qualities of the brow, face or base of the Escarpment Area and any development located within 60 metres of the brow or base of the Escarpment Area must have a slope stability analysis prepared by a qualified professional engineer and an impact study, which will clearly indicate the layout of the development,



the location of roads, the vegetation to be removed, and the techniques used to provide screening or buffering in order to reduce the visual impact of the proposed development; and

- b. the access road(s) have been located and designed to minimize their visual and physical impacts on the Escarpment Area and, in the case of a new road that must cross the Escarpment Area, there must be a development plan prepared by a qualified engineer which satisfies the same requirements as those set out in Section D.5(2).

## D.6 NATURAL HERITAGE AND OPEN SPACE STRATEGY

The following policies assist in developing a Natural Heritage and Open Space System Strategy:

1. The Manitoulin Planning Board, and its member municipalities, are committed to maintaining and promoting a healthy natural environment and protecting its unique and special natural heritage features for the present generation and all successive generations. On this basis, it is a policy of this Plan that the establishment of a Natural Heritage and Open Space System Strategy (NHOSSS) be completed through an Official Plan Amendment. The Planning Board and municipalities will engage interested Indigenous communities in discussions related to the establishment of the Natural Heritage and Open Space System Strategy. To this end, the Planning Board and member municipalities will work collaboratively with the Indigenous communities regarding the inclusion of traditional knowledge in the establishment of the Natural Heritage and Open Space System Strategy.
2. The NHOSSS will reinforce the protection, restoration and enhancement of identified Natural Heritage Features and Areas, and promotes the overall diversity and interconnectivity of Natural Heritage Features, functions and areas. An amendment to this Plan may be required to incorporate policies related to the Natural Heritage and Open Space System Strategy.
3. The Planning Board and municipalities recognize that a natural heritage and open space system would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The Planning Board and municipalities will consider all options for the acquisition of land associated with Natural Heritage Features and Areas, functions and linkages in accordance with the land acquisition policies of this Plan. Notwithstanding the options for the acquisition of lands as part of a natural heritage and open space system strategy, the Planning Board, municipalities, or any other public agency will not be obligated to acquire or purchase any land containing Natural Heritage Features and Areas.
4. 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 municipalities, or any other conservation group or agency.

5. The Planning Board and municipalities will encourage the creation of a linked Natural Heritage and Open Space System through the integration of:
  - a. Natural Heritage Features and Areas in public ownership - including land owned by the municipalities, Provincial and Federal Ministries - and land trusts;
  - b. existing municipal rights-of-way;
  - c. established and proposed service and utility corridors;
  - d. existing parkland and open space lands;
  - e. sidewalks and pathways;
  - f. linkages provided through the draft plan of subdivision approval process;
  - g. agreements with private land owners;
  - h. retention or acquisition of access easements; and
  - i. land acquisition.
6. Throughout the District there are a number of watercourses. The Planning Board and municipalities support the provision of recreational trail opportunities and access along these waterways, where feasible and where risks to public health and safety are avoided.
7. The Planning Board and municipalities will actively encourage residential, commercial and industrial developers to connect with and provide opportunities to extend the District's trail system.
8. Land deemed by the Planning Board and municipalities to be significant to the linear park system will be retained in ownership by a suitable organization for the purpose of implementing a linear park system.

## **D.7 ENVIRONMENTAL IMPACT STUDIES**


The Planning Board will apply the following policies to the preparation and review of an Environmental Impact Study (EIS). Under circumstances where an EIS is required, the study and specific scope of the EIS, will be prepared to the satisfaction of the Planning Board and municipalities, in consultation with the Province. However, to assist proponents, the Planning Board may prepare the Guidelines or Terms of Reference to identify the scope of the EIS in consultation with the foregoing agencies.

### **D.7.1 EIS PREPARATION REQUIREMENTS**

The EIS will include:

1. A proposal description including a description of the proposed use:
  - a. current land use, existing land use regulations, and ownership of the subject land and land adjacent to the proposed location;
  - b. the timing of construction/development, including any phasing of the development;
  - c. alternative forms the development may take;
  - d. activities associated with the proposal, and its alternatives that may have environmental impacts (e.g., work on stream banks, tree-cutting, removal of vegetation, earth-moving, excavation and post-construction activities);
  - e. a list of relevant reports and supporting studies that have been completed for the site; and
  - f. a general map showing main roads, proposed lot lines, building envelopes, laneways, septic systems, wells and waterline locations, the extent of the proposed vegetation removal, surrounding Natural Heritage Features or areas, and other features as requested through the EIS pre-consultation.
2. A biophysical inventory of the resource, including:
  - a. if not specified during the EIS pre-consultation, an explanation and justification of the level of investigation undertaken whether data is gathered from existing sources, or a limited or detailed field inventory is undertaken; and
  - b. if not specified during in the EIS pre-consultation, a biophysical inventory identifying:



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- i. physical and hydrological features including:
    - landform;
    - soil types and drainage characteristics;
    - overburden and bedrock geology;
    - areas of high water table;
    - areas of groundwater recharge and discharge;
    - location and usage of wells;
    - drainage patterns;
    - basin boundaries and watercourses;
    - existing erosion sites;
    - areas of willow soil;
    - native plants and animals; and
    - significant wildlife habitat.
  - c. the delineation and mapping of natural vegetation on the subject land, and adjacent affected lands, using the Province's Ecological Land Classification Primer;
  - d. the delineation and mapping of wetlands on the subject land, and affected adjacent lands, using the Province's Ontario Wetland Evaluation System;
  - e. the environmental significance of the physical, hydrological, and natural features on the subject land, and affected adjacent lands, based on criteria outlined in the current natural areas inventory for the District, and, the Province's "Significant Wildlife Habitat Technical Guide";
  - f. the location and presence of Species at Risk (SAR) as identified federally or provincially;
  - g. any other natural features such as hedgerows, windbreaks, isolated tree groupings, wildlife nesting or staging areas, linkages with other natural areas and wildlife corridors; and
  - h. the reasoning behind the choice of study areas within and adjacent to the proposed development site, and the seasons and times of year of the inventory.
3. An assessment of the impacts of the proposal describing the significance of negative or positive effects on the Provincially Significant Features, Natural Heritage Features, functions or areas,

on the subject land, and affected adjacent lands. Specifically, the assessment should identify and assess:


- a. on-site effects (e.g., elimination of habitat);
  - b. off-site effects (e.g., sediment transported downstream);
  - c. short-term, long-term and cumulative effects;
  - d. effects on the use of Natural Heritage Features, functions, or areas by people (e.g., recreational or educational uses); and
  - e. an explanation of the method used to determine the effects.
4. Identification and evaluation of impact avoidance, enhancement and mitigating measures proposed, including, but not limited to:
- a. the identification and assessment of all feasible mitigating measures;
  - b. the identification of effects that can be reduced or eliminated by the application of appropriate mitigating measures;
  - c. a detailed description of the proposed mitigating measures to eliminate or reduce the negative effects;
  - d. the relative effectiveness of implementing these mitigating measures should be estimated, and the extent and significance of any remaining impacts discussed; and
  - e. opportunities for the enhancement of the Natural Heritage Feature, function, or area resulting from positive effects.
5. Recommendations and conclusions based on the above evaluation of impact avoidance, enhancement and mitigating measures will outline the preferred alternative for impact avoidance, enhancement and mitigation including:
- a. modifications to the concept plan or site plan;
  - b. construction requirements or constraints;
  - c. integral components of detailed designs or site plans, such as surface water/stormwater management plan, erosion control plan, tree protection plan, rehabilitation/landscape management plan, or wildlife management plan;
  - d. appropriate buffers/setbacks; and
  - e. other environmental protection measures.

6. Summary consisting of a brief overview of the proposal, the effects on the environment and a statement of opinion from a qualified professional on whether or how the development could proceed without negatively impacting the values of the natural heritage feature, function or area.

#### **D.7.2 ENVIRONMENTAL IMPACT STUDY POLICIES**

The following policies apply to the preparation of an Environmental Impact Study:

1. The Planning Board will require that an EIS be undertaken by qualified professionals in the field of ecology, terrestrial and/or aquatic biology, environmental planning and/or relevant earth sciences.
2. The nature and scope of a particular development proposal will serve to define the type of EIS and review criteria to be addressed. In circumstances where there is a low likelihood of impact on the natural environment, and intervening development between the land subject to the planning or building permit application(s) and the feature triggering the EIS requirement, the Planning Board, may waive the requirement for the EIS.
3. In the preparation and review of an EIS, the Province will be consulted for technical issues on an as-needed basis
4. The Planning Board will review and accept an EIS prior to scheduling a public meeting under the *Planning Act*.
5. If the Planning Board is of the opinion, upon reviewing the EIS, that it has been demonstrated that the proposed use will not have a detrimental impact on the Natural Heritage Feature and/or physical hazard, the Planning Board may approve the proposed use subject to conditions.
6. If the detrimental impact of the proposed use on the Natural Heritage Feature and/or the physical hazard cannot be adequately mitigated, then the development will not be permitted.
7. The Planning Board will use satellite imagery as one of the tools to establish the baseline from which the alteration will be assessed.
8. A peer review, which will be paid for by the proponent, may be required in addition to a review by the Province.

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9. The Planning Board will have consideration to the Province's Natural Heritage Reference Manual to establish the specific scope of any particular EIS.
  10. In circumstances where there is a low likelihood of impact on the natural environment, and intervening development between the land subject to the planning or building permit application(s) and the feature triggering the EIS requirement, the Planning Board, in consultation with the Province, may waive the requirement for the EIS.

## **D.8 RENEWABLE AND NON-RENEWABLE RESOURCES**

Forest resources, recreational hunting and fishing, mineral aggregate resources and mineral aggregates will be protected for long-term use. Existing and potential mineral and mineral aggregate resource activities will be protected, and the extractive industry will be permitted to operate as free from land use conflict as possible, while ensuring minimal environmental impact and social disruption. It is also important that exhausted pits and quarries, and mineral resource land be rehabilitated for appropriate uses that are compatible with the surrounding area.

### **D.8.1 MINERAL RESOURCES**

Due to unavailable data, mineral resources are not illustrated on any Schedules to this Plan. There is potential for the exploration, discovery, and production of mineral deposits in the District. The policies of this Plan address new development in proximity to known mineral resources and existing production areas. The following policies apply to any known Mineral Resources:

1. Mineral resources will be protected for future use.
2. Exploration and extraction of mineral resources will be undertaken in accordance with Federal and Provincial legislation.
3. Development and/or changes in land use that would prevent future access, use, or extraction, will not be permitted in or adjacent to known mineral resource areas unless it can be demonstrated that:
  - a. resource use would not be feasible; or
  - b. the proposed development and change in land use serves a greater long-term public interest; and
  - c. issues of public health, public safety and environmental impact are addressed.

### **D.8.2 MINERAL AGGREGATE RESOURCES**

Mineral aggregate resources will be protected for long-term use. As much of the mineral aggregate resources as is realistically possible will be made available as close to markets as possible.

The following policies apply to Mineral Aggregate Resources:

1. Legally existing pits and quarries licenced under the *Aggregate Resources Act* will be zoned appropriately in the Zoning By-law. These operations will be permitted to continue and will be protected from new incompatible adjacent land uses and activities.
2. Development proposals in close proximity to licenced aggregate extraction areas will be evaluated in terms of potential incompatibilities and addressed accordingly in consultation with the Province. Pertinent information regarding surface and groundwater, dust, vibration, noise, traffic routes in connection with the licenced aggregate extraction area, and buffering will be considered to ascertain the effect these existing factors will have on the proposed new development. Residential and institutional development within 300 metres of mineral aggregate resource areas and licenced pits will generally not be permitted. Proposed residential or institutional development within these areas will be supported by studies that demonstrate that any land use conflicts will be fully mitigated.
3. The Planning Board will not permit new pits and quarries and associated works in a Provincially Significant Wetland (PSW) or the Habitat of Threatened Species and Endangered Species. Prior to the development of new pits and quarries, and associated works, adjacent to any PSW or Habitat of Threatened Species and Endangered Species, an EIS will be prepared in accordance with the policies of Section D.7.
4. The Planning Board will generally not permit new pits and quarries in Natural Heritage Features or Areas. Under the limited circumstances where development would be permitted, as EIS will be prepared in accordance with the policies of Section D.7.
5. New pits or quarry operations are not contemplated by this Plan. Should an Official Plan Amendment be submitted to permit a new pit or quarry operation, appropriate separation distances for proposed and existing aggregate operations are usually determined on a site-specific basis. However, the Province considers the area of influence to be 500 metres for a quarry, 300 metres for a pit below the water table, and 150 metres for a pit above the water table. This area is considered to have the most impact on sensitive land uses from the pit or quarry operation. Applications for Official Plan and/or Zoning By-law amendments to permit new pits, quarries, or other mineral resource extraction activities, will be reviewed on the basis of the following:
  - a. the feasibility of aggregate extraction proposed;

- b. compatibility with the surrounding land uses;
  - c. impact of the proposed haulage routes;
  - d. potential impact on groundwater quality and quantity, Provincially Significant Features, Natural Heritage Features, and the broad natural environment;
  - e. rehabilitation plans;
  - f. matters raised by the Province or municipalities; and
  - g. whether approval will be granted under the *Aggregate Resources Act*.
6. Where extraction is proposed below the water table, the following criteria will be satisfied:
- a. a Permit To Take Water, in accordance with the *Water Resources Act* will be required from the Province where more than 50,000 litres a day of groundwater/surface water will be drawn. A hydrogeological study will be conducted for aggregate operations that intend to use groundwater resources to wash their aggregate and will use greater than 50,000 litres per day during this washing process;
  - b. a substantial quantity of mineral aggregate is located below the water table warranting extraction below the water table;
  - c. other alternatives have been considered by the applicant and have been found unsuitable. Other alternatives include resources on land committed to future urban uses, and resources in the Agricultural Areas where rehabilitation to agricultural uses is possible; and
  - d. in those areas remaining above the water table following extraction, agricultural rehabilitation will be maximized.
7. Rehabilitation of mineral aggregate extraction sites will be required in accordance with the requirements of the *Aggregate Resources Act*. Progressive rehabilitation will be encouraged. Progressive and final rehabilitation will be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation will take surrounding land use and the Land Use Designation of the lot and surrounding lots into consideration.
8. A rehabilitation program will ensure that the pit or quarry can be used for agricultural purposes. Land in Agricultural Areas will be



rehabilitated to ensure that substantially the same areas and average soil quality for agriculture are restored. In Agricultural Areas, complete agricultural rehabilitation is not required if:

- a. extraction is permitted below the water table;
  - b. other alternatives have been considered and found unsuitable; and
  - c. agricultural rehabilitation in remaining areas is maximized.
9. Where agricultural rehabilitation is not required, other appropriate after uses, such as recreational uses may be considered in accordance with the policies of this Plan. Sites may also be rehabilitated to good wildlife habitat using native species for vegetation.
10. The Planning Board and municipalities will actively pursue programs, in cooperation with the Province and owners, to rehabilitate abandoned pits and quarries.

### **D.8.3 WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT PLANTS, AND PORTABLE CONCRETE PLANTS**

The following policies apply to Wayside Pits & Quarries, Portable Asphalt Plants & Portable Concrete Plants:

1. Wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects may be permitted. Under no circumstances will these facilities be permitted adjacent to or within Natural Heritage Features, Urban Areas, Village Areas, or Shoreline Areas. Utilization of aggregate from sites licenced under the *Aggregate Resources Act* and wayside pits and quarries will be required.
2. Wayside pits and quarries, portable asphalt plants and portable concrete plants used for public authority projects will be subject to Site Plan control in accordance with Section F.4.5 of this Plan.
3. Concession or temporary construction and marshalling yards used for public authority projects will be permitted without requiring an amendment to this Plan or Zoning By-law, but will not be permitted adjacent to or within Natural Heritage Features, Urban Areas, Village Areas, or Shoreline Areas.

