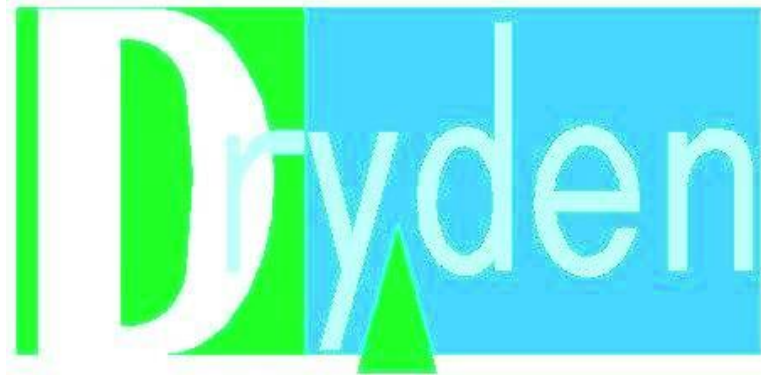


# *Official Plan*

For the City of



Version 2.3 November 17, 2011  
For Pre-consultation  
Revised with Ministry Comments April 5, 2012  
Edits June 18, 2012  
Final Modifications

## DISCLAIMER

This document is a consolidated version of the City of Dryden's Official Plan, prepared by City staff, and is intended for information and general research purposes only.

Any interpretation of the Official Plan Policies and Land Use Schedules should be verified by Planning staff.

A certified, official version of the Official Plan is available at the City Clerk's office.

# OFFICIAL PLAN FOR THE CITY OF DRYDEN

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**THE CORPORATION OF THE CITY OF DRYDEN**

**BY-LAW NUMBER 3970-2012**

WHEREAS The Planning Act, R.S.O. 1990, Chapter P13, c.1, as amended permits a municipality to adopt an Official Plan; and,

WHEREAS The Corporation of The City of Dryden has engaged upon public consultation and has held the required statutory hearings for the adoption of the Official Plan.

NOW THEREFORE the Council of The Corporation of The City of Dryden in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P13, c.1, as amended hereby enacts as follows:

1. THAT the Official Plan for the City of Dryden being the attached text and Schedules A, B and C is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make applications to the Minister of Municipal Affairs and Housing for approval of the aforementioned Official Plan for the City of Dryden and to provide such information as required by Section 17 (7) of The Planning Act, R.S.O. 1990, Chapter P13, c.1 as amended.
3. THAT this By-law shall come into force and take effect on the day of the passing thereof subject to receiving approval of the Minister of Municipal Affairs and Housing.
4. THAT this By-law shall rescind By-law 2739-2000 which adopted an Official Plan and any subsequent amendments upon final approval of this Official Plan by the Minister.

ENACTED AND PASSED THIS 18TH DAY OF JUNE 2012 A.D. as witnessed by the Corporate Seal of The Corporation of The City of Dryden and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE CITY OF DRYDEN

  
\_\_\_\_\_  
Mayor

A/Deputy   
Clerk

READ A FIRST AND SECOND TIME THIS 18TH DAY OF JUNE 2012 A.D.

READ A THIRD TIME AND PASSED AS READ THIS 18TH DAY OF JUNE 2012 A.D.

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## **1.0 PURPOSE**

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- 1.1 This Plan is intended to provide guidance to Council, municipal staff and the public when making decisions about future land use and economic development in the City of Dryden.
- 1.2 This Plan establishes general land use designations that are intended to establish a pattern of development in the municipality for the next 20 years, to the year 2031.
- 1.3 This Plan establishes policies that will be considered throughout the development approval process and when considering public works and other municipal services.
- 1.4 This Plan has been prepared being consistent with the Provincial Policy Statement issued by the Province of Ontario (2005) and the Northern Ontario Growth Plan (2011).
- 1.5 To avoid land use conflicts and provide for the appropriate development of the community.
- 1.6 To provide sufficient designated land to accommodate future residential, employment and open space lands to meet the needs of the City for at least 20 years.
- 1.7 To ensure that the City is well prepared for future economic development by establishing clear policies and a development process that will provide certainty with respect to future land use in the City and maintain the City's role as a regional service centre for the surrounding population.
- 1.8 To maintain the high quality of life enjoyed by the present and future residents of the City and to ensure that this quality of life is sustainable from environmental, cultural and economic perspectives.

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## 2.0 BASIS

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**This Section of the Plan identifies the primary factors that have been considered in the preparation of this Plan. Should any of these factors change significantly, the Plan should be reviewed to determine whether major policy or land use designation changes are warranted.**

- 2.1 The City is comprised of the former Town of Dryden and the former Township of Barclay. The former Town of Dryden has historically been a fully serviced urban community. The former Township of Barclay has traditionally been a rural municipality with some shoreline residential and commercial development along the shoreline of Thunder Lake and Wabigoon Lake.
- 2.2 The Rural area of the City is characterized by residential development adjacent to Wabigoon Lake and Thunder Lake, clusters of residential development and resource based activities. This character will be maintained over the lifetime of this Plan. Thunder Lake is considered at capacity and cannot withstand additional shoreline development.
- 2.3 Growth in the urban serviced areas has benefited from a progressive approach to planning and development. Fully serviced lands have been designated for future commercial and industrial needs in a manner that has minimized speculation and uncertainty. This Plan maintains that approach to planning by designating sufficient lands to meet the needs of the community for the next 20 years.

The following growth targets have been used in preparing this Plan:

	<u>2011</u>	<u>2031</u>	<u>Growth</u>
Population	7617	9000	295
Households	3417	4090	463

- 2.4 Dryden is located one half of the way between Thunder Bay and Winnipeg on the Trans Canada Highway. As a result of this location, the City has developed as a centre for commercial and institutional growth. The location of the Trans-Canada Highway will change in the lifetime of this Plan as the Ministry of Transportation has completed route planning for the proposed new location, north of the existing built-up area of the City. Planning and infrastructure considerations must reflect the eventual relocation of this highway.

- 2.5 A pulp and paper manufacturing plant is the single most important economic force in the municipality. It is important to provide for the ongoing development of this facility and related business in the City. At the time of preparing this Plan the forestry industry had taken a downturn and employment at the mill had been scaled back considerably. This emphasizes a need for the City to provide opportunities for new employment uses and to continue to diversify its economy.
- 2.6 Over the lifetime of this Plan, the City of Dryden will continue to expand its function as an urban service centre, providing services to the traveling public and the residents of the District. Increasingly the City will become a focal point for First Nations services and facilities.
- 2.7 The urban area of Dryden has developed as a stable community with a variety of land uses existing in a compatible land use pattern. This land use pattern is unlikely to change to any significant extent over the lifetime of this Plan. Significant changes that have not been anticipated by this Plan will require an amendment to the document. However, amendments to this Plan will not be required for minor changes to land use within the existing urban area. The Zoning By-law will provide the primary planning instrument for dealing with changes to land use.



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## 3.0 VISION AND OBJECTIVES

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**This section of the Plan establishes the fundamental Vision and Objectives that will guide future development in the City of Dryden. The Policies and land use designations contained in the Plan are based on achieving the Vision and Objectives. The Vision describes the intended future for the City. The Objectives describe what the City intends on achieving in order to fulfill this Vision. In the event that clarification of the intent of these policies is required, the Objectives listed in this section should be considered.**

### 3.1 VISION

In 2031, Dryden will be a thriving vibrant service centre for our Region with advanced educational communication and health care facilities surrounded by the boreal forest. It will be a welcoming prosperous modern community that supports culture, tourism and the natural environment while ensuring excellent quality of life for residents and visitors.

### 3.2 OBJECTIVES

The Objectives of this Plan are as follows:

#### 3.2.1 Community

- i) To support and maintain a high quality of life for current and future residents of the City;
- ii) To ensure that the City remains safe and well served by the corporation;
- iii) To create a vibrant, welcoming and inclusive community identity that builds on unique local features;
- iv) To direct new residential development to the urban serviced areas of the City, away from significant or sensitive resources and areas which may pose a risk to public health and safety;
- v) To support activities and infrastructure that promote a healthy community including recreation facilities, trails and parks, and community gathering places;

- vi) To engage the community through sharing information and consultation to ensure that the City develops in a manner that fosters community spirit and pride.
- vii) To promote connectivity, mobility and accessibility within and between neighbourhoods, employment areas, downtown and the waterfront areas
- viii) To recognize barriers for disabled people and provide accessibility features for current and proposed buildings.

### **3.2.2 Culture**

- i) Encouraging the conservation and enhancement of cultural heritage resources, including structures, sites and streetscapes of cultural, historic and/or architectural significance, significant archaeological and historic resources and significant landscapes;
- ii) To recognize and support of the diverse ethnic groups, ages and interests of the present and future residents of the City;
- iii) To support the cultural community and support local artisans, through the installation of public art and creation of public spaces that celebrate the creativity of the community;
- iv) To consult with First Nations communities when considering significant land uses or public works in the City;
- v) To build a physically attractive and accessible community that enhances the community's sense of quality of place; and
- vi) To ensure that planning for land use, infrastructure and other municipal or community services considers culture as a significant consideration in the consultation and decision making process.

### **3.2.3 Economy**

- i) To develop the City as a focus for industry, trade, commerce and services throughout the District and Northwestern Ontario;
- ii) To build a globally competitive economy and stimulate new investment and entrepreneurship by diversifying traditional resource based industries and developing a highly educated workforce in both the trades and development of a knowledge based economy.

- iii) To encourage the diversification of the economy of the City by providing sufficient land area and a broad range of employment uses;
- iv) To support the development of the City as a regional service centre, servicing tourists, First Nations and the surrounding communities;
- v) To be prepared for fluctuations in the resource based economy and be investment ready
- vi) To support sustainable economic practices such as supporting local food producers, promoting value added agricultural products encouraging shopping locally and the use of local materials in processing and manufacturing wherever possible.
- vii) To promote downtown Dryden as a focus for goods and services for residents and a destination for the travelling public.

### **3.2.4 Environment**

- i) To identify a continuous natural heritage system throughout the City. This system will provide for the preservation of important ecological functions and features as well as providing open space and preserving the wilderness character of the area.
- ii) To protect important natural resources such as wildlife habitat areas, wetlands and aggregates and to ensure their preservation where they presently exist;
- iii) To protect surface water resources, as they are a vital component of the ecosystem and a source of drinking water. Land use related decisions of Council will maintain and enhance surface and groundwater resources in sufficient quality and quantity to meet existing and future uses on a sustainable basis, promote water conservation and support the efficient use of water resources on a watershed basis;
- iv) To protect human life from water related hazards such as flooding and erosion;
- v) To encouraging the wise use the City's mineral aggregate and forestry resources. The City will balance its responsibility to protect the ecological integrity of the natural heritage system, rural landscapes and the quality of life for its residents while recognizing the historic resource based economy in Northern Ontario;

- vi) To encourage sustainable practices including promoting locally grown foods and other materials, less reliance on the automobile and wise use of energy resources including promoting alternative forms of energy.

### **3.2.5 Housing**

- i) To direct new residential development primarily to the urban serviced area of the City
- ii) To maintain an adequate supply of land for residential development, and ensure the availability of water and sewage treatment capacity;
- iii) To encourage intensification and infill development where adequate services such as water supply, sanitary sewerage, storm water management and drainage, schools and parkland are available and commercial and community facilities are accessible;
- iv) Encouraging affordable housing, assisted seniors housing and housing for special needs groups to locate in the City. This housing shall be directed to areas in close proximity to support services such as community and medical facilities, shopping, parks and green space and be compatible with adjacent homes and uses; and
- v) To provide a range of housing opportunities that will meet the physical and financial needs of an aging population and be able to respond to quickly changing needs associated with a resource-based economy.

### **3.2.6 Transportation**

- i) To plan for the eventual relocation of Highway 17 and 502 through the City and ensure that appropriate connections to the new roads are protected and maintained in order to maintain the City's role as an important regional service centre;
- ii) To recognize the importance of rail to the economy of the City and surrounding area and ensure that development in the vicinity of the rail corridor does not conflict with transportation facility;
- iii) To support the continued use and expansion of the Dryden airport;
- iv) To encourage pedestrian and bicycle use in the City through the development of a connected trail system and improved infrastructure for cycling;

- v) To recognize and support facilities that provide boaters with access to the area waterways;
- vi) To minimize conflicts between automobiles and people through appropriate parking area and access site design.

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## 4.0 LAND USE DESIGNATIONS

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### 4.1 STABLE AREAS

**The Stable Areas of the City include residential, commercial, industrial and institutional uses that presently exist in the City. The designation of the lands as Stable Areas indicates that there will be little change in these areas over the lifetime of this Plan. The following policies apply to Stable Areas:**

- 4.1.1 Existing uses will be preserved and protected from incompatible uses.
- 4.1.2 The maintenance and improvement of the quality and character of the built form and infrastructure will be encouraged.
- 4.1.3 Approximately 10 per cent of new housing in the City will be provided through infilling and intensification within existing residential areas in the Stable Areas.
- 4.1.4 Linkages to recreation and open space areas will be created through the development of trails, parks, roadways and sidewalks designed to provide space for pedestrians.
- 4.1.5 Minor changes to land use that are compatible with existing land uses, do not result in significant increases to traffic or noise, are similar in scale to the surrounding built form and that improve the quality of life for area residents shall be permitted through an amendment to the Zoning By-law.
- 4.1.6 Applications for planning approvals to provide for new or expanded industrial or other uses that generate noise, odour, dust, vibration or changes to traffic within the Stable Areas designation or could otherwise result in an adverse effect shall be evaluated in accordance with the requirements of policy 5.10 of this Plan.
- 4.1.7 The Zoning By-law will establish different zones for residential, commercial, institutional and industrial uses within the Stable Areas. Zoning provisions may include regulations on height, density and setback requirements intended to maintain the character of these areas.
- 4.1.8 Policy 5.18 of the Plan applies to all lands within 300 metres of Thunder Lake.

- 4.19 Mill operations within the Stable Areas – Heavy Industrial designation will be encouraged and will be protected from incompatible uses to ensure the future vitality of the forestry and pulp and paper industry in the Region.

## 4.2 RESIDENTIAL DEVELOPMENT AREAS

**The Residential Development Areas have been established to meet the needs of new residential development in the City for the next 20 years. The City is the primary developer of the lands within this designation and will direct development of this area as follows.**

- 4.2.1 Approximately 80 per cent of all new residential development in the City will occur in the Residential Development Areas on full municipal services.
- 4.2.2 Development in these areas will occur in a contiguous manner as a logical expansion of existing development.
- 4.2.3 Development will be staged so as to ensure that a range of densities of development shall be encouraged to ensure a variety of housing forms at each stage of development. The Zoning By-law will establish increased setbacks between different densities of development to ensure that privacy and peaceful enjoyment of existing properties are not adversely affected by higher density housing.
- 4.2.4 In recognition of the future needs of the population, new housing should provide opportunities for affordable family housing and seniors housing. This may require smaller houses and lot sizes that make more efficient use of infrastructure.
- 4.2.5 In accordance with Section 6.0 Municipal Services, planning approvals to accommodate fully serviced development resulting in new connections to the sewage or water treatment plans shall be granted only where sewage and water treatment plant capacity is sufficient to support the proposed development.
- 4.2.6 New development shall include landscaping of the lands and the street in a manner that will result in a mature looking neighbourhood in a short period of time. Housing should be designed so that garages do not dominate the building façade or streetscape and a variety of building styles to provide variation on the street is utilized.
- 4.2.7 Local parks will be developed to serve the needs of new residents within the Residential Development Areas. Linkages to existing parks and open space areas will be required.



### 4.3 DOWNTOWN CORE

**The Downtown Core is the historic downtown of the City. It remains a focal point for population serving business and services and is a retail destination in the region. The Core is also a focus of community activity, institutional and educational facilities.**

- 4.3.1 The Downtown Core will provide the widest range of commercial and institutional uses in the City. The development of new specialty commercial, restaurant, entertainment and personal service uses is encouraged.
- 4.3.2 Parking standards will be relaxed in the Downtown Core to encourage private sector investment. The City will develop public parking where possible.
- 4.3.3 New buildings should be built to the street line with provision for parking to the rear. Where on-site parking is provided parking areas should be connected with adjacent uses wherever possible.
- 4.3.4 Improvements to public spaces such as trees, benches and lighting will be encouraged through redevelopment and public projects. Street art and public spaces in the Downtown Core are encouraged and shall reflect the cultural identity and character of the City.
- 4.3.5 Multi-unit residential development and condominium development shall be encouraged through infilling and intensification in the Downtown Core. In areas of historical, architectural or built cultural heritage landscape resources, development should be consistent with existing landscape and streetscape qualities, and not result in the loss of any significant heritage resources. Commercial uses on the street level shall be encouraged, however, multi-unit residential buildings shall be permitted as a principle use in the Downtown Core.
- 4.3.6 Approximately 10 per cent of new housing in the City should occur in the Downtown Core.
- 4.3.7 New buildings and redevelopment shall be designed so they are compatible and consistent in character to the overall streetscape in areas of built cultural heritage landscape or resources. Redevelopment should not result in the loss of any heritage site or resource.”The use of local building materials or wood and stone shall be incorporated into the building design. Buildings should also be designed to be energy efficient, utilizing green energy sources and sustainable materials wherever possible.

#### 4.4 REGIONAL BUSINESS CENTRE

**The Regional Business Centre is the focus of large scale commercial and industrial uses in the region. This area contains big-box retail uses small and mid-sized industrial uses and tourist oriented accommodation and services. This area will continue to function and expand as the primary employment area in the City, second only to the pulp and paper mill.**

4.4.1 The continued development of retail commercial and light industrial uses will be promoted in the Regional Business Centre in order to serve the residents of Dryden, the District of Kenora and the travelling public.