4. Concession or temporary construction and marshalling yards used for public authority projects may be subject to Site Plan Control in accordance with Section F.4.5 of this Plan.
5. The Planning Board will ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

#### **D.8.4 FOREST RESOURCES**

Forest resources are important to the District and have environmental, social and economic benefits. These benefits include clean air and water, erosion prevention, water retention, provision of wildlife habitat, recreation and the sustainable harvest of woodland products.

The following policies will apply to forest resources:

1. Areas of low forest capability (willow soil, etc.) should have some form of forest management to preserve fragile vegetation and soil cover and to preserve capabilities for extensive recreation and wildlife uses; and
2. The Planning Board will encourage the development of a District-wide or regional strategy for regulating the cutting of trees.

#### **D.8.5 RECREATIONAL HUNTING AND FISHING**

While this Plan will not specifically provide detailed policy direction regarding the District's recreational hunting and fishing industry, the Planning Board will assist the municipalities in the protection of the recreational fishing industry in the District by ensuring that no land use designation and/or policy is established which prevents or is detrimental to the recreational use of fish, fur, or other angling or hunting resources on lands in the District.

## **D.9 RISKS TO PUBLIC HEALTH AND SAFETY**

### **D.9.1 NATURAL HAZARDS**

It is the intent of the Planning Board and municipalities to protect life and property by respecting natural and human-made hazards, which may represent constraints to development. New development should only take place in areas that are not susceptible to hazards. Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions, and wildland fires, which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption.

The flooding hazard (regulatory storm elevation) along shorelines of Lake Huron involves the combination of the 100 year flood level and a flood allowance for wave uprush and other water related hazards. In the absence of studies to determine the allowance for wave uprush and other water related hazards the standard is measured horizontally landward from the 100 year flood level plus 15 meters.

It should be recognized that the standard 15 m and 5 m flood allowances, in the absence of detailed, site-specific studies, are intended to provide a means of defining and delineating the landward extent of the wave uprush and other water related hazards component of the flooding hazard on natural unprotected shorelines.

If field indicators provide reasonable grounds to believe that these standard allowances are insufficient or too great to provide safe adequate protection, the policy provides the flexibility to determine the appropriate allowances by undertaking studies using accepted engineering principles by a qualified engineer.

Schedule E to this Plan includes a Natural Hazards overlay, which identifies the District's Natural Hazards, which are primarily low-lying areas around wetlands and streams.

#### **D.9.1.1 FLOOD HAZARDS**

Areas that are susceptible to flood hazards are subject to the following policies, which were determined in consultation with the Province.

The following policies apply to Flood Hazards:

1. Any development below flood elevations are considered to be within an area that may be subject to a flood hazard. For development on the shoreline of Lake Huron (including Georgian Bay and the North Channel), the flood hazard limit includes a flood allowance area measured 15 m inland and horizontally from the appropriate 100 year flood level.
2. Development will be directed away from areas within or adjacent to the regulatory floodplain, except under very specific conditions. Any development proposed within the regulatory floodplain will be approved by the Province.
3. Development may be permitted on an existing lot of record in a flood plain provided sufficient information accompanies the application in the form of a report prepared by a qualified engineer demonstrating that:
  - a. the proposed development and its occupants will be protected from the effects of a 1:100 year flood;
  - b. the potential upstream and downstream impact of the development proposal will not significantly affect the hydrology or hydraulics of the flood plain;
  - c. that adequate flood proofing measures are incorporated in the development;
  - d. that the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows; and
  - e. that during times of flooding:
    - i. safe egress and ingress for persons and vehicles is provided;
    - ii. no new flooding hazards are created and existing ones are not aggravated;
    - iii. development and site alteration is undertaken in accordance with flood proofing standards, protection works standards, and access standards; and
    - iv. no adverse environmental impacts will result.

4. There is no obligation by the Planning Board or municipalities either to change the delineation of or to purchase any area within a floodplain.
5. The following will be considered in the review of development proposals within proximity to the floodplain, and the Planning Board may consult the Province on technical aspects in this regard:
  - a. the existing physical hazards;
  - b. the potential impacts of these hazards;
  - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
  - d. the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
  - e. protection of Natural Heritage Features and Areas identified in Section D.4.
6. Under no circumstance will development be permitted to locate in a floodplain or on lands that may be susceptible to a flooding hazard where the use is:
  - a. an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion;
  - b. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; and
  - c. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

#### **D.9.2 UNSTABLE SOIL, EROSION, AND STEEP SLOPE HAZARDS**

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or

potential hazards can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of the bank.

The following policies apply to Unstable Soil, Erosion, and Steep Slope Hazards:

1. Development will not be permitted within areas susceptible to erosion and other hazard areas, except where established and an appropriate engineering evaluation of the erosion potential and/or slope stability has occurred and deems the development acceptable.
2. Uses prohibited from locating in an erosion hazard, include:
  - a. an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion;
  - b. an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion; and
  - c. uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
3. The stable top of the bank will be determined by a qualified Professional, in consultation with the Planning Board and the Province.
4. The required setback will reflect the degree, severity and extent of the hazard.
5. The erosion hazard (slope setback) will be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance.
6. The Planning Board, in consultation with the Province, may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed development in the above mentioned Zoning Areas. A minimum setback may be included in the implementing Zoning By-law.

7. The following will be considered in the review of development proposals within hazard areas associated with unstable slopes, and the Planning Board will consult the Province in this regard:
  - a. the existing physical hazards;
  - b. the potential impacts of these hazards;
  - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
  - d. the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
  - e. protection of Natural Heritage Features and Areas.

### **D.9.3 WILDLAND FIRE HAZARDS**

There are lands that may be subject to wildland fire hazards due to proximity to hazardous forest types. Development of such areas may be considered provided that the existing or potential risks are mitigated in accordance with the Wildland Fire Guidelines. Areas with the potential for wildland fires are depicted on Appendix A to this Official Plan.

The following policies apply to lands that may be susceptible to Wildland Fire Hazards:

1. Development will generally be directed to areas outside of lands that may be susceptible to wildland fire hazards, as identified by the Province, due to the presence of hazardous forest types. However, development may be permitted where the risk is mitigated in accordance with wildland fire assessment and mitigation standards as identified by the Province.
2. On lands susceptible to wildland fire hazards, proponents submitting a planning application may be required, as identified by the Province, to undertake a site review to assess the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). If development is proceeding where high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated, which will be implemented through Site Plan Control.



3. Wildland fire mitigation measures shall not be permitted within any Provincially Significant Wetlands identified on Schedule D.
4. Wildland fire mitigation measures shall not be permitted in significant wildlife habitat, coastal wetlands, or significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

#### **D.9.4 HUMAN-MADE HAZARDS**

##### **D.9.4.1 POTENTIALLY CONTAMINATED SITES**

The historic use of land in the District has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and reintegration into the community, if they are properly remediated to suit a new use of the site.

The following policies apply to Potentially Contaminated Sites

1. The Planning Board will encourage the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate redevelopment, in accordance with Provincial regulations and procedures and the policies of this Plan.
2. For land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, Environmental Site Assessments (ESAs) will be prepared in accordance with the policies of this Plan, as part of the development approvals process to determine whether contamination exists, its extent where it does exist, and to determine remediation requirements.
3. The Planning Board will encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community.

#### D.9.4.1.1 ENVIRONMENTAL PROCEDURES FOR POTENTIALLY CONTAMINATED SITES

1. The development or redevelopment of potentially contaminated sites will be assessed and remediated in a manner consistent with the *Environmental Protection Act* and relevant regulations, and the relevant Provincial guidelines and procedures.
2. Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of land use. The Planning Board and municipalities will adhere to these standards.
3. Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval will be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Planning Board's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.
4. When considering applications for development which include sites, either known to be, or suspected of being, contaminated, the Planning Board may require a Phase 1 Environmental Site Assessment (ESA) for such sites. This study, which is the responsibility of the applicant, will be in accordance with the *Environmental Protection Act*.
5. For sites, either known to be, or suspected of being, contaminated, the Planning Board will require that a Phase 2 ESA be undertaken by the applicant where a Phase 1 ESA indicates the potential presence of contamination. The Phase 2 ESA, undertaken in accordance with the *Environmental Protection Act*, will be expected to address the following:
  - a. identify the nature and extent of soil or groundwater contamination or absence thereof;
  - b. determine potential risks to human health and safety as well as effects on ecological health and the natural environment;
  - c. demonstrate whether the site meets relevant Provincial standards for the proposed use; and

- d. where necessary as a result of a Phase 2 report, a Phase 3 remedial action plan should be undertaken and implemented to meet, at a minimum, the regulatory requirements of the Province, and where relevant, the Federal Government.
6. As a condition of approval, the Planning Board will require that remediation, where necessary, is undertaken to the appropriate standards of the Province, as specified in the *Environmental Protection Act* and in its companion document Soil, Ground Water and Sediment Standards for use under the *Environmental Protection Act*, or according to any other regulatory requirements of the Province, as amended from time to time.
  7. A Record of Site Condition may, at the Planning Board's discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the *Environmental Protection Act* as uses for which a Record of Site Condition is mandatory (a change of use to a more sensitive land use), the Planning Board may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the *Environmental Protection Act*. This requirement is to ensure, to the Planning Board's satisfaction, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to the satisfaction of the Province. In such instances, final approval of the application, or waiving of conditions of approval, is contingent on Province acknowledgment of the RSC as well as any Certificate of Property Use issued by the Province in respect of the property.
  8. Where municipalities are deeded land for public highways, road widenings, parks, stormwater management, easements, or for any other purpose, the Planning Board and municipalities may require, and be duly satisfied, that such transfers are conditional upon the verification that the environmental condition of the property meets provincial legislation, regulations and guidelines. Where required by the Planning Board, municipalities, or by the Province, this may include the filing of a Record of Site Condition on the Environmental Site Registry by a Qualified Person as defined by legislation and regulation, and its acknowledgement by the Province.
  9. If an approval for Official Plan amendment is granted by the Province or if a site plan or plan of subdivision/condominium is granted by the Planning Board, conditions of approval may be imposed/established for planning applications to ensure that satisfactory verification of suitable environmental site conditions is received prior to the

issuance of any Building Permits for the site. Such conditions include, but are not limited to, the following:

- a. conditions of site plan approval; or
  - b. holding provisions of the Zoning By-law.
10. The Planning Board will not consider an RSC as acknowledged by the Province until the applicant provides evidence that either the Province has confirmed that the RSC is acknowledged or if the Province has confirmed the RSC is acknowledged subject to an audit that it has passed the audit.

#### **D.9.5 AIR QUALITY AND CLIMATE CHANGE**

Air quality may be improved by reducing emissions of noxious gases, particulates, and dust. There are many emission sources but primary contributors include industrial operations and motor vehicles.

1. The Planning Board and municipalities encourage Provincial and Federal initiatives to develop and enforce improved emission standards for motor vehicles and industrial operations.
2. The Planning Board and municipalities support government programs and encourages industries to substantially reduce the production of chemical products known to have negative impacts on air quality.
3. The presence of trees improves air quality and reduces energy use through shading and protection as well as having aesthetic value. The municipalities may prepare and adopt individual forestry plans for the maintenance and planting of trees.
4. The municipalities may undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on municipal property to improve air quality.
5. The municipalities are committed to a program of replacing trees that must be removed from municipal road allowances. The Province is encouraged to enact a similar program along Highways 6, 540, 542, and 551.
6. The Planning Board and municipalities will strive to create a compact and walkable urban form consisting of mixed uses and efficient active transportation networks that encourage cycling and walking.
7. Opportunities for upgrades to municipal infrastructure will consider the impacts of climate change including more frequent and severe rain events and floods to prevent a failure of existing systems.

#### **D.9.6 NOISE, VIBRATION, ODOUR, AND OTHER CONTAMINANTS**

Noise, vibration, odour and other contaminants resulting from industrial activity can impact adjacent land uses, and the residents, businesses and visitors of the District. Managing noise, vibration and odour levels in the District is important to ensuring its health and well-being, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation network.

The following policies apply to Noise, Vibration, Odour & Other Contaminants:

1. New residential or other sensitive uses will not be located in noise sensitive areas unless noise abatement techniques are employed to reduce the noise to comply with the Province sound level criteria/guidelines.
2. New residential or other sensitive uses will not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Province sound level criteria and/or guidelines.
3. Only those new commercial or employment uses that can meet the Province's sound level criteria will be permitted.
4. The development of new employment uses will have regard for the Province guidelines respecting separation distances between industrial uses and sensitive uses. In locating any sensitive land use in the vicinity of any established or approved employment use, the Planning Board will have regard for the relevant Province guidelines.
5. For any proposed development of a sensitive land use in proximity to a Provincial Highway, a noise and vibration study will be required to be submitted by a proponent, prepared by a qualified acoustical consultant, in accordance with the appropriate Provincial guidelines, to the satisfaction of the Planning Board, and/or other jurisdiction prior to development approval. The recommendations of the approved noise and vibration report will be incorporated in the development agreement for implementation, as approved. The cost of noise and vibration studies and any other required supporting documentation will be borne by the proponent. The proponent will reimburse costs incurred by the Planning Board in engaging peer review consultants to evaluate the proposal and supporting submissions.

6. The Planning Board will support initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. The Planning Board will support agencies and firms in the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials will be encouraged.
7. Development proposals for uses that involve the storage or processing of hazardous or contaminated materials, including water, will demonstrate, to the satisfaction of the Planning Board, that they will comply with all relevant Provincial and/or Federal regulations.

#### **D.9.7 WASTE MANAGEMENT SITES**

The location of new Waste Management Sites and the expansion of existing Waste Management Sites will require an amendment to this Plan. Development within proximity to Waste Management Sites will be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

1. The District's Waste Management Sites are shown on Schedule E to this Plan.
2. Development proposals within 500 metres of any closed or inactive Waste Management Site will be accompanied by a study prepared by the proponent that satisfies the Planning Board and the requirements of the Province guidelines related to land uses on or near landfills and dumps. The study will address any mitigation measures required.
3. Use of any closed Waste Management Sites will be in accordance with the Certificate of Approval.
4. New Waste Management Sites, or expansions thereto, are not contemplated within the horizon of this Plan and will only be considered as part of a comprehensive review, in accordance with Section F.2, and the requirements of the *Environmental Assessment Act*.
5. Wherever practical and feasible, methane or other greenhouse gas emissions from waste management operations will be captured and used as an alternative energy source for the District and its surrounding areas. Additional opportunities for other renewable energy undertakings on any of the Waste Management Sites will be supported.



## **E TRANSPORTATION AND SERVICING POLICIES**

Growth and change is serviced in the District of Manitoulin through a system of infrastructure, which include the roads and parking facilities, trail systems, marine systems, water and sewage services, stormwater and waste management, and shared services. These systems play an important role in defining the communities and areas within the District and ensuring their sustainability, in terms of community health, economic competitiveness and environmental awareness. The policies of this Plan, strive to ensure the efficient and cost-effective co-ordination between the growth management framework and the provision of systems of networks and infrastructure. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning through consideration of municipal asset management plans.



## **E.1 TRANSPORTATION**

The transportation network plays an important role in determining the quality of life within a community through the level of service and accessibility to employment, social, recreational and commercial opportunities.

The Transportation Network, set out in Schedule C is based on the inter-relationship of land use and transportation, which is and will continue to be supportive of one another.

In addition to all the applicable municipal and Planning Board requirements, all proposed development located in the vicinity of a Major Highway within the Province's permit control area under the *Public Transportation and Highway Improvement Act*, will be subject to approval by the Province.