4.4.2 Applications for planning approvals to provide for new or expanded industrial or other uses that uses could result in an adverse effect shall be evaluated in accordance with the requirements of policy 5.10 of this Plan.

4.4.3 Where other applicable policies allow for industrial or commercial uses within the Regional Business Centre designation, these shall be restricted to dry uses only, in which no industrial liquid wastes, wash or cooling water, or process wastes are permitted.

4.4.4 The existing route of the Trans Canada Highway through the City is likely to change in the lifetime of this Plan. Maintaining safe and efficient transportation along the current corridor is paramount to maintaining the economic health of the Regional Business Centre. In order to prevent conflicts between the function of the highway and the abutting uses, the following design criteria shall be considered when development is proposed:

- i) Parking areas and access shall be linked wherever possible along Highway 17 within the former Township of Barclay. Along this portion of the Highway, the number of commercial entrances to Highway 17 will be reduced and access to the rear of the lots fronting onto Highway 17 will be provided;
- ii) Through the use of site plan control, the City may acquire sufficient land to provide for a five lane cross section with sidewalks on both sides through the Regional Business Centre and provision for a parallel service road to the rear of the lots on the north and south sides of Highway 17 within the former Township of Barclay;
- iii) The City will require, as a condition of any planning approval, that developers provide a transportation analysis, to the satisfaction of the Ministry of Transportation and the City Engineer, indicating

the effects of traffic from the proposed developments on the current Highway 17 and how any potentially negative effects can be mitigated. Developers will be financially responsible for all recommended highway improvements required to accommodate development related traffic;

- iv) Developments shall provide for pedestrian access and convenience. Landscaping, lighting and amenity areas will be included as components of development or redevelopment of this area;
- v) As a condition of development or redevelopment, outdoor storage areas except for the display of vehicles, equipment or other new products being sold on the lands, must be landscaped to provide visual screening from the traveling public using the current and future highway; and,
- vi) Industrial uses requiring outdoor storage or large vehicle parking areas will be encouraged to locate on lands that do not directly abut the current and future Highway.

## 4.5 WATERFRONT MIXED USE

**Waterfront Mixed use lands are intended to identify areas where major redevelopment including tourist related commercial, residential and retail uses will develop. The focus of this development will be the waterfront at the foot of Van Horne Avenue at Wabigoon Lake.**

- 4.5.1 Lands in the Waterfront Mixed Use Areas should be developed for commercial uses including a hotel, convention centre, recreation and tourist related commercial purposes as well as residential uses. Ideally, these uses will be planned as a comprehensive development under one ownership.
- 4.5.2 Residential development take the form of medium density uses including townhouses and multi-unit buildings up to four storeys, preferably in the form of condominium ownership where a significant portion of the waterfront is dedicated to public and communal uses including open space, docks and other marine facilities.
- 4.5.3 A connected open space system shall be developed that will link the Laura Howe Marsh, Yacht Club and waterfront trail system into the larger trail system in the City. In addition there shall be areas of public gathering places, public art displays
- 4.5.4 Development shall be designed to maintain views of the waterfront for surrounding lands and roadways and be compatible with adjacent land uses.
- 4.5.5 Architectural details of the development shall reflect the character and culture of the community while using innovative building designs that will create a focal point in the City.

## 4.6 RURAL AREAS

**Rural Areas include a variety of agricultural, residential, industrial, commercial and open space uses. Over the lifetime of this Plan the Rural Areas will experience limited change.**

- 4.6.1 In Rural Areas new residential lots shall only be created in areas where the municipality and School Boards are presently providing services. New residential lots shall be large enough to sustain private sewage and water systems. The Zoning By-law will specify a minimum lot size reflecting the Ministry of the Environment technical guidelines on private wells.
- 4.6.2 Limited residential development is permitted in the Rural Areas. New lots may be created:
- i) As infilling between existing lots that are not more than 200 metres apart on the same side of the road; or
  - ii) As an extension to an existing built up area provided that not more than two lots are created as such an extension; or,
  - iii) To create up to two additional lots from an original 40 hectare parcel of land.
- 4.6.3 Development shall not be located in areas that would adversely affect existing agricultural operations. New land uses, including the creation of lots and new or expanding livestock facilities, will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. The MDS formulae will not be applied to development occurring on an existing lot of record.
- 4.6.4 Large scale industries that are unable to locate in the Regional Business Centre due to land area, open storage and transportation requirements may be permitted in the Rural Area designation provided that potential impacts can be addressed;
- 4.6.5 Proposals to establish new industrial uses or allow for the expansion of existing industrial uses within the Rural Area designation shall require a Zoning By-law Amendment and shall be evaluated in accordance with the requirements of policy 5.10 of this Plan.
- 4.6.6 Proponents of Zoning By-law amendments to provide for new or expanding industrial uses shall be required to address the following matters:

- i) Compatibility with surrounding land uses, and in particular the possible effects of noise, vibration, odour, and other emissions on sensitive land uses;
- ii) The adequacy of, and potential impacts on, existing roads and transportation;
- iii) The adequacy of, and potential impacts on, waste disposal facilities;
- iv) Potential impacts on ground and surface water quality and quantity;
- v) Financial impact on the Municipality;
- vi) Potential impacts on the natural environment including, where applicable, fish habitat and natural heritage features;
- vii) Where the proposed use would be served by municipal water and sewage services, the adequacy of, and potential; impacts on, those services;
- viii) Visual impact of the proposed use; and,
- ix) Proposed mitigation measures to address the matters identified above.

4.6.7 Small scale commercial and industrial uses that meet the needs of the rural community be permitted by an amendment to the Zoning By-law provided that those uses are compatible with adjacent uses.

4.6.8 Resource and open space uses shall be permitted in all Rural Areas provided that they are compatible with surrounding land uses. New mineral or aggregate extraction uses, except for wayside pits and mineral exploration activities, will require an amendment to the Zoning By-law. The City may require the operator to enter into an agreement relating to the operation of extractive uses, landscape buffering and transportation.

Where planning approvals are required to allow for resource extraction activities and residential or other sensitive land uses, proponents may be required to provide supporting technical studies, prepared in accordance with MOE Guidelines, to address potential impacts. These studies will be required to identify the actual influence area of the extraction activity, address potential impacts on surrounding land uses, and identify appropriate mitigation measures. Where potential impacts cannot be appropriately mitigated, planning approvals will not be supported.

In the absence of technical studies prepared in accordance with MOE Guidelines defining an actual influence area of less than 1000 metres, a minimum separation distance of 1000 metres shall be required. Where technical studies prepared in accordance with MOE Guidelines confirm an actual influence area of less than 1000 metres, the required separation distance shall be equal to or greater than the actual influence area. A minimum separation distance of less than 300 metres shall not be supported.

4.6.9 New aggregate extractive operations on Crown Land must receive approval from the Ministry of Natural Resources under the Aggregate Resources Act (ARA). Council will provide comments on an application under the ARA to the Ministry only after a public meeting has been held.

4.6.10 Policy 5.18 of the Plan applies to all lands within 300 metres of Thunder Lake.

Progressive and final rehabilitation to accommodate subsequent land uses will be required. Rehabilitation standards that are compatible with those under the Aggregate Resources Act should be adopted for extraction operations on private land.

4.6.11 Where other applicable policies allow for industrial or commercial uses within the Rural Areas designation, these shall be restricted to dry uses only, in which no industrial liquid wastes, wash or cooling water, or process wastes are permitted.

4.6.12 Proposals for lot creation, development or redevelopment within the Rural Areas designation shall be evaluated in accordance with the policies of Section 6.0 of this Plan.

4.6.13 Agricultural uses, agricultural-related uses, and secondary uses are which include the permitted in the Rural Areas designation. Agricultural uses mean the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment. Agriculture-related uses being mean those farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation. Secondary uses mean uses that are secondary to the principle use of the property, including but not limited to home occupations, home industries, and uses that produce value added agricultural products from the farm operation on the property in the Rural Area designation.

## 4.7 SHORELINE DEVELOPMENT AREA

**Shoreline Development Areas are located adjacent to Wabigoon and Thunder Lakes. These areas provide opportunities for residential and commercial development oriented to the water. This Plan provides for development of these areas provided that the lake environment is protected.**

4.7.1 Permitted uses in Shoreline Development Areas include residential development, tourist commercial development uses, recreation and open space uses.

4.7.2 Wherever possible, septic systems servicing shoreline areas shall be located at least 30 metres from the high water mark of the abutting water body. New lots should be large enough to ensure that sewage systems shall not be within 300 metres of Thunder Lake.

4.7.3 New development or redevelopment of shoreline areas shall incorporate appropriate vegetative shoreline buffers to filter sediment and nutrients from surface run-off before it enters the lake. These shoreline vegetative buffers should extent at least 10 metres inland from the shoreline and comprise at least 75 per cent of the shoreline lands on a lot. Any work below the high water mark will require approval from the Ministry of Natural Resources.