### **E.1.1 ROADS**

The District provides for a range of systems and networks for the movement of goods and people, including roads, cycling and trails, and water and air transportation. The District has excellent access to higher-order transportation systems including Provincial Highways such as Highway 17 via Highway 6, a major port in South Baymouth, and two commercial airports in the Townships of Gordon and Sheguiandah. Every effort will be made to ensure an efficient and effective transportation system to encourage and support economic development in the District. The following subsections provide policies for the following:

- General Road Policies;
- Provincial Highways;
- Municipal Roads; and
- Private Roads.

#### **E.1.1.1 GENERAL ROAD POLICIES**

1. The following roads are identified on Schedules C, C1, C2, C3, and C4:
  - a. Provincial Highways;
  - b. Secondary Highways;
  - c. Major Roads (only on Schedules C1, C2, C3, and C4); and

- d. Local Roads.
2. The following minimum right-of-way road width measurements should be maintained where possible:
    - a. Provincial Highways – 36 metres or as determined by the Province
    - b. Secondary Highways – 36 metres;
    - c. Major Roads – 20 metres; and
    - d. Local Roads – 20 metres.
  3. For the purpose of this Plan, Major Roads and Local Roads are roads that are owned and maintained by the municipalities and Local Roads Boards.
  4. Where additional land is required for road widening and extensions, such land will be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan. The dedication of such land will take into account the following:
    - a. the extent of the right-of-way that may be required as established in the policies of this Plan;
    - d. road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, historic building locations, grade separation, channelization, existing development or other unique conditions make the dedication of equal widenings infeasible;
    - e. the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, sight triangles at intersections including intersections of a Major Public Road and a railway line, railway grade separations and/or any other traffic or road engineering consideration. The extent of the widening will be based on specific characteristics of the intersection and will be determined in accordance with accepted traffic engineering design criteria; and
    - f. other requirements as established by the Planning Board, municipality, and/or Local Roads Boards.

5. Any proposals to widen, extend, realign, or improve roads will consider Natural Heritage Features and Areas and their Functions, and cultural heritage landscape factors and attributes of adjacent land, or by views created by the road. The Planning Board and/or municipality may require a landscape assessment and/or archaeological study prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
6. The preservation and reuse of abandoned transportation corridors for purposes that maintain the corridor's continuous linear characteristics will be encouraged, whenever appropriate and feasible.
7. The automobile will continue to be the main mode of transportation within the District. Notwithstanding this, a land use pattern, density and mix of uses will be promoted, particularly within the Urban Areas and Village Areas, and along the major roads in the District thereby reducing the length and number of vehicle trips, complementing the increased level of pedestrian activity.
8. Safe and convenient pedestrian interfaces with roads will be encouraged.
9. The impact of a development proposal on the transportation system, including the means of access, will be examined through a traffic impact study. Only those development proposals that can be accommodated in the existing system will be permitted. Where the transportation system is not adequate, the Planning Board will require, as a condition of development approval, that the proponent of the development:
  - a. improve the transportation to accommodate the proposed development to the satisfaction of the Planning Board, without the Planning Board or municipality incurring any costs;
  - b. make the necessary financial contributions for the required improvements; and/or
  - c. dedicate rights-of-way for the development of roads.
10. The cost of traffic impact studies and any other required supporting documentation will be borne by the proponent.
11. Where a Highway, Major Public Road or Local Road have been identified as a "Scenic Route" by By-law under the *Municipal Act*, policies in this Plan may be updated to protect view corridors and land use that may impact these "Scenic Corridors."

### E.1.1.2 PROVINCIAL HIGHWAYS

1. Highway 6 is a Provincial Highway in the District that serves as a connection to the mainland to the north and to the port at the south in South Baymouth. Highways 540, 542, and 551 are Secondary Highways that serve as connections to various communities across the District. They are owned and maintained by the Province. Under both highway scenarios, there are circumstances where the highway acts as a connecting link in each of the municipalities that it serves.
2. The Province's statutory authority for its Permit Control System, including highway access control, is set out in Sections 31, 34 (King's Highway) and 38 (controlled-access highway) of the *Public Transportation and Highway Improvement Act* (PTHIA). Any development located within Province's permit control area under the PTHIA is subject to Provincial review and approval prior to the issuance of entrance, building and land use permits. These permits must be obtained prior to any construction being undertaken within Province's permit control area.
3. Where development is proposed in proximity to a Provincial Highway, Provincial Noise Assessment Criteria will be applied.
4. Direct access to Highways 6, 540, 542, and 551 is permitted provided that the proponent of development meets the Province's access management practices and principles and demonstrates to the satisfaction of the Planning Board, municipality, and the Province that direct access is appropriate, considering the settlement structure and land use policies of this Plan and the following:
  - a. the location of proposed access with respect to sight lines, topography and the geometric design of the highway; and
  - b. the effect of turning movements on through traffic taking into consideration the volume of traffic generated by the proposed land use, other existing direct accesses onto the highway within the immediate vicinity and the need for turning, acceleration and/or deceleration lanes.
5. Development along Highways 6, 540, 542, and 551, which may be subject to additional Provincial requirements and standards, particular attention should be given to the orientation and design of any proposed development to ensure it complements and contributes to the character of the area. Similarly, streetscaping

elements such as special lighting, landscaping and street furniture are encouraged outside the right-of-way of Highways 6, 540, 542, and 551 to reinforce and enhance the character of the area.

6. Where new development is abutting Highways 6, 540, 542, and 551 and a Major Public or Local Road, the development is encouraged to gain access and use the Major Public or Local Road where possible.

### **E.1.1.3 MUNICIPAL ROADS**

1. Direct access to Municipal Roads from abutting properties is permitted provided the access point is in a location where there are adequate sight lines considering the topography and the geometric design of the road.
2. Standards for new Municipal Roads will be determined by the municipality's road standards for engineered design, layout, drainage and construction. Where new Local Roads are constructed as part of a development, the developer will be responsible for the cost of construction.
3. Existing Municipal Roads having substandard widths or engineering standards and when scheduled for reconstruction, may be reconstructed to currently accepted standards as determined by the Local Roads Board and municipality.
4. Road access points will be designed to the satisfaction of the municipality and be in locations that will not create a hazard due to impaired line of sight, or any other safety, transportation or land use planning consideration.
5. Major Public Roads will have a right-of-way of at least 20 metres. However, in the Urban Areas and other established areas of the District, and in certain other circumstances, the Planning Board and municipality may consider alternative development standards, including standards for reduced right-of-way widths. The Planning Board and municipalities recognize that in some existing developed areas the reconstruction of roads to the standards required by the policies of this Plan may be economically or physically infeasible due to constraints of existing buildings, existing services, access driveways and other conditions. In order to secure needed road improvements in such cases, it will be necessary to find a realistic balance between accepted engineering standards, the disruptive effects upon existing conditions, and ensuring public safety is upheld.

#### **E.1.1.4 PRIVATE ROADS**

1. For the purpose of this Plan, Private Roads are roads that are not owned or maintained by the Province or a local municipality or maintained by a Local Roads Board that service two or more properties in separate ownership.
2. Development on Private Roads and the creation of new Private Roads in the Urban Settlement Area shall only occur as roads internal to plans of condominiums.
3. Development on Private Roads and the creation of new or extended Private Roads may be allowed in areas other than Urban Settlement Areas.
4. New Private Roads must be directly connected to a public road which is maintained year-round or have legal access (i.e. easement) granted over an existing private road.
5. New or extended Private Roads must have a legal right of way established over the full length of the Private Road.
6. Direct access to existing Private Roads from existing abutting properties may be permitted provided the access point is in a location where there are adequate sight lines considering the topography and the geometric design of the road confirmed by the Road Authority.
7. Private Roads may be assumed by the municipality once they have been upgraded to an accepted municipal standard. However the local municipality is not obligated to assume any road even if it has been brought up to an acceptable municipal standard. The municipality will not be responsible for upgrading Private Roads.
8. For lots created on the basis of Private Road access, the municipality will consider limiting municipal liability with respect to providing access and services through Site Plan Control or a similar development agreement, and will register such document on the title of the lots. Such an agreement should include the following conditions:
  - a. The owner acknowledges and agrees that the lot in question does not front on an improved municipal public road;
  - b. The owner acknowledges and agrees that the municipality does not and is not required to maintain or snowplough the said road;



- c. The owner acknowledges and agrees that the municipality will not take over or assume any Private Road as a municipal public road unless it has been built to the municipal road standard;
- d. Notwithstanding that a Private Road is improved to an acceptable municipal road standard, the local municipality is under no obligation to assume ownership and/or responsibility for the maintenance of the road;
- e. The owner acknowledges and agrees that the municipality is not liable for any injuries, losses or damages as a consequence of the municipality issuing a building permit;
- f. Acknowledgement and agreement that the municipality does not have any liability or responsibility for maintenance of the road or the provision of services; and,
- g. Any other matters that the municipality may consider relevant.

### **E.1.2 PARKING**

The parking management policies focus on the promotion of efficiently planned, compact and accessible development for all modes of transportation. Given that the automobile will continue to be the principle mode of transportation within the District, the provision of sufficient parking, in terms of size, location and quantity is an important consideration in this Plan.

The following policies apply to Parking:

1. The Planning Board and municipalities will monitor future parking needs in the Commercial Core Areas on an ongoing basis to ensure adequate on- and off-street parking needs are being met.
2. All new development or redevelopment outside of Commercial Core Areas will be required to provide sufficient parking on-site to accommodate the proposed use. If the required parking cannot be provided, the municipality may, at its sole discretion, collect cash-in-lieu pursuant to Section 40 of the *Planning Act* to be used expressly for the provision of additional parking spaces in an appropriately defined area. Residential uses in the Commercial Core Areas will not be permitted to develop on the basis of cash-in-lieu of parking.



3. Shared parking amongst residential and non-residential uses may be promoted to provide for a more efficient use of fewer parking spaces.
4. Efficient site design practices will be promoted which focus on compact and accessible land development to minimize land consumption.
5. Opportunities to provide alternative mobility choices such as cycling and walking will be promoted to reduce parking demand.
6. The Planning Board and municipality will review the design and layout of parking areas in accordance with the local parking guidelines.

### **E.1.3 ACTIVE TRANSPORTATION**

A shift towards active lifestyles and increasing demands for sustainable modes of transportation presents a need for a useful and accessible walking and cycling network in the District. This Plan recognizes that bicycle and pedestrian trails and paths contribute to healthy communities and supports such sustainable modes of travel. The Planning Board and municipalities encourage the development and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes.

The following policies apply to Active Transportation:

1. The Planning Board and municipalities will work towards providing safe bicycle and pedestrian paths, both separated from the roadway, on existing and proposed roads, on abandoned transportation corridors, and within parks and open spaces, as appropriate.
2. The Planning Board and municipalities will consider adapting roads to provide safer travel for bicycles and pedestrians on road pathways, where feasible and appropriate.
3. The Planning Board and municipalities are encouraged to undertake to interconnect existing walking trails and bicycle paths and, where feasible and appropriate, provide continuous trail system linkages.
4. The Planning Board and municipalities will promote accessible and convenient trail systems within a reasonable distance from any trailheads.

5. The Planning Board and municipalities will ensure that trail and path systems provide places to sit, and include the use of diverse paving, high quality landscape materials, and pedestrian scaled directional lighting.
6. The Planning Board and municipalities will promote aesthetically pleasing trail systems, particularly for recreational purposes. Particular attention will be given to trail systems associated with natural assets including the waterfront, parks, and natural features.
7. The implementation of trail systems will be feasible in terms of the costs and benefits associated with the route selection. Healthy lifestyles, sustainability, and the quality of neighbourhood character will be taken into consideration.
8. The Planning Board and municipalities will encourage the integration of bicycle path and walkway systems into the design of transportation facilities by including facilities such as sufficient and protected bicycle storage areas at places of employment and community facilities, and cultural and shopping locations, where appropriate.
9. The municipalities are encouraged, where applicable, to implement and operate an effective trail system maintenance program.
10. The Planning Board and municipalities will promote opportunities for public access to the waterfront and the development of a waterfront trail system and open space linkages along Lake Huron and any of the inland lakes and rivers provided there are no adverse environmental impacts on the resource.
11. The Planning Board and municipalities are encouraged to support the creation of a primary cycling network on all of the Major Public Roads, as identified on Schedules C1, C2, C3, and C4.

#### **E.1.4 MARINE SYSTEMS**

The Lake Huron shoreline and inland water connections to the Lake provide for important marine recreational opportunities. This Plan recognizes the potential for commercial transportation opportunities, including the movement of goods and ferrying services.

The following policies apply to Marine Systems, which are identified on Schedule D to this Plan:

1. The proposed development of any new ports, marinas, or any other in-water facilities will require an amendment to this Plan due to the potential impacts of the use and meet the requirements of Section E.1.4.2. Existing ports, marinas, and other in-water facilities may be expanded without an amendment to this Plan provided an EIS is prepared that addresses the issues identified in Section D.7.
2. The development of new in-water facilities such as marinas are not anticipated by this Plan as a result of the environmental constraints and impacts regarding the development of such uses. This Plan recognizes that the most prudent approach to improving marina water access is through the enhancement or enlargement of existing marina facilities. Municipalities shall consider the following criteria when evaluating proposals to expand existing water-based uses:
  - a. a shoreline or coastal study will be undertaken to assess the appropriateness of the water-based use and shoreline to accommodate the proposed expansion or enlargement;
  - b. there will be a demonstrated basis and need for the proposed use;
  - c. the use will be well removed from potential land use conflicts;
  - d. the use will respect the visual qualities and characteristics of the areas and protect and enhance the areas significant natural features, cultural resources and views;
  - e. the use will be serviced by approved water supply and sewage treatment systems and provide appropriate stormwater drainage;
  - f. the use will provide adequate entrances and exits to roads and shall be located as to minimize travel hazards. Access shall be clearly defined by pavement breaks, landscaping, curbing or other acceptable means;
  - g. the use will provide adequate off-street loading, parking spaces and access and any traffic impacts should be studied;
  - h. the use will be located and designed to minimize potential adverse impacts on adjacent residential and other

- incompatible or sensitive uses by buffering measures such as landscaping, berming and building setback and layout;
- i. the use will not be permitted in Natural Heritage Features or Areas identified on Schedule D to this Plan, unless it has been demonstrated that there shall be no negative impacts on the natural features or their ecological functions through the undertaking of an Environmental Impact Study, in accordance with the policies of Section D.7 of this Plan;
  - j. any waterfront frontage of the development may be required to accommodate an appropriate trail system providing some form of public trail access and connection and shall be conveyed to the municipality at no cost; and
  - k. the municipality may impose appropriate controls through the *Municipal Act*, to ensure that the hours of operation of any secondary use does not conflict with adjacent land uses.
3. The planning and development of a new port, and associated road facilities whether initiated by federal, provincial and other agencies, or the private sector, should be undertaken comprehensively and should consider the following:
- a. environmental impacts both during and after construction;
  - b. public use of and access to port facilities;
  - c. most effective intermodal linkages with transportation facilities;
  - d. integration of functions into multi-use facilities;
  - e. coordination and conformity with District planning policies and other public policy matters, including prevailing Provincial Policy;
  - f. land use impacts, land use compatibility, the appropriateness of the proposed location, and urban and site design considerations;
  - g. traffic impacts and the coordination of roads and parking;
  - h. stormwater management;
  - i. coastal and port engineering; and
  - j. economic and municipal fiscal impacts.

## **E.2 WATER AND SEWAGE SYSTEMS**

The Planning Board and municipalities will ensure that a cost-effective and adequate system of water supply and sewage treatment is provided to support, enhance and sustain existing and future residents and businesses in the District.

### **E.2.1 MUNICIPAL WATER AND SEWAGE SERVICES**

The following policies apply to Municipal Water & Sewage Services:

1. Priority will be given to the development of land that is presently serviced by piped water and sewage systems, or those areas that can most easily be serviced, at minimal expense.
2. Both municipal water supply and sewage systems will perform within permitted operating standards. Prior to development approval involving significant lot creation and/or development, the Planning Board may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal potable water and sewage systems will be a constraint to further development. The municipalities will continue to monitor treatment capacities and operational effectiveness of these municipal systems.
3. Development in proximity to sewage lagoons will adhere to the separation distances of the appropriate Provincial guidelines. Prior to the approval of any development of a sensitive land use in proximity to the lagoon, the Province will be consulted, and its guidelines will be satisfied.
4. Infilling of vacant areas which are already provided with full water and sewage services is encouraged, and will be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction.
5. In order to ensure the efficient use of land and municipal services, development, including lot creation, on private servicing systems (water and/or sewage disposal) in areas with full municipal services will generally not be permitted. However, exceptions will be considered in areas not physically able or financially unreasonable to be serviced by municipal water and/or sewage

services on the basis of a site-specific amendment to the Zoning By-law, and satisfaction of the following criteria:

- a. the development of the land and accommodation of a private servicing system will not preclude the ultimate extension of municipal water and sewage systems to service the lands;
  - b. at such time as municipal water and/or sewage services become available, the landowner, at their expense, will be required to connect to municipal water and/or sewage services;
  - c. the topography, soil and environmental characteristics of the land is able to accommodate an appropriate private water and sewage system that will minimize adverse environmental impacts;
  - d. water and sewage servicing systems will satisfy the applicable development standards of the Planning Board, municipality, and the Province; and
  - e. the proposed development is consistent with this Plan and the Planning Board and municipality's objectives.
6. The application of a holding symbol in accordance with the policies of Section F.4.2.1 of this Plan may be implemented until such time as municipal water and sewage systems are available.

### **E.2.2 PARTIAL SERVICES**

The following policies apply to Partial Services:

1. Partial services may be permitted to address an existing sewage disposal or water quality problem that represents a hazard to public health and safety and provided that the Planning Board and municipality are satisfied that there is public benefit from such action for residents of the municipality.
2. The Planning Board and municipalities will ensure that municipal water systems perform within permitted operating standards. Prior to development approval involving significant lot creation and/or development, the Planning Board may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal water systems will be a constraint to further development. The municipalities, where systems are



available, will continue to monitor treatment capacities and operational effectiveness of this municipal system.

3. Priority will be given to the development of land that is presently serviced by piped water systems, or those areas that can most easily be serviced, at minimal expense.
4. Communal servicing systems to service new development will be discouraged.
5. When development is permitted on partial services, the private service component, either the well or septic system, shall be in accordance with Section E.2.3.
6. Any lot impacted by an application for consent or plan of subdivision will be sized such that there is sufficient area for the servicing systems proposed, including attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
7. Development in proximity to the sewage lagoon will adhere to the separation distances of the appropriate Provincial guidelines. Prior to the approval of any development of a sensitive land use in proximity to the lagoon, the Province will be consulted, and its guidelines will be satisfied.
8. The application of a holding symbol in accordance with the policies of Section F.4.2.1 of this Plan may be implemented until such time as:
  - a. municipal water systems with sufficient uncommitted reserve treatment and distribution capacity are available; and
  - b. the appropriate permits are received for the provision of private sanitary sewage systems.

### **E.2.3 PRIVATE WATER AND SEWAGE SERVICES**

The following policies apply to Private Water and Sewage Services:

1. The primary means of sewage disposal outside of the existing servicing limits is the septic tank and weeping tile system. It is anticipated that private sewage disposal systems will continue to be the principal means of sewage disposal. The installation of septic systems with a daily flow of up to 10,000 litres is subject to the approval of the Sudbury and District Health Unit whereas systems with a daily flow exceeding 10,000 litres are subject to the approval of the Province.



2. In areas outside of the established municipal sanitary sewer and potable water service areas, the Planning Board and municipality may consider the extension of municipal sanitary sewer or water services. This extension, however, will only address an existing sewage treatment/disposal or water quality problem that represents a hazard to public health and safety, provided that the Planning Board and municipality are satisfied that there is positive public benefit from such action for residents. The municipality will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.
3. As a result of evolving technology in the field of private sewage disposal systems, the Planning Board and municipalities do not wish to limit the types of sewage systems that may be considered. However, the Planning Board and municipalities must be satisfied that any proposed sewage disposal system has the approval of the Sudbury and District Health Unit and/or the Province and that sufficient data exists, relevant to the District, to indicate that the system will operate properly for the long term, without any negative impact on the natural environment.
4. The Sudbury and District Health Unit is responsible for the approval of all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
5. Communal servicing systems to service new development will not be permitted.
6. Potable water for new development will be provided in accordance with the Province's guidelines.
7. Holding tanks will not be permitted for new development. Holding tanks will only be permitted for existing development where the Planning Board, municipality, and Sudbury and District Health Unit are satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the proponent will ensure that appropriate provisions are in place for disposal of hauled sewage at a facility that has received statutory approval from the applicable approval authority to receive hauled sewage. Holding tanks, if permitted to be used, must obtain necessary statutory approvals from the applicable approval authority and meet the Ontario Building Code.
8. Any lot affected by an application for consent or plan of subdivision will conform to minimum frontage and area

requirements of the Zoning By-law and be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply in accordance with the Provincial guidelines.

9. The application of a holding symbol in accordance with the policies of Section F.4.2.1 of this Plan may be implemented until such time as the appropriate permits are received for the provision of private water and/or sewage systems.

#### **E.2.4 SERVICING ALLOCATION AND PHASING**

The following policies apply to Servicing Allocation and Phasing:

1. When unallocated servicing capacity does not exist for a proposed development, the Planning Board will defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development within one year of the granting of the planning approval. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.
2. The timing of development will be based on the management of the geographic sequence and balance such that:
  - a. there is a logical extension of municipal services that avoids, where possible, large undeveloped tracts of land between the existing urban development area and the proposed development;
  - b. a compact form and pattern of development is maintained;
  - c. the impacts to Natural Heritage Features and Areas and watercourses have been considered and have been adequately mitigated or eliminated;
  - d. the provision of all municipal services, as appropriate, proceeds in an economically viable manner; and
  - e. first priority is given to reserving servicing capacity for infilling, intensification and redevelopment.
3. When conditions of development approval, draft plan approval or otherwise are not fulfilled within a reasonable time period for which development approval has been granted, the Planning

Board and municipality may choose to not support the extension of development approval, providing it meets requirements of the *Planning Act*, and may assign the servicing allocation to other developments or areas of the municipality, or hold the capacity in reserve. Prior to the lapsing of development approval the development proponent may request an extension to fulfill the conditions of approval except in the case of a consent application. Provided the Planning Board and municipality are satisfied with the merits of the request for an extension of development approval, the Planning Board may choose to extend the approval period. No extension will be permissible if the draft plan of subdivision or condominium approval has lapsed before the extension is given.

4. The Planning Board may insert a clause in the conditions of development approval, including conditions of draft plan approval, reflecting the policies of this Section.
5. Priority for development will be given to those Residential Areas that already have draft plan approval, and/or are an extension of existing development and do not require undue extension of municipal services.

#### **E.2.5 STORMWATER MANAGEMENT**

The following policies apply to Stormwater Management:

1. Prior to development approval of subdivisions or applications involving significant lot creation and/or development, the proponent will prepare a stormwater management plan, which is acceptable to the Planning Board, municipality, and the Province, and is completed in accordance with guidelines of the current Provincial Stormwater Planning and Design Manual. A stormwater management plan will be required to ensure that runoff is controlled such that development does not increase peak flows from a quantity perspective and that potential pollution is reasonably mitigated on site, to address potential adverse impacts downstream from a quality perspective. This is to prevent the accelerated enrichment of watercourses from pollutants. Pre-submission consultation with the Planning Board and municipality on measures of stormwater management works pursuant to Provincial Guidelines is encouraged.

2. No new development will have a negative effect on the drainage characteristics of adjacent land.
3. The Planning Board and municipalities will apply best management practices in dealing with stormwater management.
4. Stormwater management facilities will be designed to manage stormwater quality and quantity, at an appropriate level, as defined by the most current Provincial Stormwater Planning and Design Manual, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities will be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged.
5. The Planning Board will support and may give priority to development applications that propose innovation and alternative technologies in their approach to stormwater management.
6. Prior to development approval, the development proponent will consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses.
7. Prior to development approval, the proponent will provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a natural trail or open space system.
8. The Planning Board and municipalities will ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.
9. The Province will be consulted in relation to stormwater management plans and facilities in proximity to any of the Provincial Highways.
10. The applicable municipality will own, operate, and maintain all stormwater management facilities.
11. The Planning Board will incorporate stormwater management requirements as a component of the development approvals process.


## **E.2.6 WASTE MANAGEMENT**


The following policies apply to Waste Management:

1. Waste management will include waste diversion (composting and recycling), waste disposal, and waste as a potential resource. The Planning Board and municipalities recognize and support the Provincial initiative of reducing waste through a diversion action plan, and may initiate its own diversion plan.
2. In addition to the requirements of Section D.9.6, new Waste Management Sites, or expansions thereto, are not contemplated within the horizon of this Plan and will only be considered as part of a comprehensive review, in accordance with Section F.2.
3. The Planning Board and municipalities will contribute to and show leadership by considering reductions in material consumption and waste production and increases in diversion and reuse within its municipal culture, decision-making, and operations.
4. The Planning Board and municipalities will promote the creation of a household and commercial recycling program and improve efforts for waste-diversion.
5. Municipalities will effectively and efficiently manage the solid waste generated within the District.
6. Residential composting is encouraged within self-contained containers that do not attract animals or vermin.
7. The Planning Board and municipalities will co-operate with all levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.
8. The Planning Board and municipalities will emphasize the responsibility of the municipality, developers, residents, and commercial, institutional, and industrial establishments to minimize environmental impact as a result of solid waste and to bear the costs of doing so.
9. Wherever possible, methane or other greenhouse gas emissions from waste management operations will be captured and used as an alternative energy source.

### **E.2.7 SHARED SERVICES**

The following policies apply to Shared Services:

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1. The sharing of certain municipal services by two or more municipalities is encouraged where there are cost savings, provided that the level of service already provided is not reduced.
  2. Municipalities that currently provide services including fire protection, solid waste disposal, recreational, social services, and libraries are encouraged to share those costs with one or more municipalities to save costs.

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## F IMPLEMENTATION POLICIES

This Official Plan will be implemented by means of the powers conferred upon the Planning Board by the *Planning Act*, the *Municipal Act* and other statutes as may be applicable. In particular, the Official Plan will be implemented by the enactment of zoning, property standards and occupancy by-laws, the planning tools available to the Planning Board and municipalities, development control under the *Planning Act*, and the undertaking of public works.



## **F.1 THE PLANNING PERIOD**

This Plan is based on a 20-year planning horizon to the year 2036, which principally relates to the population and employment projections and designated land supply. The effect of most of the land use policy will have implications well beyond the 20-year timeframe and will accordingly represent a long-term or permanent commitment.

Policies protecting Natural Heritage Features and Areas and resources require an indefinite timeframe to be effective. Buildings, water and sewer servicing, and other similar facilities also have a relatively long life span, and therefore require a long-term commitment beyond the scope of a 20-year planning horizon.

## F.2 MONITORING AND REVIEWING THE PLAN

Changing conditions may necessitate amendments to this Plan. The policies are based on an interpretation of the Provincial Policy Statement, and the vision and strategic goals and objectives developed through the extensive public consultation undertaken during the preparation of this Official Plan. Furthermore, the policies of the Plan are based on a set of assumptions and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues in the District, to analyze the effectiveness of the policies of the Plan, to allow for adjustments and updating, and to identify the statutory requirements on how and when the Plan is to be reviewed.

The following policies apply to Monitoring and Reviewing the Plan:

1. As provided for in the *Planning Act*, the Planning Board will provide the opportunity for interested citizens and organizations to present submissions on the Plan no less than every five years after the Plan comes into effect. Through this process, the Planning Board, with assistance from the municipalities, will determine the need to amend the Plan to ensure that the policies: remain realistic and appropriate with regard to changing social, economic and environmental circumstances; conform or do not conflict with provincial plans; have regard to matters of provincial interest; and are consistent with any policy statements issued under subsection 3(1) of the *Planning Act*.
2. Monitoring of specific policies is prescribed in the policies of the Plan, and will be undertaken in accordance with those policies.
3. The Planning Board will continue to develop and maintain a geographic information system for planning and management purposes, and provide updated mapping information, statistics, forecasts, and analyses related to planning issues and Plan policies.
4. In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario or other planning initiatives, the Planning Board or municipalities may initiate an amendment process at any time.
5. Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the Planning Board's interpretation or intent in the policies of this Plan, the Planning

Board may choose to initiate a review of any or all of the policies at any time.


6. Additional monitoring of this Official Plan and the monitoring of sewer and water servicing capacity in any of the municipalities, where applicable, may be included in:
  - a. annual briefings or status reports;
  - b. annual reports, such as reports prepared for capital and/or operational budgeting purposes; and
  - c. Provincial performance measures reporting.

### **F.2.1 AMENDMENTS TO THE PLAN**

The Planning Board will consider all complete applications to amend this Official Plan, and will notify the public, the Province and other agencies in accordance with the requirements of the *Planning Act*.

The following policies apply to Amendments to the Plan:

1. Applications to amend this Plan will include a planning rationale report for the proposed change, prepared by the proponent. This will include, but not be limited to, information regarding the proposed use, servicing, density if applicable, floor area if applicable, lot layout, site plans as appropriate and applicable, and the criteria outlined in Section F of this Plan. The Planning Board may waive the requirement for a planning rationale report for minor and/or site-specific amendments.
2. Any specific Official Plan amendment procedures and supporting information requirements as outlined in the policies of this Plan will apply in the consideration of the application and the completeness of the application, in accordance with the requirements of the *Planning Act*.
3. The Planning Board will consider the following criteria when reviewing applications to amend this Plan:
  - a. the manner in which the proposed amendment is consistent with Provincial Policy issued under the *Planning Act*, and prevailing Provincial Policy and regulations, and the policies of this Plan;

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- b. the impacts of the proposed amendment on the provision of and local demand for municipal services, infrastructure and facilities;
  - c. the impact of the proposed amendment on surrounding land uses, the transportation system, municipal services and community amenities and services;
  - d. the impact of the proposed amendment on cultural heritage resources and/or Natural Heritage Features and Areas;
  - e. the impact of the proposed amendment on the financial sustainability of the municipality; and
  - f. any other information determined by the Planning Board, in consultation with the municipality(ies), and appropriate agencies, to be relevant and applicable.
4. There will be no privately initiated applications to amend the Official Plan for two (2) years immediately following approval, unless supported by the municipality in accordance with Sections 22 (2.1) and (2.2) of the *Planning Act*.

### F.3 CROSS-JURISDICTIONAL COORDINATION

The Planning Board will support cross-jurisdictional coordination and will work with the Province, municipalities, First Nations, adjacent municipalities and Planning Boards, and other agencies.

A strong municipal-Indigenous relationship can help in meeting a range of planning and community development objectives such as identifying areas of mutual interest, meeting regulatory requirements for community development, developing joint initiatives, and partnering on service delivery and resource management

Indigenous communities make up a sizeable proportion of the population of the Manitoulin District, with five First Nations Reserves situated within its boundaries and several others located adjacent to the District and on the coastal borders of its boundaries with the mainland. As such, Indigenous peoples have an inherent and broad interest in the development of the District, and have expressed their interest and willingness to work cooperatively on land use planning matters impacting the District. Further detail about specific interests is provided in Section F.5 (b) Indigenous Engagement in the Planning Process”.

The following policies apply to Cross-Jurisdictional Coordination:

1. The Planning Board will ensure that a coordinated, integrated and comprehensive approach is used when dealing with planning matters that transcend the boundaries of the municipalities as well as the District, Indigenous Communities, and other jurisdictions including:
  - a. managing and/or promoting growth and development;
  - b. managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - c. managing infrastructure, transportation, public service facilities and waste management systems;
  - d. managing ecosystem, shoreline and watershed related issues; and
  - e. managing natural and human-made hazards.