4.7.4 New lots may be permitted by consent if the lots are considered as infilling or as minor extensions to existing developed areas. Where development exceeds three new lots, a Plan of Subdivision shall generally be required.

4.7.5 Where new lots are created the City will require that roadways are developed in a manner that will provide greater connectivity in the Shoreline areas and that they are built to a standard that will enable safe travel for emergency service providers.

4.7.6 Commercial uses shall be designed to be compatible with surrounding uses. Developments which contribute to the tourism industry will be encouraged.

Where other applicable policies allow for commercial uses within the Shoreline Development Area designation, these shall be restricted to dry uses only, in which no wash or cooling water, or process wastes or industrial liquid wastes are permitted.

4.7.7 Lands designated as Shoreline Development Area shall be subject to Policy 5.4 and 5.6 of this Plan.



## 4.8 OPEN SPACE AREA

**The Open Space Area provides opportunities for public access and recreation throughout the City. Over time these areas will be connected to form a parks and trail system that links major recreational facilities and outdoor amenities.**

- 4.8.1 The City will continue to acquire waterfront areas for public open space uses wherever possible. Parking, trails, launching and docking facilities will be developed as funding permits.
- 4.8.2 Open space uses and recreational facilities shall be designed to meet the needs of the residents of the City and tourists, while preserving the environmental features and functions of those areas.
- 4.8.3 A continuous trail system will be developed through the City to provide for year-round recreational activities. This trail system shall be designed to be accessible and multi-purpose wherever possible.
- 4.8.4 The development of private sector recreation facilities and joint use with educational and other institutional uses is encouraged.
- 4.8.5 A major park facility should be developed in conjunction with the redevelopment of the Agricultural Fairgrounds and the adjacent Residential Development Area.

## 4.9 ENVIRONMENTAL PROTECTION AREA

**The Environmental Protection Area represents lands that are environmentally sensitive and should not be developed. Protection of these natural features will preserve the ecological function of areas such as floodplains and wildlife habitat.**

- 4.9.1 Wetlands within the City are identified on Schedule B, and are designated “Environmental Protection” on Schedule A of the Plan.
- 4.9.2 Areas identified as Wetlands and Hazard Lands on Schedule B shall not be developed. There is sufficient land within the City to provide for a range of new development opportunities without encroaching upon environmentally sensitive areas. Where remedial measures can be undertaken to safely address flooding and erosion hazards in accordance with Policy 5.6 of the Plan, applications for Official Plan and Zoning By-law amendment to allow for development and site alteration in Hazard Lands will be considered.
- 4.9.3 Where development is proposed within 120 metres of a wetland as identified on Schedule B, the proponent shall provide the City with an Environmental Impact Assessment, prepared in accordance with Policy 5.8, to address potential impacts on the wetland.
- 4.9.4 Significant habitat of endangered and threatened species will be identified through consultation with the Province. Development and site alteration will not be permitted within these areas.
- 4.9.5 Significant habitat of endangered and threatened species, when identified, will be placed within the Environmental Protection Area designation by amendment to this Plan.
- 4.9.6 Where development is proposed within 120 metres of significant wildlife habitat or significant habitat of endangered and threatened species, the proponent shall provide the City with an Environmental Impact Assessment, prepared in accordance with Policy 5.8, to address potential impacts on the habitat. Where warranted by site and species-specific factors, development proposals further than 120 metres from significant portions of the habitat of endangered and threatened species may require an Environmental Impact Assessment. The Ministry of Natural Resources shall be consulted where development is proposed within or adjacent to these areas, the approval authority shall require the submission of an Environmental Impact Assessment.

Adjacent lands are those lands contiguous to a Natural Heritage Feature within which potential impacts of a development proposal must be considered.

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## **5.0 GENERAL POLICIES**

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The following policies shall apply throughout the municipality.

### **5.1 AGGREGATE RESOURCE AREAS**

Aggregate Resource Areas shown on Schedule B identify areas of high potential resources and should be preserved for future extraction. New development in the area of these resources should not restrict the future use of the natural resource.

Mineral aggregate operations will be protect from activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations will be permitted to continue without the need for Official Plan amendment, rezoning or development permit under the Planning Act.

Within or adjacent to Aggregate Resource Areas, as shown on Schedule B, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- i) Resource use would not be feasible;
- ii) The proposed land uses or development serves a greater long term public interest; and,
- iii) Issues of public health, public safety and environmental impact are addressed.

### **5.2 BROWNFIELDS**

A Brownfield site is a property that has been or may be impacted by former industrial or commercial uses and may be contaminated as a result of these former activities. At the present time no Brownfield sites have been identified in the City. Should sites be identified the City objective will encourage the re-use and redevelopment of sites.

The City will work closely with the development community to support the continued redevelopment of these sites. In addition the City will assist property owners of Brownfield sites in seeking Provincial and Federal funding assistance for rehabilitating these sites.

### **5.3 CULTURAL HERITAGE RESOURCES**

Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, cultural heritage value or interest and human-made rural, village and urban districts or landscapes of historic interests cultural heritage value or interest.

#### **5.3.1 Cultural Heritage Landscapes and Built Heritage Resources**

Council shall participate, wherever feasible, in the conservation of built heritage sites that are under municipal ownership and/or stewardship, conserving and mitigating impacts to all significant cultural heritage resources when undertaking municipal public works, and respecting the heritage resources recognized or designated by Federal and Provincial agencies.

Council has completed a Cultural Master Plan for the City. That document should be considered when reviewing applications for land use changes and public works in the City.

Council will make every effort to conserve and protect the buildings built heritage resources and cultural heritage landscapes in the municipality which may have historic or cultural significance, cultural heritage value or interest. Such buildings built heritage resources and cultural heritage landscapes may be designated under the Ontario Heritage Act, where such a designation will assist in the protection and preservation and conservation of important historical or cultural buildings or structures, built heritage resources and cultural heritage landscapes.

##### **5.3.1.1 Municipal Register**

In accordance with Section 27 of the *Ontario Heritage Act*, the municipal clerk shall maintain a register of all property 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 Council to be of cultural heritage value or interest.

#### **5.3.2 Archaeological Resources**

Council recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the municipality.

Areas of archaeological potential are determined through the use of provincial screening criteria developed based on the known archaeological record within the City and developed by a licensed archaeologist. Such criteria include features such as proximity to water such as current or ancient shorelines, rolling topography unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

Council shall require archaeological assessments conducted by archaeologists licensed under the *Ontario Heritage Act*, as a condition of any development proposal affecting areas containing a known archaeological site or considered to have archaeological potential. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism and Culture, as well as licensing requirements developed under the *Ontario Heritage Act*.

Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*. Council recognizes archaeological preservation in situ as the preferred method of ensuring that the integrity of the resource is maintained. However, Council also recognizes there may be a need for rescue excavation or archaeological resources as a result of development proposals and will consider this only when it is demonstrated that in situ preservation is not possible.

Council may maintain the integrity of archaeological resources by adopting zoning by law under section 34(1) 3.3 of the *Ontario Planning Act* S.O. 1996, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

### **5.3.3 Ontario Heritage Act**

The *Ontario Heritage Act* will be utilized to conserve, protect and enhance the cultural heritage resources in the municipality through the designation by by-law of individual properties, conservation districts and landscapes, and archaeological sites.

### **5.3.4 Municipal Heritage Committees (MHC)**

A Municipal Heritage Committee (MHC) may be established pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist Council on matters related to Parts IV and V of the Act. In addition, Council may wish to expand the role of the heritage advisory committees to advise and assist Council on other matters of cultural heritage conservation.

### **5.3.5 Designation Powers**

Pursuant to the *Ontario Heritage Act*, and in consultation with the MHC, Council may, by By-law:

- i) Designate properties to be of cultural heritage value or interest;
- ii) Define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district; and
- iii) Designate the municipality, or any area or areas within the municipality, as a heritage conservation district.

### **5.3.6 Waterfront Development**

In considering applications for waterfront development, the Municipality shall ensure that archaeological and cultural heritage resources both on shore and in the water are not adversely affected. When development requiring rezoning or land division is proposed within 50m of the shoreline, measures that mitigate any negative impacts on significant archaeological and cultural heritage resources will be required.

### **5.3.7 Aggregate Resources, Wayside Pits and Quarries**

The creation of wayside pits and quarries, and related ancillary uses, has the potential to greatly disturb a parcel of land. An archaeological assessment will be required for any construction activity associated with wayside pits and quarries if the subject property is located in an area of archaeological potential.

## **5.4 DEVELOPMENT ADJACENT TO WATERCOURSES AND WATER BODIES**

Where permitted by all other applicable policies of this Plan, development and site alteration may only be permitted within and adjacent to fish habitat, provided that it has first been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

Proposals for development within 30 metres of the high water mark of any watercourse or water body will be evaluated for their potential impacts on fish habitat. Council may require the submission of an Impact Assessment, prepared in accordance with Policy 5.8, to address potential impacts on fish habitat.