## **F.4 PLANNING ADMINISTRATION**

### **F.4.1 SECONDARY PLANS**

The following sections outline the requirements for the preparation of a Secondary Plan, including the contents of the Secondary Plan and the supporting study requirements.

#### **F.4.1.1 SECONDARY PLAN PREPARATION**

Secondary Plans may be prepared for any of the Urban Areas to plan for growth and development or special land use policies. Should lands for growth and development be identified that are beyond the existing developed area, a comprehensive review of this Plan, in accordance with Section F.2, coupled with the preparation of a Secondary Plan will be required prior to development.

The following policies apply to the preparation of Secondary Plans:

1. The preparation of a Secondary Plan will account for any existing uses within the defined area boundary.
2. The establishment of a Secondary Plan Area or the preparation of a Secondary Plan will be approved by resolution of Planning Board and local Council.
3. Secondary Plans may be used to establish unique or more detailed land use policies or land use designations than that of this Plan and will establish the location of key community services and amenities including schools, parks and open space and related uses.
4. Secondary Plans will be adopted as amendments to this Plan and read in conjunction with this Plan in its entirety. The Goals, Objectives, and Policies of this Plan will be maintained in the Secondary Plan. Any specific policy guidance resulting from the preparation of a Secondary Plan will be consolidated into this Plan and the relevant schedules to this Plan will be amended or new schedules may be added.
5. The costs of preparing a Secondary Plan will be borne by the affected landowners, and not the Planning Board or the municipality unless it was initiated by the Planning Board or municipality.



6. A Secondary Plan may be undertaken simultaneously with an undertaking under the *Environmental Assessment Act* to satisfy the Environmental Assessment requirements in a comprehensive and integrated process.

## **F.4.2 BY-LAWS**

### **F.4.2.1 ZONING BY-LAWS**

The Zoning By-law is the regulatory tool that implements the policies of the Official Plan. A Zoning By-law contains provisions that regulate the use, size, height, density and location of buildings on properties within the municipalities. The basic purpose of a Zoning By-Law is to regulate what can be built on a property, its character, and how it will be configured on the lot.

The following policies apply when undertaking a Zoning By-law for each of the municipalities:

1. The Planning Board will prepare for the unincorporated townships, and each municipality will prepare a Comprehensive Zoning By-law that will be in conformity with the principles, policies, and land use designations contained in this Plan.
2. The By-law will include adequate development standards consistent with the policies of this Plan.
3. The By-law will establish specific zones and permitted uses that reflect the policies and land use designations of this Plan and may regulate minimum and maximum height and density requirements.
4. Within each land use designation, more than one zone may be established to ensure that the policies of this Plan are properly implemented.
5. It is not the intent of this Plan to necessarily zone all land for uses designated in this Plan and as such, the Zoning By-laws may recognize existing uses and forms of development that are inconsistent with the policies of this Plan.
6. The Planning Board and municipalities will consider all applications to amend the local applicable Zoning By-law and will provide notice of such application in accordance with the provisions of the *Planning Act*.

#### F.4.2.1.1 HOLDING ZONES

The following policies apply to Holding Zones:

1. Holding zones may be incorporated into the municipalities' Zoning By-laws in order to achieve orderly development and ensure that policies established in this Plan have been met.
2. The Planning Board and/or municipality may place a holding symbol on the zone that prevents development from occurring until they are satisfied that certain conditions have been met. This allows the Planning Board to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding.
3. Specific actions or requirements for the lifting of the holding provision will be set out in the municipality's Zoning By-law.
4. Once the required conditions are met, a by-law removing the holding symbol will be passed.
5. These actions or requirements include, but are not necessarily limited to, the following:
  - a. the timing of the provision of municipal services;
  - b. the phasing and logical progression of development;
  - c. the provision of adequate service or road infrastructure and works;
  - d. the required land assembly;
  - e. the installation of noise attenuation measures, where required;
  - f. the completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the Planning Board;
  - g. the completion of the appropriate supporting study(ies) to the satisfaction of the Planning Board, in consultation with other agencies, as required;
  - h. confirmation that the requisite permits and approvals from external authorities have been received;
  - i. the completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;

- j. that site plan approval has been granted by the Planning Board and municipality, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*;
- k. That the specific policies of this Plan have been complied with; and/or
- l. Additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the Planning Board.

#### **F.4.2.2 TEMPORARY USE BY-LAWS**

The Planning Board and/or municipality may pass a temporary use by-law to allow the temporary use of land, buildings or structures for a purpose otherwise not permitted by the Zoning By-law for a specific period of time not to exceed three years.

The following policies apply to Temporary Use By-laws:

1. A temporary use by-law will define the land to which it applies, and will prescribe the period of time during which it is in effect.
2. The Planning Board and municipality may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by the Planning Board and municipality to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation are not practical.
3. The Planning Board and municipality may pass subsequent by-laws granting extensions of up to three years.
4. The Planning Board and municipality may extend this period by passing further by-laws, subject to the specific policies of this Plan.
5. In enacting a temporary use by-law, the Planning Board and municipality will consider the following:
  - a. the proposed use will conform to the policies of this Plan. Where the proposed temporary use may not conform in its entirety with the Official Plan, the Planning Board and municipality will consider what is in the best interests of the public;

- b. the proposed use will be of a temporary nature, and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;
- c. the proposed use with the surrounding land uses and character of the surrounding area;
- d. the proposed use will be properly serviced and not require the extension or expansion of existing municipal services;
- e. the proposed use will not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the areas roads;
- f. the proposed use will provide parking facilities entirely on-site; and
- g. the proposed use will generally be beneficial to the surrounding community.

#### **F.4.2.3 INTERIM CONTROL BY-LAWS**

The following policies apply to Interim Control By-laws:

1. The Planning Board and municipality may establish interim control by-laws in accordance with the relevant sections of the *Planning Act*, in order to control the use of land, buildings or structures within specifically identified areas for a specified period of time not exceeding one year, plus a permissible one-year extension in length.

#### **F.4.3 MINOR VARIANCES**

A minor variance is a small variation from the requirements of a Zoning By-law. A minor variance approval is a certificate of permission, because it allows the property owner to obtain a building permit even though their property does not comply precisely with the Zoning By-law. Under Section 45(1) of the *Planning Act* there are four tests a minor variance must meet:

- Is the application minor?
- Is the application desirable for the appropriate development of the lands in question?

- Does the application conform to the general intent and purpose of the Zoning By-law?
- Does the application conform to the general intent and purpose of the Official Plan?

The Committee of Adjustment will deal with all applications for minor variances to the provisions of the Zoning By-law and other by-laws, as delegated by Council. The Committee of Adjustment will deal with such applications in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of Adjustment will also comply with the general intent of this Plan and the Zoning By-law.

#### **F.4.4 LAND DIVISION**

##### **F.4.4.1 DRAFT PLAN APPROVAL (SUBDIVISION AND CONDOMINIUM)**

Applications for approval of a draft plan of subdivision or condominium will be considered on the basis of the underlying land use designation and the associated policies of this Plan. The Planning Board will deal with applications for draft plan approval in accordance with the relevant provisions of the *Planning Act* and the Provincial Policy Statement. Applications that do not conform to the policies of this Plan will not be approved by the Planning Board.

The following policies apply to Draft Plan Approval:

1. The provisions of the *Planning Act* relating to subdivision control, including subdivision agreements and part-lot control, will be used to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
2. Any application for a Plan of Subdivision will be evaluated to ensure consistency with the Provincial Policy Statement.
3. Prior to approval of an application for plan of subdivision or plan of condominium, the municipality will confirm the availability of adequate servicing infrastructure and allocation, waste management, roads/access, and pedestrian pathways in accordance with Section E of this Plan.

4. Applications for plan of subdivision or plan of condominium will be considered premature if appropriate services and servicing capacity are not available. Additionally, other criteria may be considered as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
5. The review of plans of subdivision or plans of condominium will be based in part on the consideration of the Plan's Land Use policies included in each of the Plan's Land Use designations.
6. All lots within a plan of subdivision will either have frontage on a public road maintained on a year round basis, constructed to an acceptable municipal standard or in the case of water access lots, appropriate facilities, to the satisfaction of the Planning Board, are available for car parking and docking exclusively for the proposed water access lots. Plans of condominium will have access to a public road maintained on a year round basis; however, it is recognized that development within the condominium plan may occur on private roads.
7. Natural Heritage Features and Areas and Functions will be protected and preserved in the design of any plan of subdivision or condominium.
8. Plans of subdivision or condominium will be appropriately phased to ensure orderly and staged development.
9. All plans of subdivision will be subject to a subdivision agreement between the municipality and the development proponent.
10. All plans of condominium will be subject to a development agreement between the municipality and the development proponent.
11. Parkland dedication will be provided pursuant to Section F.4.13 of this Plan. Land to be dedicated for park purposes must be acceptable to the Planning Board and municipality. Under no circumstances will the municipality be obligated to accept parklands being offered in a proposed plan of subdivision.
12. In approving a draft plan of subdivision, it may be required that the approval lapses at the expiration of a specified time period, being not less than 3 years. The approval time period may be extended, prior to its expiration with the approval of the Planning Board and in accordance with provisions of the *Planning Act*.
13. The Planning Board or the municipality may consider passing a By-law under the provisions of the *Planning Act* to deem registered, undeveloped plans which are inadequate due to

matters such as lot size, unsuitable access or undesirable location, not to be registered.

14. The policies of this Plan will be considered in their totality to determine the information required by an applicant to form a complete application for approval of a plan of subdivision.

#### **F.4.4.2 CONSENTS**

The following policies apply to Consents:

1. A consent should only be considered where a plan of subdivision is deemed to be unnecessary, where the application conforms with the policies of this Plan, is consistent with the Provincial Policy Statement, and the consent will generally not result in the creation of more than three new lots on a lot that existed prior to the date of adoption of this Plan, unless it does not necessitate the creation of a new road, or the extension of municipal services.
2. Notwithstanding any other policies of this Official Plan, where two abutting patented lots located on a private or municipal road existed in the past but have merged on title due to the provisions of a will, bequest, gift, or similar circumstance, those same lots may be recreated by consent. New development on those lots is subject to the policies of this Plan, the provisions of the Zoning By-law, and, as appropriate, an approved water supply and sewage disposal system.
3. Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes may be permitted where a separate lot is not being created (such as a boundary adjustment, easement or right-of-way). The lots that are the subject of that type of application and any retained lands will comply with the Zoning By-law, or the By-law will be amended or a minor variance granted as a condition of the consent.
4. The following road access policies will be used to evaluate consent applications in all designations of this Official Plan, in addition to other provisions of this Plan, which may be applicable to a particular application.
  - a. It is the preference of the Planning Board and municipality that the lot to be retained and the lot to be severed has frontage on and access to an open, improved public road which is maintained on a year-round basis. However, consents may be



- acceptable where access is gained via a private road provided, in accordance with the Private Road policies in Section E.1.1.4 or for water access lots provided that the Planning Board and/or municipality is satisfied that appropriate facilities for car parking and docking are available exclusively for the proposed water access lot(s);
- b. Lots will not be created which would create a traffic hazard due to limited sight lines on curves or grades.
  - c. Any required road widenings, improvements or extensions to existing rights-of-way may be required as a condition of severance approval.
5. The following lot size policies will be used to evaluate consent applications in all designations of this Official Plan, in addition to other provisions of this Plan, which may be applicable to a particular application:
- a. The lot area and frontage of both the lot to be retained and the lot to be severed will be adequate for existing and proposed uses and will allow for the development of a use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.
  - b. Notwithstanding the foregoing policy, water-oriented development, which is lands within 300 metres of a water body, shall have a minimum lot frontage of 46 metres and a minimum lot area of 0.4 hectares. Where development is proposed that intends to create five or more lots, pursuant to the requirements of Section F.4.4.2.1, lot sizes should average approximately 1.0 hectare, with no lot below 0.8 hectares unless a hydrogeological study has been prepared that demonstrates the area is not hydrogeologically sensitive and there will be no threat to human health and safety.
  - c. The proposed lots will comply with the provisions of the local Zoning By-law.
6. The proposed lot(s) will not restrict the development of other parcels of land, particularly the provision of access to allow the development of remnant parcels in the interior of a block of land.
7. Where a consent is approved, the parkland dedication policies of Section F.4.14 will apply.

8. Full water and wastewater services will be required for development where they are otherwise available. However, where the consent is in the Rural Area or in an area of alternative servicing measures, water and wastewater services, consistent with the particular area, as determined by the Planning Board, will be considered. Prior to considering a consent in the Rural Area or in an area of alternative servicing measures, confirmation of a sufficient water supply and sewage disposal system will be required, in accordance with the policies of Section E.2.3.
9. The Planning Board may require the following conditions of approval of a consent application for the severed lot and/or retained lot where such a condition is appropriate:
  - a. payment of taxes;
  - b. payment of development charges;
  - c. payment of drainage and local improvement charges;
  - d. provisions for connection to the municipal water or sanitary sewage systems;
  - e. provisions for stormwater management;
  - f. road dedications and improvements;
  - g. parkland dedications or payment-in-lieu;
  - h. approval of Zoning By-law amendment or minor variance;
  - i. approval of a Site Plan; and
  - j. other technical matters deemed appropriate by the Planning Board under the specific circumstances of the Consent.
10. Consents for building purposes will not be permitted under one or more of the following circumstances:
  - a. the land is located within any Natural Heritage Features and Areas, and a suitable building site cannot be found through the evaluation completed in an Environment Impact Study;
  - b. the land is located in a floodway;
  - c. the land is located on or within 300 metres of a sensitive or at-capacity lake, as identified by the Province, unless the requirements of Section D.1.1 can be met;
  - d. Provincial or municipal transportation objectives, standards or policies cannot be maintained; or

- e. the created and retained parcels cannot be provided with an adequate level of service.

#### **F.4.5 SITE PLAN CONTROL**

The following policies apply to Site Plan Control:

1. Subject to the policies of this Plan, the site plan control area may apply to development within the following designations:
  - a. Village Areas;
  - b. Shoreline Areas, applying in a limited manner to address the following:
    - i. Visual screening, setbacks, protection of vegetation, and landscaping;
    - ii. Utilization of existing vegetation and topography to minimize visual impacts;
    - iii. Buildings and structures located in the shoreline activity area;(shoreline activity area is the first 15 m back from the high water mark);
    - iv. Lots with sparse or no vegetative buffer where the siting of buildings or structures have the potential for significant visual impact;
    - v. Rehabilitation of vegetation disturbed due to construction; and
    - vi. Mitigation techniques to minimise impacts on surrounding development and uses.
  - c. Residential Areas, save and except for any single detached, semi-detached, or townhouse dwelling;
  - d. Core Commercial Areas;
  - e. Arterial Commercial Areas; and
  - f. Employment Areas.
2. Where development consists of single detached, duplexes or semi-detached dwellings, site plan control will not apply, except in cases where specifically required by this Plan, such as in cases

where development is proposed on identified Natural Hazard lands or Natural Heritage Features and Areas.

3. The municipality may require proponents to execute a site plan agreement under circumstances where there is construction of one or more buildings or structures, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by the municipality.
4. The municipality may require consultation with neighbouring landowners or a public meeting, when considering applications for site plan approval, where applicable.
5. The municipality may apply certain conditions to site plan approval, and may require that a certain standard of design be applied that are consistent with the urban design policies of this Plan including: exterior design controls to regulate external building, site, and boulevard matters such as character, scale, appearance, and sustainable design. Examples of site plan design elements include:
  - d. active and transparent streetfront design to create accessible, safe and attractive buildings and streetscapes;
  - e. façade elements that complement adjacent buildings to better reflect local community character;
  - f. curb cuts to improve universal accessibility and mobility;
  - g. permeable surfaces to reduce stormwater runoff;
  - h. bicycle parking to facilitate active transportation choices; and
  - i. street furniture, tree planting, energy-efficient lighting and landscaping for sustainable and vibrant and public spaces.
6. The municipality will require financial security through bonding letters of credit or other financial arrangement prior to development.

#### **F.4.6 COMMUNITY PLANNING PERMITS**

The Planning Board and/or municipality may, at an appropriate time, choose to enact a by-law to implement the Community Planning Permit System, relating to the streamlining of zoning by-law amendments, minor variances, and site plan control.

If it has been determined that a Community Planning Permit System is appropriate for the District, an Official Plan Amendment, approved by the Province, will be prepared that:

1. Identifies the area as a propose community planning permit area.
2. Sets out the scope of the authority that may be delegated and any limitations on the delegation, if the Planning Board intends to delegate any authority under the community planning permit by-law.
3. For each proposed community planning permit area identified, contains a statement of the Planning Board's goals, objectives and policies in proposing a development permit system for the area.
4. Sets out the types of criteria that may be included in the development permit by-law for determining whether any class of development or any use of land may be permitted by community planning permit.
5. Sets out the types of conditions that may be included in the community planning permit by-law in accordance with the *Planning Act*.
6. Upon approval of the Official Plan amendment, a by-law will be passed for any area in the municipality outlining where the community planning permit system will be applied and specifying that privately-initiated amendments to the community planning permit system can only be done after five years, unless supported by the municipality.

#### **F.4.7 EXISTING USES**

The following policies apply to Existing Uses:

1. Nothing in this Plan will affect the continuance of uses legally existing on the date this Plan was adopted by Planning Board and local Councils.
2. Existing uses in compliance with the existing Zoning By-Law will be permitted and reflected in the new Zoning By-Law.
3. The Planning Board and/or municipality may recognize the existing use of land in the local Zoning By-laws. However, the Planning Board, in co-operation with municipalities will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.

4. An application for the enlargement or extension of an existing use will be evaluated on the basis of the following criteria:
  - a. the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
  - b. the proposed expansion does not increase its incompatibility with the surrounding area;
  - c. conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
  - d. factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
5. Existing uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not significantly altered or increased.

#### **F.4.8 NON-CONFORMING USES**

The Planning Board recognizes that not all existing uses will be consistent with all of the policies or the land use designations of this Plan. Notwithstanding the policies of this Plan to the contrary, such uses may be permitted in the local Zoning By-laws in accordance with the legally existing standards on the date of adoption of this Plan.

The following policies apply to Non-Conforming Uses legally established prior to the adoption of the Official Plan and Zoning By-law:

1. To recognize non-conforming uses, the Planning Board and/or municipality may also develop suitable zone categories with appropriate standards in the local Zoning By-laws, provided that:
  - a. the specific zone category will not permit a change of use that would aggravate any situation detrimental to adjacent uses;
  - b. the use or uses permitted will not constitute a danger to surrounding uses and persons by creating any hazardous situations;
  - c. the use or uses do not interfere with the desirable development of adjacent areas; and
  - d. minor adjustments to the boundaries of sites, or minor extensions of sites containing non-conforming uses that are

recognized in the local Zoning By-laws will be deemed to conform to this Plan.

2. An application for the enlargement or extension of a legal non-conforming use will be evaluated on the basis of the following criteria:
  - a. the proposed expansion does not significantly increase the size of the non-conforming use;
  - b. the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
  - c. the proposed expansion does not increase its incompatibility with the surrounding area;
  - d. conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
  - e. factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
3. Legal non-conforming uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not significantly altered or increased.

#### **F.4.9 NON-COMPLYING BUILDINGS OR STRUCTURES**

The following policies apply to Non-Complying Buildings or Structures:

1. Where an existing use of land is permitted within the applicable zone in the local Zoning By-laws, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use will be considered to be legal non-complying.
2. Applications for the expansion, alteration or addition of the non-complying use will be considered by way of a local Zoning By-law amendment or minor variance, depending on the nature of the proposal.

#### **F.4.10 LAND ACQUISITION**

The municipalities may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, or any other Act. Municipal land assembly will be permitted for residential,



commercial, industrial, institutional, natural heritage feature or open space uses, provided such activity complies with the policies of this Plan.

The following policies apply to Land Acquisition:

1. The municipality will consider all options for the acquisition of land, including:
  - a. dedication;
  - b. donations;
  - c. assistance from other levels of government, agencies and charitable foundations;
  - d. land exchange;
  - e. long-term lease;
  - f. easement agreements;
  - g. purchase agreements;
  - h. partnerships;
  - i. land trusts;
  - j. placing conditions on development approval; and
  - k. expropriation.
2. Where park and open space dedicated lands are insufficient in size or shape for the intended uses and needs, the municipality will consider acquisition of additional lands for park and open space purposes.
3. Where Crown Land has been identified as a logical extension for development or is desirable for development within or adjacent to the local municipal boundary, the municipality and the Planning Board will consult with the Province regarding the factors that may need to be considered should a disposition of Crown Land assets be deemed appropriate. The Province will conduct a thorough review and offer appropriate consultation for any such request.
4. Notwithstanding the above, the municipality will not be obligated to acquire or purchase any land, save and except for where specifically required to do so in order to obtain necessary Federal and/or Provincial statutory approvals.

#### **F.4.11 PRECONSULTATION**

If a person or public body files an application to amend the Official Plan or Zoning By-law, or files an application for approval of a draft plan of subdivision/condominium, consent or minor variance, the person or public body will consult with the municipality and the approval authority prior to submitting a formal application in order to determine the information required to support the application, as set out in Section F.4.14 of this Plan and in accordance with Section 22(3.1) of the *Planning Act*.

#### **F.4.12 COMPLETE APPLICATIONS**

When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application shall not be considered complete for processing purposes until the required supporting studies, information and materials are prepared and submitted to the satisfaction of the municipality and the approval authority. Notification of a complete application shall be given to the applicant and all other parties by the approval authority in accordance with the *Planning Act*.

#### **F.4.13 SUPPORTING STUDIES, INFORMATION, AND MATERIALS FOR DEVELOPMENT APPLICATIONS**

The following policies apply to Supporting Studies, Information and Materials for Development Applications:

1. Certain supporting studies, information and materials will be required as part of a development approval process or as part of a detailed planning study as identified throughout this Plan. The need and timing of such supporting studies, information and materials will be determined by the approval authority on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.
2. Applicants seeking development approval will be advised of the required supporting studies, information and materials as part of the pre-application consultation process or, if subsequently deemed necessary, prior to scheduling a prescribed public meeting.
3. At the time of the submission of an application for an Official Plan Amendment, Zoning By-law Amendment, plan of subdivision/

- condominium, minor variance, or consent, the applicant may be required to submit any of the following information, as applicable:
- a. Deed and/or Offer of Purchase;
  - b. Topographic Plan of Survey;
  - c. Site Plan (Conceptual);
  - d. Floor Plan and/or Elevations;
  - e. Record of Site Condition (RSC);
  - f. Functional Servicing Report;
  - g. Approved Class Environmental Assessment;
  - h. Geotechnical Study;
  - i. Tree Survey;
  - j. Draft Plan of Subdivision;
  - k. Condominium Description; and
  - l. Other materials relevant to the development and lands impacted by the proposed development approval application.
4. During the pre-application consultation process for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision/condominium, or consent application, the applicant may be required to submit any of the following supporting studies at the time of the submission of an application, in accordance with the policies outlined in this Plan and/or accepted professional standards and/or guidelines as applicable:
- a. Retail Market Impact Study;
  - b. Municipal Financial Impact Assessment;
  - c. Urban Design Strategy;
  - d. Archaeological Impact Assessment;
  - e. Hydrogeological Study;
  - f. Groundwater Impact Assessment;
  - g. Environmental Impact Study (EIS);
  - h. Record of Site Condition (RSC);
  - i. Phase I Environmental Site Assessment (ESA);


- j. Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required;
  - k. Noise and/or Vibration Study;
  - l. Transportation Impact Study;
  - m. Parking Study;
  - n. Servicing Feasibility Study
  - o. Stormwater Management Plan;
  - p. Planning Rationale Report;
  - q. Heritage Impact Assessment;
  - r. Lighting Study; and
  - s. Public Consultation Strategy
  - t. Other studies relevant to the development and lands impacted by the proposed development approval application.
5. Support Studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications will be advised by the approval authority of the required supporting study contents during the pre-application consultation process.
6. When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application will not be considered complete for processing purposes until the required supporting studies, information and materials are prepared and submitted to the satisfaction of the approval authority. Notification of a complete application will be given to the applicant and all other parties by the approval authority in accordance with the *Planning Act*.
7. The approval authority will ensure that supporting studies, information and materials provided by an applicant of a development approval application that has submitted a complete application for development approval will be made available to the public for review.

#### F.4.14 PARKLAND DEDICATION

The following Parkland Dedication policies apply to development in the District:

1. Municipalities will secure the maximum benefit of the *Planning Act* with respect to land dedication for park development and will strive to meet the policies of this Plan relating to park development.
2. Parkland dedication will be calculated based on the total gross area of the land within the plan of subdivision consent and/or site plan.
3. Where land is to be developed for residential purposes, the Planning Board and municipalities may require the conveyance of land for park purposes or the equivalent cash-in-lieu in accordance with the maximum of the following criteria or combination thereof:
  - a. five percent (5%) dedication of the gross area of the land proposed for development; and/or
  - b. dedication at a rate of one hectare per 300 units.
4. Where land is developed or redeveloped for industrial or commercial purposes, municipalities may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of two percent (2%) of the gross area of the land proposed for development.
5. Where land in a draft plan of subdivision is to be used for any use other than residential, industrial or commercial purposes, the Planning Board and municipalities will require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of five percent (5%) of the gross area of the land proposed for development.
6. The Planning Board and municipalities will only accept parkland dedication land resources under the following circumstances:
  - a. the lands meet the park and open space classification and hierarchy standards and provision requirements of the policies of this Plan;
  - b. the lands effectively support the development of park and open space based facilities and amenities in accordance the policies of this Plan; and

- c. the lands are not identified as hazard lands, wetlands, significant woodlands, ravine lands, stormwater management ponds and related undevelopable lands.
7. Municipalities may accept cash-in-lieu of the parkland dedication to be paid into a special account and used as specified in the *Planning Act*. The Planning Board and municipalities will consider cash-in-lieu of parkland dedication under the following circumstances:
- a. where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland to meet the intended park and open space requirements in accordance with the policies of this Plan;
  - b. where the required dedication of land would render the remainder of the site unsuitable or impractical for development;
  - c. the area is well served with park and open space lands and no additional parks and open spaces are required; and/or
  - d. where the municipality is undertaking broader land acquisition strategies for larger parks and it is preferable to have consolidated parkland of a substantial size servicing a wide area.
8. Where new development is proposed on a site, part of which has physical limitations or hazards, then such land will not necessarily be acceptable as part of the land dedication under the *Planning Act*. All land dedicated to the municipality will be conveyed in a physical condition satisfactory to the Planning Board and municipality, and will meet minimum standards in terms of drainage, grading and general condition. The lands will also be in full compliance in regards to any environmental hazards, contamination or related requirements.
9. As a condition of development approval, a proponent may be required to provide a park facilities design satisfactory to the Planning Board and municipalities for any park within the development. The park facility design will have regard to all park standards and urban design policies of this Plan. However, in order to ensure that the size, configuration and orientation of the park is such that it can be programmed in an efficient manner, it may be necessary to prepare a park facilities design prior to development approval.

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10. To improve public access to Lake Huron and other inland lakes, the Planning Board and municipalities may require the dedication of parkland having water access as a condition of approving subdivisions along shorelines. The municipalities may acquire additional lands for water access within shoreline subdivisions or in other areas along Lake Huron through the use of funds obtained as part for the cash-in-lieu provisions of this Plan. In considering the appropriateness of future water access points, consideration will be given to the following criteria:
- a. the adequacy of the size of the parcel, slope and topography;
  - b. the distance separation from adjacent residential uses;
  - c. the suitability of the property for storage of boat trailers and vehicles; and
  - d. the convenience and safety of access from the lot to a municipal road.



## F.5 CONSULTATION AND ENGAGEMENT

### F.5.1 Public Consultation and Participation in the Planning Process

The following policies apply to Public Consultation and Participation in the Planning Process:

1. The Planning Board will provide the opportunity for residents and property owners to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the *Planning Act*. The following policies will apply to public consultation and participation:
  - a. the Planning Board will use a variety of techniques to encourage the participation of the public when changes to this Plan are being considered. Subject to the requirements of the *Planning Act*, the Planning Board may establish the public consultation program it feels will best deal with the matters before it.
  - b. the Planning Board will provide notification of any amendment to this Plan in accordance with the requirements of the *Planning Act*, and may consider additional notice to ensure that the potentially affected residents in the District and are aware of the amendment. Indigenous communities will be notified and engaged in the land use planning process in accordance with subsection F.5 (b) Indigenous Engagement in the Planning Process below.
  - c. the municipality will pass a by-law requiring pre-submission consultation on privately-initiated applications processed under the *Planning Act*.
  - d. The Planning Board recognizes that the provisions of the *Planning Act* require it to take action on a development application within a prescribed period of time, subject to the application being complete and the provision of adequate information regarding the proposal being available to the public and Planning Board so that informed decisions can be made.
  - e. Public consultation regarding proposed official plan amendments, proposed zoning by-law amendments, proposed

- plans of subdivision and proposed consents will be undertaken as directed by the *Planning Act* and all relevant regulations.
2. The Planning Board will actively seek the views and participation of the public prior to making any decisions regarding amendments to this Plan or the local Zoning By-laws. In each case involving such planning matters, at least one public meeting will be called and the public will be encouraged to offer their opinions and suggestions.
  3. Depending on the complexity of the application and potential impacts on adjacent uses, the Planning Board may consider a preconsultation meeting held in a public forum to review and hear preliminary input on the proposal. All additional fees for meetings will be borne by the applicant.

### **F.5.2 Indigenous Engagement in the Planning Process**

1. The Planning Board and member municipalities (whomever is the approval authority) will circulate all *Planning Act* documents received for preconsultation as described in section F.4.11 to the Indigenous communities listed in subsection (5) below. The Planning Board, member municipalities and Indigenous communities will endeavor to keep each other apprised as to the stage of their respective reviews. If an Indigenous community identifies potential concerns with an application, they should advise the Board within thirty (30) days of receipt of the documents. The Planning Board may continue to review the application within this thirty (30) day period, and the Board will allow additional time for engagement with the Indigenous communities, if necessary.

For the purposes of this section, documents include all the information that was received by the Planning Board and member municipalities from the proponent and which would generally comprise a complete application in accordance with the *Planning Act* and also Section F.4.11 Preconsultation, Section F.4.12 Complete Applications and Section F.4.13 Supporting Studies, Information, and Materials for Development Applications of the Official Plan.