## **5.5 DEVELOPMENT IN UNSERVICED AREAS**

Limited development shall occur in the unserviced areas of the City. Where multi-lot/unit development is proposed in unserviced areas, the feasibility of servicing by municipal sewage and water services and communal services shall first be investigated in accordance with the policies of Section 6.0 of this Plan. Prior to granting any planning approval for development dependant on groundwater, Council shall require the proponent to demonstrate that groundwater supplies are sufficient, in both quality and quantity, for the proposed use.

Proposals for development or redevelopment based on private services shall be assessed for the adequacy of groundwater quality and quantity, and potential impacts on groundwater in accordance with the requirements of Ministry of the Environment technical guidelines or private wells and individual on-site sewage systems. In considering impacts on groundwater quality and quantity, the Municipality may require a hydrogeological assessment, according to MOE Guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.

Confirmation of valuable existing or planned capacity for the treatment of hauled sewage/septage will be required prior to the approval of new lots or units serviced by individual private sewage disposal systems.

Where other applicable policies of this Plan permit industrial or commercial land uses serviced by individual on-site sewage and water services, these shall be restricted to dry uses only, in which no industrial liquid wastes, wash or cooling water, or process wastes are permitted. Dry industries are defined as those in which the disposal of less than 10,000 litres per day of the domestic waste of employees is permitted and treated within septic systems and into which the discharge of industrial liquid wastes, wash or cooling water or process wastes is prohibited.

Prior to granting any planning approval for development in unserviced areas, Council shall require the proponent to demonstrate that the site is capable of supporting the proposed method of sewage disposal.

New development on partial services shall not be permitted in the City.

## **5.6 HAZARD LANDS**

Hazard lands, as defined by this Plan, include:

- i) Those lands identified as Hazard Lands on Schedule B;

- ii) Lands along the shoreline of Wabigoon Lake to an elevation of 370.13 metres above sea level (Geodetic Survey of Canada datum);
- iii) Lands along the shoreline of Thunder Lake to an elevation of 374.59 metres above seal level (Geodetic Survey of Canada datum);
- iv) All lands within 15 metres of the top-of-bank of any watercourse or water body.

Along the shorelines of Wabigoon and Thunder Lakes, Hazard Lands shall be defined by either the 15 metres setback from top-of-bank or elevation identified above, whichever is higher

With the exception of docks, boat lifts and boat ramps, construction shall not normally be permitted on Hazard Lands. Hazards Lands as defined by this Plan shall be zoned as Hazard Lands in the implementing Zoning By-law; permitted uses shall be more specifically defined in that document.

For those Hazard Lands where a floodway has been defined through engineered flood plain mapping, no development or site alteration will be permitted within the floodway.

For Hazard Land area where there is no engineered flood plain mapping, and where Hazard Lands are defined by either elevation or the 15 metres setback from top-of-bank, applications for Zoning By-law amendment to allow development and site alteration will be considered on an individual basis, provided that such proposals are supported by engineered designs, to the satisfaction of the City, demonstrating that the site is safe for development in spite of naturally occurring hazards, such as flooding and erosion.

Development and site alteration, including the erection and/or construction of buildings or structures, and the placement or removal of fill, may be permitted, subject to rezoning, where there is no defined floodway and it can be demonstrated, to the satisfaction of the City, that:

- i) The hazards can be safely addressed, and the development and site alteration will be carried out in accordance with established standards and procedures;
- ii) New hazards will not be created and existing hazards will be aggravated;
- iii) No adverse environmental impacts will result;



- iv) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and,
- v) The development will not include institutions uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

Where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authorization from the Province must be obtained.

Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansion to such uses will be discouraged, however, reconstruction and/or minor alterations to existing buildings and structures, and additions or extensions which are not likely to incur significant flood damage, and will not result in impediments to flow or floodwater storage, may be considered by the City. Where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authorization from the Province must be obtained.

## **5.7 HOME INDUSTRIES**

Home industries may only be permitted within the Rural Zone by Zoning By-law Amendment. Where permitted, home industries shall be secondary to the residential use of the property, and shall not generate adverse effects on surrounding properties. The implementing Zoning By-law shall contain regulations to ensure that home industries are adequately separated from residential or other sensitive land uses, both on and off the property in accordance with MOE Guidelines. Home industries which can no longer be considered secondary to the residential use of the property shall be required to relocate to a site zoned to permit industrial uses.

Where contamination is suspected, the reuse of former home industry sites for alternative land uses shall be considered in accordance with the provisions of Policy 5.14.

Where required by the Environmental Protection Act, an Environmental Compliance Approval must be obtained prior to the commencement of the home industrial use.

Home industries abutting a provincial highway require the approval of the Ministry of Transportation.

## **5.8 SECONDARY UNITS**

Secondary units are considered to be an affordable housing choice and are permitted as follows:

- i) The use of two residential units in a detached house, semi-detached house or rowhouse if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains a residential unit; and
- ii) The use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse if the detached house, semi-detached house or rowhouse contains a single residential unit.

## **5.8 ENVIRONMENTAL IMPACT ASSESSMENT**

Where required an Environmental Impact Assessment shall be prepared by a qualified environmental specialist, and shall include:

- i) A description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
- ii) A description of the potential impacts of the proposed development on the natural environment;
- iii) Suggested development alternatives that would avoid these impacts, or, if impacts cannot be avoided, recommended mitigation measures, including proposed implementation methods; and,
- iv) Recommended monitoring activities.

Where an Environmental Impact Assessment is required, no planning approval will be granted until an Impact Assessment has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of Impact Assessments.

## **5.9 IMPACTS ON FISH HABITAT**

Fish Habitat means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Where development will result in the harmful alteration, disruption, or destruction of fish habitat, prior authorization from the Federal Department of Fisheries and Oceans is required under the Federal Fisheries Act. For the purpose of this section, lands adjacent to fish habitat are defined, as being within 30 metres of a fish habitat area.

## 5.10 LAND USE COMPATIBILITY

As much as possible, land use conflicts should be avoided. The encroachment of sensitive land uses (such as residential uses, educational and health facilities, and day care centres) and major facilities (including industries, transportation/transit/rail infrastructure and corridors, sewage treatment facilities, waste management systems resource extraction activities and gas pipelines) on one another is discouraged. Where planning approvals are required to accommodate the establishment or expansion of major facilities or sensitive land uses, proposals will be reviewed in accordance with the Ministry of Environment (MOE) Guidelines to ensure that land uses will be appropriately designed, buffered and or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

Where proposed developments may result in potential compatibility concerns, proponents may be required to provide supporting technical studies, prepared according to MOE Guidelines, to assist in the evaluation of proposed developments and, where applicable, to determine actual influence areas, address potential impacts and identify appropriate separation distances or other mitigation measures. If the impacts cannot be minimized to acceptable levels the proposed development shall not proceed.

In the absence of technical studies, prepared according to MOE Guidelines, which identify an actual influence area, separation distances required between industrial uses and residential or other sensitive land uses shall reflect the following potential influence areas:

- Class I Industries 70 metres
- Class II Industries 300 metres
- Class III Industries 1000 metres

The following minimum separation distances shall apply between industrial uses and residential or other sensitive land uses:

- Class I Industries 20 metres
- Class II Industries 70 metres
- Class III Industries 300 metres

Separation distances between potentially conflicting land uses shall be measured in accordance with MOE Guidelines.

A minimum separation distance of 150 metres shall apply where residential or other sensitive land uses are proposed in proximity to the municipal sewage treatment plant.

Policy 6.10.2 of this Plan applies to development proposed within 500 metres of current or former landfill sites or other waste management systems.

Proponents of developments may be required to provide studies to assess potential impacts of noise, odour, dust and vibration within 250 metres of Provincial Highways. Where required, noise impact studies shall be prepared by qualified individuals in accordance with MOE Noise Assessment Guidelines.

## **5.11 MINE HAZARDS**

Where development is proposed within 1000 metres of an Abandoned Mine Hazard Site, the municipality will consult with MNDM regarding the nature of the hazard and any remediation measures that may be required under the Mining Act. Development within this area will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.

Known mine hazards will be zoned with a Holding Zone. Uses permitted on such properties will be restricted to existing land uses until the hazard has been rehabilitated in accordance with the requirements of the Mining Act.

## **5.12 MINERAL RESOURCES**

Mineral resources will be protected for long term use. Mineral mining operations will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

In areas adjacent to or in known mineral deposits, and in areas of mineral potential as shown on Schedule B, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- i) Resource use would not be feasible; or
- ii) The proposed land uses or development serves a greater long term public interest; and,

- iii) Issues of public health, public safety and environmental impact are addressed.

Rehabilitation to accommodate subsequent land uses will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible.

Mineral resource exploration is a permitted use in the Rural Areas.