2. The Planning Board, local municipality, and/or proponent will engage with local Indigenous communities on the following land use planning matters:
  - a. Archaeological Assessment and Cultural Heritage:
    - i. Archaeological studies for proposed developments where areas of Indigenous interest and/ or the potential for Indigenous artifacts to be encountered have been identified;
    - ii. Stage 2 archaeological assessments required for land use planning or development purposes where a Stage 1 Assessment indicates areas of historical interest or potential for encountering Indigenous artifacts;
    - iii. The protection of cultural heritage resources
    - iv. Archaeological master plans
  - b. Any applications official plan amendments, zoning by-law amendments, consent to sever, plan of subdivision, other land division proposals excluding minor lot additions, related to the following:
    - i. Proposed expansions of urban and village areas
    - ii. Secondary and neighbourhood plans
    - iii. Mobile home parks
    - iv. Employment areas
    - v. Larger scale development (e.g. subdivisions)
    - vi. Aggregate and mineral resource extraction, including wayside pits and quarries
    - vii. Shoreline areas and lakes, including lakes at or near capacity
    - viii. Natural areas (including natural heritage system planning)
    - ix. Fish habitat
    - x. Wildlife habitat and other natural heritage
    - xi. Escarpment area
    - xii. Crown land disposition
    - xiii. Significant Woodlands and Valleylands
  - c. Other municipal or planning board development initiatives, as needed, including but not limited to:
    - i. Transportation, parking and communications infrastructure (including road widening/extension/re-alignment in shoreline areas)
    - ii. New or expansion of waste management facilities
    - iii. Ports and marinas


- iv. Planning for parks and open space
3. The Planning Board and/or member municipality (whomever is the approval authority) will engage with the Indigenous community to ensure that cultural heritage resources are conserved. The Planning Board will receive any available information from the Indigenous community that identifies these cultural heritage resources in order to enable the Planning Board and/or member municipalities to administer this policy.
  4. Where an Indigenous community becomes engaged in a planning process as a result of either subsection (1), (2a), (2b) or (2c) above, the approval authority will implement the Indigenous engagement protocol described in subsection (7) below, and prior to the development of the Indigenous engagement protocol, will engage with the Indigenous community on land use planning matters. The Planning Board and/or its member municipalities will consult with the Aboriginal community where the duty to consult, and if appropriate, accommodate, arises regarding Aboriginal and treaty rights. The approval authority will, in making its decision, consider comments and implications, if any, on Aboriginal or Treaty rights, and provide a written response explaining how the approval authority considered these comments and implications.
  5. The Indigenous communities to be included in the engagement process are:
    - a. Wiikwemkoong Unceded Territory
    - b. United Chiefs and Councils of Mnidoo Mnising
      - i. Aundeck Omni Kaning First Nation
      - ii. M'Chigeeng First Nation
      - iii. Sheguiandah First Nation
      - iv. Sheshegwaning First Nation
      - v. Whitefish River First Nation
      - vi. Zhiibaahaasing First Nation
  6. The Planning Board and its member municipalities will:
    - a. Work collaboratively with the Indigenous communities to monitor the effectiveness of the engagement process referred to herein;
    - b. Make the results of this monitoring available to members of the public and the Indigenous communities; and,

- c. Where appropriate, consider amendments to this and other sections of this Plan should the engagement policies not meet the objectives of all parties.
7. The Planning Board, member municipalities and the Indigenous communities, with assistance from the Ministry of Municipal Affairs and other ministries, as needed, will seek to establish a terms of reference and a work plan to direct development of an Indigenous engagement protocol to support the land use planning engagement process set out in this section, which shall provide further direction regarding engagement with the Indigenous community on land use planning matters and consultation with the Aboriginal community where the duty to consult, and if appropriate, accommodate, arises regarding Aboriginal or Treaty rights. Once a protocol has been agreed upon, this Plan shall be amended, if appropriate.

## F.6 FINANCIAL MANAGEMENT

The following policies apply to Financial Management:

1. The municipalities and where applicable, the Planning Board may use the population, dwelling and employment targets in the Plan for budget planning and to coordinate public works and related initiatives.
2. The municipalities and where applicable, the Planning Board will diligently seek the maximum revenues possible from other levels of government to compensate it for any federal or provincial responsibilities transferred to it in relation to the provision of public infrastructure, community soft services, and land use planning.
3. Where possible, the municipalities and where applicable, the Planning Board will use financial mechanisms available to it under any legislative authority, including the *Municipal Act*, *Development Charges Act*, *Planning Act* and any other applicable legislation.
4. The municipalities and where applicable, the Planning Board may choose to recover all growth-related capital costs through development charges, in accordance with Provincial legislation. The municipalities may pass development charges by-laws that apply to the municipality, as a whole and/or that apply to specific geographic areas within the municipality.
5. The Planning Board reserves the right to request a Municipal Financial Impact Assessment from the proponent of any development application. The contents of such a study will be



determined by the Planning Board in consultation with the municipality at the time of the request. The Study will be prepared and will be peer reviewed at the cost of the development proponent. Development applications or proposals that otherwise comply with the relevant policies of this Plan may be refused on the basis of financial impact and burden on the Planning Board or municipality, if suitable mitigation measures are not available.

6. The Planning Board and municipalities discourage the removal of taxable land from the District's land base that may unduly burden any of the municipalities without first opening a discussion with the proponent.
7. All land use planning decisions shall be made in consideration of the municipality's Asset Management Plan.

## F.7 CAPITAL WORKS

The following policies apply to Capital Works:


1. The extension or construction of capital or public works will be undertaken in accordance with the policies of this Plan. Local Councils may prepare annually and adopt without amendment to this Plan, a four-year capital works program in accordance with the policies of this Plan. This program will be cognizant of changing conditions of supply and demand for services, and significant changes in economics and technology.
2. Public buildings, structures, infrastructure, easements or rights-of-way may be considered within any designated area if suitable buffering and screening from adjacent uses are provided.
3. 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:
  - a. financially viable over their life cycle, which may be demonstrated through asset management planning; and
  - b. available to meet current and projected needs.



## F.8 UTILITIES & TELECOMMUNICATIONS

The following policies apply to Utilities and Telecommunications:

1. The Planning Board and municipalities will facilitate the coordination between growth management and the maintenance and expansion of the telecommunication sector, both in terms of technological advancement and service provision.
2. Through the Planning Board and municipalities' planning activities, existing communication and transmission corridors and networks will be protected and enhanced.
3. The Planning Board and municipalities will support the service providers and business community in the establishment of a modern telecommunications network.
4. The Planning Board and municipalities will work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the local communities.
5. The Planning Board and municipalities will promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the Planning Board and municipalities will support the use of corridors for transportation and trail uses.
6. The Planning Board and municipalities will implement the policies of this Plan by cooperating with both private and public telecommunication companies and utilities responsible for the regulation, transmission and delivery of telecommunication and utility services within the District in planning the future development and staging of networks.
7. Public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances or within appropriate easements.
8. The Planning Board and municipalities will ensure that adequate utility networks, are or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost-effective and efficient.
9. The Planning Board and municipalities will promote all utilities and telecommunications, to be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.

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10. The Planning Board and municipalities will ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its surroundings and consistent with the urban design policies of this Plan.
  11. The Planning Board and municipalities will support the coordinated planning and installation of utilities in initial common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way.
  12. The Planning Board and municipalities will confirm that utility and telecommunication providers are all able to provide services to support the proposed development and that appropriate locations for large utility equipment and utility cluster sites have been determined.





## **G INTERPRETATION POLICIES**

The Planning Board and its staff shall be responsible for interpreting all aspects of the Plan. Where policies may reference specific issues of significance to the Province, the Ministry of Municipal Affairs and Housing may assist the Planning Board on an as-needed basis. As the sections of the Plan are interrelated, the Plan shall be read and interpreted in its entirety. Interpretation of the Planning Board shall prevail in the event of a conflict.

## G.1 GENERAL

The following policies apply to Interpretation of this Official Plan:

1. The Official Plan for the District of Manitoulin is comprised of Sections A to G and Schedules A to E inclusive. This Plan shall be read in its entirety to understand its intent as a policy guide for priority setting and decision making.
2. This Plan is intended to serve as public policy for the sustainable planning and development of the District and shall be interpreted on that basis.
3. All numbers and quantities shown in this Plan shall be considered to be approximate. Technical revisions to this Plan are permitted without an amendment provided they do not change the intent of the Plan. Technical amendments include:
  - a. Changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps;
  - b. Altering punctuation or language for consistency;
  - c. Correcting grammatical, dimensional and boundary, mathematical or typographical errors; and
  - d. Adding technical information to maps or schedules.
4. An amendment to this Official Plan shall be required where a policy, designation, schedule, goal, or objective is added, deleted or significantly altered.
5. The boundaries of the land use designations on Schedule B will be considered approximate, except where they coincide with roads, railways, lot and concession lines, or other definitive features. The boundaries of the land use designations shall be interpreted by the Planning Board. Actual measured distances and boundaries shall be determined based on the schedules of the Zoning By-laws.
6. Where the general intent of this Plan is maintained, minor boundary adjustments shall not require an amendment.
7. The boundaries of Natural Heritage Features and Areas and Constraints identified on Schedule E may be further refined through an Environmental Impact Study (EIS). Where the general intent of the Plan is maintained, and subject to consultation with the Province, minor adjustments to boundaries shall not necessitate an amendment to this Plan.

8. Any reference to numerical values such as quantity, area, density, or population and employment targets shall be considered as approximate only and not absolute. Minor changes will not necessitate an amendment to this Plan provided no adverse effects may result.
9. Any modifications or revisions to street names, or other names in this Plan, including the Schedules, shall not require an amendment to this Plan.
10. In the case of a discrepancy between the policies in the text and related schedule, the policies in the text shall take precedence.
11. In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the Planning Board, shall apply.
12. Permitted uses included in this Plan are intended to illustrate the range of activities in each respective land use designation rather than a complete list of uses. Specific uses shall be defined in the implementing Zoning By-laws. Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to that use shall also be permitted.
13. Terms and words used in this Plan are consistent with the Provincial Policy Statement and shall be interpreted as defined in Section G-2 of this Plan. However, the definitions may exceed minimum standards as established in the Provincial Policy Statement.
14. Notwithstanding Policy F.8(7), municipal buildings, activities, services and public and private utilities shall be permitted in any land use designation, save and except in Natural Heritage Features and Areas. This will be deemed to include activities and services provided under the *Municipal Act* or any other legislation.
15. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
16. Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.

17. The effect of this Plan is such that no municipal public works shall be undertaken, and no municipal by-law passed for any purpose, that does not conform to and comply with this Plan.
18. The implementation of this Plan will take place over time and the use of words such as “shall”, “will” or “must” should not be construed as the Planning Board or municipality’s commitment to proceed with all of the undertakings in this Plan immediately. These undertakings will typically occur in a phased manner, subject to budgeting and program availability.
19. Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, shall also be required to conform to this Plan, except where exempted under specific Federal or Provincial legislation.
20. The references to the “Planning Board” in this Plan will mean the District of Manitoulin Planning Board. References to the “municipality(ies)” will mean the municipality(ies) within the District of Manitoulin.
21. The references to the “Province” in this Plan is meant to include the relevant Provincial ministry(ies) with jurisdiction and responsibility for the referenced policy matter.
22. This Plan has been prepared to be consistent with the Provincial Policy Statement, 2014. Should, at any time, the Province amend the Provincial Policy Statement, the Planning Board shall amend the Plan in a manner that reflects the legislative requirements to implement the Provincial Policy Statement at the earliest 5 year review or otherwise as directed by Provincial legislation. The Provincial Policy Statement has been and shall continue to be reviewed in light of the local context and circumstances. The Provincial Policy Statement and this Plan shall be reviewed and balanced in totality to determine public interest and consistency in the District of Manitoulin. In interpreting Section 3(5) and (6) of the *Planning Act*, which requires that planning decisions “shall be consistent with” the Provincial Policy Statement, the following shall guide the Planning Board:
  - a. The application of “shall be consistent with” does not imply that the Planning Board does not have the ability to develop policies and make planning decisions to address unique local circumstances and context; however, the Planning Board’s



planning decisions shall achieve the desired outcomes of the Provincial Policy Statement;

- b. The Planning Board's planning decisions may go beyond the minimum standards provided in the Provincial Policy Statement provided they do not conflict with any other area of the Provincial Policy Statement; and
- c. Judicial and quasi-judicial decisions and other planning decisions shall assist in understanding the application of the "shall be consistent with" standard.

## G.2 DEFINITIONS

The following terms are intended to assist in the interpretation of the policies and land use schedules of this Plan. Where definitions are taken directly from Provincial documents, they are cited.

- 1. **Access standards** means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding hazards, erosion hazards and/or other water-related hazards.

(Source: Provincial Policy Statement, 2014)

- 2. **Accessory building or structure** means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation. Accessory buildings or structures may also be referred to as accessory dwellings or accessory units.
- 3. **Accessory use** means the use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.
- 4. **Active transportation** means any form of human-powered travel, including but not limited to, walking, cycling, in-line skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

(Source: Provincial Policy Statement, 2014)

- 5. **Adjacent lands** means:
  - a. those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would

- have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
- b. those lands contiguous to a protected heritage property, or located within a vista or viewshed of, a designated heritage property or heritage feature.
6. **Adaptive reuse** means the renovation of a building or site to include elements that allow a particular use or uses to occupy a space that originally was intended for a different use.
7. **Adverse effects** - as defined in the *Environmental Protection Act*, 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 or 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 human use;
  - g. Loss of enjoyment of normal use of property; and
  - h. Interference with normal conduct of business.

(Source: Provincial Policy Statement, 2014)

8. **Affordable** means:
- a. In the case of ownership housing, the least expensive of:
    - i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or
    - ii. housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area.
  - b. In the case of rental housing, the least expensive of:

- i. a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
- ii. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition:

Low and moderate income households means, in the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the regional market area; or in the case of rental housing, households with incomes in the lowest 60 per cent of the income distribution for renter households for the regional market area.

(Source: Provincial Policy Statement, 2014)

- 9. **Alternative energy systems** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

(Source: Provincial Policy Statement, 2014)

- 10. **Amenity area** means an interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.
- 11. **Ancillary Use** means a subsidiary or secondary use or operation connected to the main use of a building or piece of land. For example, an ancillary use may be an office supply store (retail) in an area otherwise identified for offices.
- 12. **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*.

(Source: Provincial Policy Statement, 2014)

- 13. **Areas of Natural and Scientific Interest (ANSI)** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

(Source: Provincial Policy Statement, 2014)

14. **Assisted housing** means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.
15. **Barrier** means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

(Source: *Accessibility for Ontarians with Disabilities Act*, 2005)

16. **Bed and breakfast establishment** means a single detached dwelling in which the owners currently hold as a primary residence with the primary purpose of providing short-term overnight accommodations, including the provision of meals.
17. **Brownfield sites (brownfields)** means 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.

(Source: Provincial Policy Statement, 2014)

18. **Built heritage resource** 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.

(Source: Provincial Policy Statement, 2014)

19. **Carbon Footprint** means the total amount of greenhouse gases produced to directly and indirectly support human activities, usually expressed in equivalent tons of carbon dioxide (CO<sub>2</sub>).
20. **Character** means the collective qualities and characteristics that distinguish a particular area or neighbourhood.
21. **Coastal wetland** means:
  - a. any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
  - b. any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the

1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

(Source: Provincial Policy Statement, 2014)

22. **Complete application** means all supporting studies required by this Plan must be submitted at the time of submitting the application in order to deem the application complete.
23. **Comprehensive rehabilitation** means rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations.

(Source: Provincial Policy Statement, 2014)

24. **Comprehensive review** means
  - a. with respect to lands within settlement areas or employment land conversions, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:
    - i. is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
    - ii. utilizes opportunities to accommodate projected growth or development through intensification and redevelopment; and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;
    - iii. 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;
    - iv. confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
    - v. confirms that sewage and water services can be provided; and
    - vi. considers cross-jurisdictional issues.

- b. with respect to lands in unincorporated areas, means a review undertaken by a planning authority or comparable body which:
  - vii. addresses long-term population projections, infrastructure requirements and related matters;
  - viii. confirms that the lands to be developed do not comprise specialty crop areas; and
  - ix. considers cross-jurisdictional issues.

In undertaking a comprehensive review the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary or development proposal.

(Source: Provincial Policy Statement, 2014)

- 25. **Conservation** means the wise management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to man and the environment.
- 26. **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.

(Source: Provincial Policy Statement, 2014)

- 27. **Cultural heritage landscape** 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. 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, trailways, 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).

(Source: Provincial Policy Statement, 2014)



28. **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.