### **5.13 MOBILE HOME PARKS**

Any new mobile home parks permitted during the life of this Plan shall be directed to locations within the Urban Service Area, and shall be serviced with municipal sewage treatment and water supply. Secondary dwellings and second units are not permitted in Mobile Home Parks.

### **5.14 POTENTIAL CONTAMINATED SITES**

Prior to granting a planning approval to allow development on any property which may have been contaminated by previous uses, Council shall require the proponent to submit a Record of Site Condition, prepared by a qualified consultant in accordance with Ministry of Environment guidelines and acknowledged by the Ministry of the Environment.

If site restoration is required, this shall be done as a condition of development approval in accordance with a site remediation plan consistent with Ministry of the Environment guidelines.

### **5.15 RAILWAYS AND RAIL YARDS**

Except for infilling on existing lots of record, new residential development and other sensitive land uses shall not be permitted within 300 meters of a rail yard. Notwithstanding the above, where a planning approval is required limited residential development of a restrictive infill nature may be permitted provided:

- i) It has been demonstrated by a site specific study to the satisfaction of Council in consultation with the railway, that there will be no negative impacts on the long term function of the rail yard;
- ii) That the applicable policies and guidelines including the Ministry of the Environment noise assessment and land use compatibility guidelines, have been addressed; and,
- iii) Council is satisfied that appropriate noise mitigation measures will be undertaken.

Applications for planning approvals to allow for residential or other sensitive land uses between 300 and 1000 meters of a rail yard, or within 300 metres of a railway corridor shall be accompanied by a noise study, to the satisfaction of Council in consultation with the railway, demonstrating that applicable provincial policies and guidelines with respect to noise and land use compatibility have been addressed. Such applications shall be permitted only where Council is satisfied that appropriate noise mitigation measures will be implemented at the time of development. Noise studies must comply the Ministry of Environment requirements.

Where development is proposed within 75 meters of a rail yard or railway corridor, submission of a vibration study, prepared to the satisfaction of Council in consultation with the railway, and addressing the potential impacts of vibration and recommended mitigation measures, may be required. Where potential adverse impacts are identified, appropriate mitigation measures shall be implemented at the time of development.

Implementation and maintenance of any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the City in consultation with the railway.

Appropriate safety measures, such as setbacks, berms, and security fencing, shall be provided in associational development proposals adjacent to rail yards or railway corridors, to the satisfaction of the City in consultation with the railway. Where applicable, the City will ensure that sightline requirements of Transport Canada are addressed.

## **5.16 SIGNIFICANT WILDLIFE HABITAT**

Where development is proposed within 50 metres of significant Habitat of Significant, Endangered or Threatened Species an Impact Assessment completed by a qualified person shall be required in accordance with Section 5.8 of this Plan and it shall be demonstrated that the proposed development will have no negative impact on the Habitat of Significant, Endangered or Threatened Species. The Impact Assessment shall also make recommendations with respect to appropriate performance standards and mitigation techniques.

MNR is the lead agency responsible for approving the delineation of Significant Wildlife Habitat and determining sufficiency of mitigation measures contained within Impact Assessment Studies. The Ministry shall be consulted on applications adjacent to Significant Wildlife Habitat.

## **5.17 SIGNIFICANT HABITAT OF ENDANGERED AND THREATENED SPECIES**

Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the Endangered Species Act, 2007. Development or site alterations must be planned and considered in accordance with the provisions of the Act.

Each development or site alteration will require an appropriate level of assessment for habitat of threatened or endangered species. The assessment begins with an NHIC Species at Risk Screening and discussion with local Ministry of Natural Resources Office.

MNR is lead agency responsible for approving the delineation of Significant Habitat for Threatened and Endangered Species and administering the provisions of the Endangered Species Act, 2007.

## **5.18 THUNDER LAKE**

Due to the fact that Thunder Lake supports a sensitive Lake Trout fishery, new lot creation within 300 metres of Thunder Lake will generally not be permitted. The creation of new lots within 300 metres of Thunder Lake will be considered only where the proposal is supported by a hydrogeological assessment, prepared in accordance with the *Lakeshore Capacity Assessment Handbook (20120)*, and to the satisfaction of Council that demonstrates that the proposed lot(s) are not within the drainage basin of Thunder Lake.

Any planning approval required to accommodate redevelopment or a change in use within 300 metres of Thunder Lake must be supported by a hydrogeological assessment, prepared in accordance with the *Lakeshore Capacity Assessment Handbook (20120)*, and to the satisfaction of Council, that demonstrates that the proposed development will not have a negative impact on the water quality of Thunder Lake.

Where new development occurs adjacent to Thunder Lake, an minimum undisturbed 10 metres natural vegetated buffer will be required adjacent to the shoreline to minimize the impact of development on the water quality of Thunder Lake.

The provision of non-development setbacks and natural vegetated buffers of 30 metres will be encouraged on properties adjacent to Thunder Lake.

## **5.19 TRANSCANADA PIPELINES**

TransCanada Pipelines Limited operates high pressure natural gas pipelines within its rights-of-way which cross through the City and is identified on Schedule A to this Plan. Any development within 200 metres of TransCanada's facilities may affect the safety and integrity of the pipelines.

TransCanada is regulated by the National Energy Board which, in addition to TransCanada, has a number of requirements regulating development in proximity to the pipelines. This includes approval requirements for activities on or within 30 metres of the right-of-way such as excavations, blasting and any movement of heavy equipment. New development can result in increasing the population density in the area which may result in TransCanada being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.

A setback of 20 metres shall be maintained from the limits of the right-of-way for all permanent structures and excavations. A reduction in the 10 metre setback will only be considered if it can be demonstrated, to TransCanada's satisfaction, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained.

In areas of urban development, the Town will encourage the development of TransCanada's right-of-way for passive parkland or open space purposes subject to TransCanada's easement rights.

## **5.20 WAYSIDE PITS AND QUARRIES, PORTABLE PLANTS**

Wayside pits and quarries and portable asphalt or concrete plants used on public authority contracts shall be permitted throughout the municipality without an amendment to the Official Plan or Zoning By-law, except in areas of existing residential development or environmental sensitivity.

## **5.21 AIRPORT**

The development associated with the airport shall be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion to the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:



- i) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent uses;
- ii) The proposed use is compliant with any guideline or specification established by Transport Canada;
- iii) Adequate parking and loading facilities are provided on the site;
- iv) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area; and,
- v) Outdoor storage areas are substantially screened from view from passing traffic.

## **5.22 ALTERNATIVE ENERGY SYSTEMS**

Alternative energy systems and infrastructure not considered renewable energy undertakings, as per section 62.0.2 of the Planning Act and/or schedule K of the Green Energy and Green Economy Act, 2009 shall be subject to a Zoning By-law Amendment.

In preparing an amendment to the Zoning By-law for an alternative energy system on the subject lands, the following issues will need to be addressed:

- Confirmation that the proposal has complied with the Ministry of the Environment’s Environmental Screening Process for electricity projects;
- An assessment of the impacts such a facility would have on existing land uses and the future development of adjacent lands primarily with respect to issues of noise and character.
- An assessment of the operational feasibility of the utility, if the facility is to be publicly owned and operated;
- An assessment of the access and servicing requirements required for the facility; and,
- Other planning issues that may be considered at the time a proposal come forward.

Large scale power generation operations that develop and sell electricity for commercial purposes including solar and wind farms shall be considered an industrial use in accordance with the provisions of this Plan. These operations should be sited and regulated so that most of the safety and the noise effects, as regulated by the Ministry of the Environment, are contained on the subject property and the adverse visual effects of the property are minimized to the extent possible.

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## 6.0 MUNICIPAL SERVICES

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**The policies of this Section are intended to provide guidance to Council and the public when determining the extent of municipal services that will be provided in the City.**

6.1 All development within the urban service area shall be serviced with municipal sewage treatment and water supply.

6.2 In accordance with the hierarchy of services identified in the Provincial Policy Statement, municipal sewage and water services are the preferred form of servicing, followed by communal sewage and water services, and, where appropriate and permitted by the Provincial Policy Statement and the policies of this Plan, individual onsite sewage and water services.

Where multi-lot/unit development is proposed on the basis of servicing by communal or individual on-site services, the feasibility of servicing by municipal sewage and water services and, in the case of development proposed on individual on-site services, by communal services, shall be fully investigated in accordance with Ministry of the Environment Guidelines before the development is approved.

6.3 Lands outside the urban service area shall utilize private sewage disposal and water services. Proposals for development or redevelopment based on private services shall be assessed for the adequacy of groundwater quality and quantity and potential impacts on groundwater in accordance with the requirements of Ministry of the Environment technical guidelines on private wells and individual on-site sewage systems. In considering impacts on groundwater quality and quantity, the Municipality may require a hydrogeological assessment, according to MOE Guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.