(Source: Provincial Policy Statement, 2014)

29. **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:
- a. activities that create or maintain infrastructure authorized under an environmental assessment process; and
  - b. works subject to the *Drainage Act*.
  - c. within significant wetlands, underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential, where advanced exploration has the same meaning as under the *Mining Act*.

(Source: Provincial Policy Statement, 2014)

30. **Development application** means a formal request for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, part lot control, minor variance approval, plan of subdivision, and/or condominium.
31. **Dry use** means a use that generates less than 10,000 litres per day of domestic waste and uses less than 4,500 litres/day/lot.
32. **Dwelling unit** means a room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided for the exclusive use of that household.
33. **Ecological function** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

(Source: Provincial Policy Statement, 2014)

34. **Employment Area** means those areas designated in an official plan for clusters of business and economic activities including, but



not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

(Source: Provincial Policy Statement, 2014)

35. **Environmental Impact Study (EIS)** means an analysis of the potential effects on the natural environment from a project.
36. **Existing use** means the use of any land, building or structure legally existing on the day of adoption of the Plan.
37. **Endangered species** means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

(Source: Provincial Policy Statement, 2014)

38. **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 (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

(Source: Provincial Policy Statement, 2014)

39. **Excellence in Urban Design and/or Architecture** means enhanced building articulation through the use of distinguishable architectural elements (i.e. cornices, mouldings, etc.), materials, and colours consistent with the architectural character of the surrounding neighbourhood.
40. **Farm Vacation Enterprise** means the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or personal involvement in the activities of the farm or operation where visitors would stay overnight in an existing dwelling.
41. **Fish** means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

(Source: Provincial Policy Statement, 2014)

42. **Fish habitat**, as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

(Source: Provincial Policy Statement, 2014)

43. **Flood plain** for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

(Source: Provincial Policy Statement, 2014)

44. **Flooding hazard** means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:
- a. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
  - b. Along river and stream systems, the flooding hazard limit is the greater of:
    - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions,
    - ii. where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
    - iii. the one hundred year flood; and a flood which is greater than i. or ii. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

(Source: Provincial Policy Statement, 2014)

45. **Floodproofing standard** means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland

lakes, and flooding hazards along river, stream, and small inland lake systems.

(Source: Provincial Policy Statement, 2014)

46. **Floodway** for river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage.

(Source: Provincial Policy Statement, 2014)

47. **Floor area, gross** means the total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street unloading, parking and mechanical.
48. **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.

(Source: *Planning Act*, 1990)

49. **Green Building** means a building designed to conserve resources and reduce negative impacts on the environment - whether it is energy, water, building materials or land.
50. **Green infrastructure** means natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

(Source: Provincial Policy Statement, 2014)

51. **Gross Hectare** includes local roads, but excludes parks and open space.
52. **Ground water features** means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

(Source: Provincial Policy Statement, 2014)

53. **Growth-related capital costs** means costs incurred or proposed to be incurred by the Planning Board or municipality or by others on behalf of, and as authorized by, the Planning Board or municipality. These costs include (but are not necessarily limited to):

- a. Costs to acquire land or an interest in land, including a leasehold interest;
- b. Costs to improve land;
- c. Costs to acquire, lease, construct or improve buildings and structures;
- d. Costs to acquire, lease, construct or improve facilities including:
  - i. rolling stock with an estimated useful life of seven years or more,
  - ii. furniture and equipment, other than computer equipment, and
  - iii. materials acquired for circulation, reference or information purposes by a library board.
- e. Costs of the development charge background study.

(Source: Adapted from the *Development Charges Act*)

54. **Hazards** means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. Hazards also include property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

(Source: Adapted from Provincial Policy Statement, 2014)

55. **Hazardous forest types for wildland fire** means 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, as amended from time to time.

(Source: Provincial Policy Statement, 2014)

56. **Hazardous lands** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest

landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit.

(Source: Provincial Policy Statement, 2014)

57. **Hazardous sites** means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

(Source: Provincial Policy Statement, 2014)

58. **Hazardous substances** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

(Source: Provincial Policy Statement, 2014)

59. **Heavy industrial** means employment uses associated with significant land use impacts such as odour, noise, dust, smoke, vibration, the potential for fire and explosive hazards, etc. Examples of such uses may include manufacturing facilities, the storage, processing, refinement or production of hazardous, toxic or substances, etc.

See also Light Industrial and Prestige Industrial.

60. **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 form a protected heritage property).

(Source: Provincial Policy Statement, 2014)

61. **Heritage resources** means a feature of the landscape which by itself, or together with its associated environment, is unique or representative of past human activities or events. Such feature may include a site or area of archaeological or historical value and

it may include a building or structure of cultural heritage value or interest.

62. **Hydrologic function** means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

(Source: Provincial Policy Statement, 2014)

63. **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.

(Source: Provincial Policy Statement, 2014)

64. **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

(Source: Provincial Policy Statement, 2014)

65. **Infill** means the development of additional buildings on a property, site or area to support intensification, create higher densities, and fill development gaps in existing neighbourhoods.

66. **Infrastructure** means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

(Source: Provincial Policy Statement, 2014)

67. **Intensification** means the development of a property, site or area at a higher density than currently exists through:
- a. redevelopment, including the reuse of brownfield sites;
  - b. the development of vacant and/or underutilized lots within previously developed areas;
  - c. infill development; and
  - d. the expansion or conversion of existing buildings.



(Source: Provincial Policy Statement, 2014) See also Small-Scale Intensification.

68. **Legal or technical reasons** means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

(Source: Provincial Policy Statement, 2014)

69. **Light industrial** means employment uses associated with little or no significant land use impacts including odour, noise, dust, smoke, vibration, the potential for fire and explosive hazards, etc. Examples of such uses may include light and small-scale manufacturing facilities, warehouses, wholesale establishments, offices and business services such as printing establishments.

See also Heavy Industrial and Prestige Industrial.

70. **Locational criteria** means a set of criteria, such as (but not limited to) accessibility, environment, catchment area, infrastructure, public facilities and costing, used to identify suitable site(s) for a given active or passive land use or type of development.
71. **Lot** means a parcel or tract of land which is recognized as a separate parcel of land under the provisions of the *Planning Act*.
72. **Marine facilities** means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities.

(Source: Provincial Policy Statement, 2014)

73. **Mineral aggregate operation** means:
- a. lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
  - b. for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
  - c. associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.



(Source: Provincial Policy Statement, 2014)

74. **Mineral aggregate resources** means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

(Source: Provincial Policy Statement, 2014)

75. **Minimum distance separation formulae** means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

(Source: Provincial Policy Statement, 2014)

76. **Mixed use** means development that includes a range of uses, including commercial and residential uses, that provides a variety of housing opportunities, retail, office, leisure, recreation and social opportunities.

77. **Multimodal transportation system** means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

(Source: Provincial Policy Statement, 2014)

78. **Municipal sewage services** means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

(Source: Provincial Policy Statement, 2014)

79. **Municipal water services** means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act*, 2002.

(Source: Provincial Policy Statement, 2014)

80. **Natural environment** means the land, air or water or any combination or part thereof.

81. **Natural heritage features and areas** means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands in Ecoregions 5E, 6E and 7E, fish habitat, significant woodlands and significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River),

habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

(Source: Provincial Policy Statement, 2014)

82. **Natural heritage system** means a system made up of natural heritage features and areas, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include natural heritage features and areas, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying natural heritage systems, but municipal approaches that achieve or exceed the same objective may also be used.

(Source: Provincial Policy Statement, 2014)

83. **Negative impacts** means:
- a. in regard to developments on private or partial services, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
  - b. in regard to water quality and quantity, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;
  - c. in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
  - d. in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the

natural features or ecological functions for which an area is identified due to single, multiple or successive development or site alteration activities.

(Source: Provincial Policy Statement, 2014)

84. **Neighbourhood Commercial Use** means a land use, including personal service shops, that serves the needs of the neighbouring residential area and which may sell or rent merchandise which constitutes general dry goods and household articles and grocery items, and provided that such business is conducted within a wholly enclosed building, but excludes food preparation and service, meaning preparation, cooking, or any form of restaurant.
85. **Neighbourhood Park** means a public facility or open space that provides passive and/or active recreational opportunities for local residents.
86. **Net Hectare** excludes local roads, parkland, and any commercial facilities.
87. **On-farm diversified uses** means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.
88. **One hundred year flood** for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

(Source: Provincial Policy Statement, 2014)

89. **One hundred year flood level** means for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
  - a. in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
  - b. for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist,

the one hundred year flood level is based on the highest known water level and wind setups.

(Source: Provincial Policy Statement, 2014)

90. **Park** means a public facility or open space that provides sufficient passive and/or active recreational opportunities to accommodate the recreational needs of residents within the municipality and where applicable, the District as a whole.
91. **Partial services** means:
  - a. Municipal sewage services or private communal sewage services and individual on-site water services; or
  - b. Municipal water services or private communal water services and individual on-site sewage services.

(Source: Provincial Policy Statement, 2014)

92. **Portable asphalt plant** means a facility:
  - a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
  - b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2014)

93. **Portable concrete plant** means a building or structure:
  - a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
  - b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2014)

94. **Preserve** means to maintain the quality or condition of a resource in its current form, and to slow down the deterioration of the resource.
95. **Prestige industrial** means only non-noxious office employment uses and associated accessory uses such as restaurants, parking facilities and business services.

96. **Private club** means a building or any part of a building used as a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.
97. **Protection works standards** means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

(Source: Provincial Policy Statement, 2014)

98. **Public service facilities** means 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. Public service facilities do not include infrastructure.

(Source: Provincial Policy Statement, 2014)

99. **Quality and quantity** of water is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

(Source: Provincial Policy Statement, 2014)

100. **Recreation** means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.
101. **Redevelopment** means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

(Source: Provincial Policy Statement, 2014)

102. **Regulatory flood** means the approved standard(s), being a regional flood or a one-in-one-hundred-year flood, used in a particular watershed to define the limit of the flood plain for regulatory purposes.
103. **Rehabilitate** means the treatment of land, buildings or structures so that their use or condition is restored to its former use or condition, or may be changed to another use or condition that is or will be compatible with adjacent land uses.

104. **Renewable energy project** means the construction, installation, use, operation, changing or retiring of a renewable energy generation facility.

(Source: *Green Energy Act*, 2009)

105. **Renewable Energy Generation Facility** means a generation facility that generates electricity from a renewable energy source and that meets such criteria as may be prescribed by regulation and includes associated or ancillary equipment, systems and technologies as may be prescribed by regulation, but does not include an associated waste disposal site, unless the site is prescribed by regulation for the purposes of this definition.

(Source: *Green Energy Act*, 2009)

106. **Renewable energy systems** means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

(Source: Provincial Policy Statement, 2014)

107. **Renewable Energy Testing Facility** means devices or structures to be used to gather information about natural conditions at the location of the structures or devices and related infrastructure and that meet such criteria as may be prescribed by the regulations.

(Source: *Green Energy Act*, 2009)

108. **Renewable Energy Testing Project** means the construction, installation, use, operation, changing or retiring of a renewable energy testing facility.

(Source: *Green Energy Act*, 2009)

109. **Renewable Energy Undertaking** means a renewable energy generation facility, a renewable energy project, a renewable energy testing facility or a renewable energy testing project.

(Source: *Planning Act*, 1990)

110. **Reserve sewage system capacity** means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved development. Reserve capacity for private communal sewage services and individual on-site sewage services is considered sufficient if the hauled sewage from the development can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the *Environmental Protection Act* or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage.

(Source: Provincial Policy Statement, 2014)



- 111. **Retail Market Impact Study** means an analysis of the retail sector and the development, economic and environmental impacts associated with proposed retail development.
- 112. **River, stream and small inland lake system** means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

(Source: Provincial Policy Statement, 2014)

- 113. **Sensitive land uses** 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 may include, but are not limited to: residences, day care centres, and educational and health facilities.

(Source: Provincial Policy Statement, 2014)

- 114. **Servicing Plan** means an analysis of the municipality's provisioning and phasing of water and wastewater and other infrastructure to service future growth and development.
- 115. **Settlement areas** means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:
  - a. built up areas where development is concentrated and which have a mix of land uses; and
  - b. lands which have been designated in an official plan for development over the long-term planning horizon. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.

(Source: Provincial Policy Statement, 2014)

- 116. **Significant** means
  - a. In regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
  - b. in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution



to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

- c. in regard to other features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;
- d. In regard to mineral potential, means an area identified as provincially significant through evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e. In regard to cultural heritage and archaeology, 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.

(Source: Adapted from the Provincial Policy Statement, 2014)

117. **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.

Within significant wetlands, *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential*, where advanced exploration has the same meaning as in the *Mining Act*.

(Source: Provincial Policy Statement, 2014)

118. **Site Plan Control** means a process which requires the preparation of detailed site specific development plans, and enables the review of such matters as building location, and massing, access, outdoor storage, amenity space, walkways, landscaping, loading and parking facilities, accessibility, lighting, grading and external non-design features. Site Plan Control can only be used to establish on-site physical conditions such as setbacks and layout as well as road widening and intersection improvement.

119. **Small-scale**, when used in the context of businesses, offices and industries, means those commercial or industrial uses that do not exceed the following:
- a. Employs no more than the equivalent of five (5) full time employees in addition to the owner;
  - b. Occupies a structure not exceeding 250 square metres in area; and
  - c. Outdoor storage and display is limited to an area not greater than 750 gross square metres.
120. **Small-scale intensification** means intensification (as defined by this Plan) where there is no need to expand existing water or sewer infrastructure to accommodate the new lot(s) or unit(s). See also Intensification.
121. **Sourcewater protection** means the act of protecting drinking water sources from contamination or overuse. These sources of water can include surface water, such as lakes, rivers, streams, or groundwater.
122. **Sourcewater protection plan** means a plan that protects drinking water sources from contamination or overuse. These sources of water can include surface water, such as lakes, rivers, streams, or groundwater.
123. **Special needs housing** means housing for the physically and developmentally challenged and disabled, chronically mentally ill, youth and children with emotional difficulties, seniors, those requiring emergency shelter, assisted housing accommodating individuals, and households with low to moderate incomes.
124. **Streetscape** means the visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.
125. **Surface water feature** means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

(Source: Provincial Policy Statement, 2014)

126. **Sustainability** means meeting the needs of people today without jeopardizing the ability to meet the needs of future generations.

127. **Threatened species** means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

(Source: Provincial Policy Statement, 2014)

128. **Transportation Systems** means a system consisting of facilities, corridors and right-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park’n’ ride lots, service centres, rest stops, vehicle inspection stations, inter-modal terminals, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance.

(Source: Provincial Policy Statement, 2014)

129. **Urban Area** means lands which have been designated for development on Schedule A to this Plan over the 20-year planning horizon.

(Source: Adapted from the Provincial Policy Statement, 2014)

130. **Utility** means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, communications/telecommunications lines and other cabled services, waste collection or disposal or management, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

131. **Walkability** means the extent in which the built environment is friendly to the presence of people in that area, factors include are land use mix, street connectivity and residential density.

132. **Watershed** means an area that is drained by a river and its tributaries.

(Source: Provincial Policy Statement, 2014)

133. **Waste management system** means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and waste depots.

(Source: Provincial Policy Statement, 2014)

134. **Wayside pits and quarries** means a temporary pit or quarry opened and used by or for a public authority solely for the purpose

of a particular project or contract of road construction and not located on the road right-of-way.

(Source: Provincial Policy Statement, 2014)

135. **Wetlands** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

(Source: Provincial Policy Statement, 2014) See also the definition for significant.


136. **Wildland fire assessment and mitigation standards** means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources 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.

(Source: Provincial Policy Statement, 2014)

137. **Wildlife habitat** means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

(Source: Provincial Policy Statement, 2014) See also the definition for significant.

138. **Woodlands** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the



*Forestry Act* definition or the Province's Ecological Land  
Classification system definition for "forest."

(Source: Provincial Policy Statement, 2014)