Confirmation of available existing or planned capacity for the treatment of hauled sewage/septage will be required prior to the approval of new lots or units serviced by individual private sewage disposal systems. The preparation of a Municipal Septage Plan to identify and address future requirements for the treatment and disposal of hauled sewage/septage shall be undertaken by the Municipality prior to the 5-year review of this Official Plan.

Where other applicable policies of this Plan permit industrial or commercial land uses serviced by individual on-site sewage and water services, these shall be restricted to dry uses only, in which no industrial liquid wastes, wash or cooling water, or process wastes are permitted.

- 6.4 The use of municipal water and private sewage disposal services will be discouraged, except where necessary to address failed services. New development serviced by municipal water and private sewage disposal services will not be permitted. Where existing development is serviced by municipal water and private sewage disposal services the City may pass a temporary use by-law which would establish a maximum period for which the partial servicing may occur and limit the sewage effluent to 4500 litres per day.
- 6.5 Development supported by communal water supply or communal sewage disposal systems shall be considered for developments in excess of 5 lots where access to full municipal services is not available. However, prior to considering communal services Council shall be satisfied that the costs for operating and maintaining the communal system is sustainable for the development itself and will not result in a financial burden to the City.

Development dependant on communal services may be permitted only where Council is prepared either to assume ownership of communal services, or to enter into a responsibility agreement providing for municipal ownership in the event of default. Where multi-lot/unit freehold residential developments are to be communally serviced, municipal ownership is required.

Confirmation of available existing or planned capacity for the treatment of hauled sewage/septage will be required prior to the approval of new lots or units serviced by private communal sewage services.

For developments serviced by full municipal sewage and water services, sewage and water treatment capacity is allocated on draft approval of a plan of subdivision or condominium regardless of the type of land use proposed. Where development by plan of subdivision is not proposed, servicing capacity is allocated at the time of conditional approval of a consent to sever, or on the basis of the maximum development potential (i.e.: scale and density) of lands as permitted under existing zoning.

In addition, prior to the approval of site specific Official Plan amendments, Council should be satisfied that there will be sufficient reserve sewage and water capacity available to service the proposed development.

- 6.6 New development shall consider the impacts of stormwater quality and quantity on the lands and waters downstream. Stormwater Management Plans consistent with the intent and objectives of the Ministry of the Environment's Stormwater Management Planning and Design Manual shall be required as a condition of development approval within the urban service area and for any large-scale non-residential development or Plan of Subdivision within the City.
- Proposed developments may be required to incorporate stormwater management practices directed to minimizing stormwater volumes and contaminants, and increasing or maintaining the extent of vegetated and pervious surfaces. In some cases, proposed stormwater management facilities may require approval under the *Ontario Water Resources Act*
- 6.7 Allocation of sanitary sewage treatment capacity shall occur upon draft approval of a development or Plan of Subdivision or site plan approval for non-residential development.
- 6.8 Extensions and expansions to municipal services to accommodate new development shall be done at the cost of the developer. Where services are oversized to accommodate future development, the City may enter into an agreement with the developer to assist in the recovery of additional costs incurred as the result of oversizing services.
- 6.9 The extent of municipal services provided outside of the urban service area shall not be expanded unless it can be demonstrated to the satisfaction of Council that the additional servicing costs will be off-set by increased assessment or other benefits to the municipality.
- 6.10 Planning approvals to accommodate development on full municipal services shall be granted only where there is sufficient reserve capacity in the water and sewage treatment plants to serve the proposed development.
- 6.11 Where the sewage or water treatment plants are at or near capacity, Council will review the matter and, where required, take appropriate action to address the issue by increasing plant capacity prior to approving development proposals that will result in new connections to these facilities.
- 6.12 Applications for planning approvals to provide for residential or other sensitive uses in proximity to the municipal sewage treatment plant shall be evaluated against the requirements of Policy 5.10 of this Plan.

## **6.13 WASTE MANAGEMENT**

6.13.1 The City's existing waste disposal site has sufficient capacity to accommodate projected needs over the 20 year life of this Plan.

6.13.2 Any development proposed within 500 metres of current or former waste disposal sites or other waste management systems shall require the submission of technical studies, to the satisfaction of Council, to establish the potential hazards, adverse effects, or health and safety risks that may result from these facilities. The required technical studies shall also provide recommendations regarding the appropriate mitigation measures, including setbacks, development standards, monitoring requirements, or other remedial measures to prevent adverse effects and minimize risk to public health and safety.

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## **7.0 TRANSPORTATION**

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**The policies of this Section outline the requirements of the planned road network for the City and provide policies for future development of the transportation system.**

### **7.1 PROVINCIAL HIGHWAYS**

#### **7.1.1 Access**

Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will be considered to those properties that meet the requirements of MTO's access management practices and principles.

#### **7.1.2 MTO's Permit Control Area**

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

#### **7.1.3 Transportation Study (Traffic Impact Study)**

A transportation study, otherwise known as a traffic impact study, will be conducted to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of any secondary plans, development plans, or subdivisions.

#### **7.1.4 Number of Entrances**

The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.

#### **7.1.5 Proposed Access Connections to a Provincial Highway**

Any new proposed access connection (i.e. public road or signalized intersection) onto a provincial highway shall meet MTO's access management practices and principles.

7.1.6 Any proposals for snowmobiles or trail crossings or provincial highways will require the prior approval of the Ministry of Transportation. Trails running along the right-of-way of a provincial highway are not permitted.

7.1.7 A drainage / stormwater management report/plan shall be prepared by the proponent, and reviewed and approved by MTO for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.

7.1.8 Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.

7.1.9 Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible to the traveling public.

7.1.10 Entrances serving home occupations, industry or business located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

7.1.11 Provincial Highways, existing and future collector and arterial roads are shown on Schedule C Maps No 1 and 2. Local roads will develop through Plans of Subdivision.

- 7.1.12 Access onto and development adjacent to provincial Highways 17, 502 and 601 and their respective interchanges will require approval from the Ministry of Transportation and will be subject to the Ministry's geometric and safety standards. Once re-aligned to its future location, as shown on Schedule C, Highway 17 will be a limited access highway and no accesses will be permitted.
- 7.1.12.1 For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.
- 7.1.13 Individual access onto arterial roads following the date of adoption of this Plan shall be restricted. New access shall be permitted only where there is no reasonable alternative access to an existing lot. The planned right-of-way for arterial roads is 30 metres.
- 7.1.14 Collector roads are intended to provide efficient access through the City. New access to these roads should be minimized wherever possible. The planned right-of-way is 24 metres.
- 7.1.15 Local roads shall be constructed on a 20 metre right-of-way with curb and gutter and hot mix surface. These roads should be logical extensions of existing streets and wherever possible designed utilizing a grid pattern.
- 7.1.16 Where new development occurs in the Urban Area, sidewalks shall be constructed on one side of local roads and both sides of all other roads.
- 7.1.17 Bicycle and/or snowmobile lanes shall be provided in all new roadway construction and, wherever possible through reconstruction and resurfacing projects.
- 7.1.18 All new lots shall front on public roads which are maintained year round.
- 7.1.19 New roads shall be designed to connect with existing roads in a grid pattern wherever possible, Cul-de-sacs and dead end roads should be avoided. Where developments exceed 30 residential units a second means of access shall be required.



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## 8.0 IMPLEMENTATION

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**The following policies are intended to provide direction for the decisions of Council, for the development of land, the use of By-laws and Development Agreements which will implement policies outlined in this Plan.**

### 8.1 LAND DIVISION

Prior to development occurring, and before any subdivision or a provisional consent is permitted Council shall be satisfied that:

- i) Soil and drainage conditions are suitable to permit the proper siting of buildings and other site improvements such as driveways, parking, and accessory structures;
- ii) Suitable arrangements have or can be made for water supply, sewage disposal, storm drainage and all other necessary public services. Proposals for lot creation based on private services shall be assessed for the adequacy of groundwater quality and quantity and potential impacts on groundwater in accordance with the requirements of Ministry of the Environment technical guidelines on private wells and individual on-site sewage systems. In considering impacts on groundwater quality and quantity, the Municipality may require a hydrogeological assessment, according to MOE Guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.

Confirmation of available existing or planned capacity for the treatment of hauled sewage/septage will be required prior to the approval of new lots or units serviced by individual private sewage disposal systems or private communal sewage services;

- iii) No traffic hazards will ensue because of excess traffic generation, or limited sight lines on curves or grades;
- iv) Emergency services, including adequate water for fire flow can be provided to the site;
- v) The land fronts on a year round maintained road, which meets standards of design and safety established by the City;

- vi) The potential impact of the proposed use on adjacent lands and uses has been considered, and adequate mitigation, including design, buffers and setbacks are provided between the proposed use and adjacent uses in accordance with the policies of the Plan; and,
- vii) The Minimum Distance Separation formulae are complied with if required.

Where more than three new lots are being created a plan of subdivision shall generally be required. Consents for more than three lots will be considered where lands front onto an existing roadway, there is no extension of municipal services required and further division of the land will not occur.

Where multi-lot/unit development is proposed on the basis of servicing by communal or individual on-site services, servicing options shall be fully investigate in accordance with MOE Guidelines and the policies of Section 6.0 of this Plan.

## **8.2 ZONING BY-LAW**

This Plan will be implemented through a new comprehensive Zoning By-law adopted under Section 34 of the Planning Act. The implementing By-law shall implement the policies of this Plan.

### **8.2.1 Non-Conforming Uses**

Legally existing uses that do not comply with the Land Use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the development policies of this Plan are met.

Where a non-conforming use changes, the new use shall be in keeping with the intent of this Plan.

### **8.2.2 Temporary Uses**

Council may pass a By-law as provided for under Section 39 of the Planning Act to allow the temporary use of lands that do not comply with the Land Use designations in this Plan provided that:

- i) the temporary use does not require major capital investment or alteration to the existing landscape;
- ii) the proposed use is compatible with surrounding land uses;

- iii) the proposed use does not require the extension of municipal services;
- iv) the developer has entered into an agreement with the municipality specifying the conditions under which the use may be permitted; and,
- v) the By-law shall specify a maximum time period for which the use may be permitted.

### **8.2.3 Holding Provisions**

Council may utilize Holding provisions as provided for under Section 36 of the Planning Act in order to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:

- i) a Site Plan Agreement or Subdivision Agreement as may be required has been completed between the municipality and the developer;
- ii) all engineering plans and arrangements with respect to municipal services have been completed;
- iii) the financial requirements of the municipality have been satisfied;
- iv) existing mine hazards have been rehabilitated in accordance with the Mining Act;
- v) an archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the Ontario Heritage Act, and any significant archaeological resources have been conserved by removal and documentation, or preservation on site, to the satisfaction of the Province; and,
- vi) site contamination or other environmental constraints have been appropriately addressed.

### **8.3 SITE PLAN CONTROL**

In accordance with Section 41 of the Planning Act, the City may utilize Site Plan Control to ensure that development in the Town is attractive and compatible with adjacent uses. Development at the entrances to City shall be designed to create a positive first impression to visitors and residents.

Site Plan Control may be applied to all commercial, institutional, industrial and multiple residential developments exceeding five units in the City. The entire City shall be designated as a Site Plan Control Area.

Council may delegate Site Plan Approval to municipal staff in order to ensure that the process does not create undue delay or additional costs in the development process.

#### **8.4 PUBLIC MEETINGS**

Council shall hold public meetings for planning applications in accordance with the requirements of the Planning Act. However, Council may eliminate the requirement for public Notice of a meeting for a minor Official Plan Amendment or Zoning By-law Amendment which:

- i) changes section numbers or the order of text but does not add or delete sections;
- ii) consolidates amendments which have previously been approved;
- iii) corrects typographic, grammatical or mapping errors which do not affect the intent or application of the policies or provisions of this Plan; or
- iv) rewords policies or re-illustrates mapping for the purpose of clarification only without changing the intent or purpose of the policies or mapping.

#### **8.5 MAINTENANCE AND OCCUPANCY BY-LAW**

The objective of implementing a Property Maintenance and Occupancy By-law is to maintain property values and the enjoyment of private property. Council may pass a By-law under the Building Code Act to establish minimum standards for:

- i) the physical condition of buildings and structures;
- ii) the physical condition of lands; and
- iii) the adequacy of sanitary facilities.

#### **8.6 MONITORING**

Following adoption of this Plan, the Clerk shall prepare an annual report outlining how the Plan is being implemented. This report shall include:

- i) the number of lots created in each designation and the proportion of lots created in the Urban Service Area in relation to the Rural Areas and the Shoreline Development Areas;
- ii) the number of building permits issued for residential, industrial and commercial buildings; and
- iii) a summary of applications for rezoning and amendments to this Plan.

## **8.7 COMMUNITY IMPROVEMENT**

The Dryden Urban Service Area as shown on Schedule A, Map No. 1 shall be defined as Community Improvement Areas.

### **8.7.1 Community Improvement Plans**

Within Community Improvement Areas defined by Council, Council may prepare and adopt Community Improvement Plans that will identify specific public and private projects and works that are intended to improve the appearance and contribute to the economic viability and safety of an area. In addition the Community Improvement Plan may identify incentives that may be used by the City to encourage investment in private lands and public works programs designed to improve economic development and safety in the Community Improvement Plan Area.

### **8.7.2 Community Improvement Projects**

Community Improvement projects shall include but not be limited to:

- i) The development of a municipal wide recreational trail and parks system;
- ii) Improvements to sidewalks, trails and road surfaces to enable connected, safe and comfortable travel by pedestrians, bicycles and vehicles;
- iii) Improvements to the road system to minimize traffic conflicts and congestion including the closing of entrances, merging of parking areas and land acquisition as may be necessary to develop new roadways;
- iv) Providing for improvements and residential intensification in the Downtown Core area
- v) Completing a comprehensive storm water management program and improvements to the waterfront, and

- vi) Encouraging residents, business owners and service groups to participate in tree planting and street beautification programs and improvements to private buildings and properties.
- vii) Encouraging the development of affordable housing, assisted seniors housing and housing for special needs;
- viii) Encouraging renewable energy projects; and
- ix) Encouraging the redevelopment of Brownfield sites should sites be identified.

## **8.8 PLAN REVIEW**

Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the basis, objectives and policies of the Plan shall be reviewed at least once every five years at a meeting of Council. Should economic or social changes occur which necessitate an earlier review, or should the monitoring of the Plan identify areas that need further consideration, Council may direct such a review to be undertaken.

## **8.9 PLANNING APPROVALS**

In considering applications for Official Plan amendment, Zoning By-law amendment, Plans of Subdivision, Plans of Condominium, Consents, Minor Variances, and other planning approvals, Council shall be consistent with this Official Plan and, the Northern Ontario Growth Plan (2011 and the Provincial Policy Statement (2005) issued by the Province of Ontario.

### **8.9.1 Preconsultation**

Council shall pass a Pre-Consultation By-law that requires proponents of Planning Act application to consult with the City prior to the submission of an application. The consultation should identify the necessary materials and supporting information, including supporting studies, to be provided with an application to enable an appropriate review of the application.

### **8.9.2 Complete Application**

Council and/or its delegate shall not declare any application made under the Planning Act to be complete until Council is provided with information, studies or drawings specified in this Plan that are necessary to inform the public and make a decision on the application. Until Council has received the prescribed fee and such material and information, and has deemed the application complete, Council may refuse to accept or further

consider the request for an amendment and the appeal time periods shall not be in effect.

The following information, at a minimum, shall be required as part of a complete application:

- i) Prescribed application fee;
- ii) Completed application form together with requisite authorizations, if necessary;
- iii) Prescribed information and material as required by Planning Act Regulations;
- iv) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- v) Concept plans and/or drawings; and,
- vi) Any studies as identified as necessary through pre-consultation

The following supporting information may be required as part of a complete application, as determined through pre-application consultation with staff:

- Transportation Impact Study;
- Functional Servicing Report;
- Stormwater Management Plan;
- Hydrogeological Assessment;
- Floodline Delineation Report;
- Architectural/Urban Design Study;
- Environmental Site Assessment;
- Planning Justification Report;
- MOE – acknowledged Record of Site Condition (RSC);
- Contaminant Management Plan;
- Environmental Impact Study;
- Archaeological Assessment;
- Noise Study;
- Vibration Study;
- Geotechnical Study;
- Slope Stability Study;
- Conceptual Site Plan and Building Elevations; or,
- Erosion and Sediment Control Plans.

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## **9.0 INTERPRETATION**

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### **9.1 LAND USE DESIGNATIONS**

It is intended that the boundaries of the Land Use categories shown on Schedule ‘A’ of this Plan, shall be considered as general only, and are not intended to define the exact limits of such areas except in the case of roads, railways, and other physical barriers that provide definitive boundaries. Minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than minor adjustments, no areas or zones, except as provided in this Plan, shall be created that do not conform with this Plan.

### **9.2 USES**

Examples of permitted uses as included in this Plan are intended to illustrate a range of activities in each respective land use designation. Specific uses and related regulations shall be defined for land use designations by the implementing Zoning By-law.

### **9.3 ACCESSORY USES**

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.

### **9.4 AMENDMENTS TO THE PLAN**

An amendment to Schedule ‘A’ or to the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule ‘A’ with a view of designating additional areas for a particular use, changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- i) the need for the proposed use;
- ii) the extent to which the existing areas designated for the use are developed, and the nature and adequacy of such existing development;
- iii) the physical suitability of the land for such proposed use; and,



- iv) the location of the areas under consideration with respect to;
- the adequacy of the existing and proposed roadway system;
  - the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
  - the adequacy of the water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which the Council shall request from the developer and subject to the approval of the Province, the Medical Officer of Health and any other appropriate authority deemed advisable;
  - the compatibility of such proposed use with uses in the surrounding area; and,
  - the potential effect of the proposed use on the financial position of the Municipality.