

OFFICIAL PLAN

October 21, 2014

Consolidated with
Ministry Modifications



**Township of Strong
By-law No. 2014-008**

Being a By-law to Adopt a New Official Plan for the Township of Strong in accordance with Section 17 of the Planning Act, R.S.O. 1990, as amended.

Council for the Township of Strong, in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended, hereby enacts as follows:

1. The Official Plan for the Township of Strong, with the explanatory text and Schedules A, B, and C, attached hereto are hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the Official Plan for the Township of Strong.
3. Upon approval of the Official Plan for the Township of Strong by the Minister of Municipal Affairs the Official Plan for the Township Strong approved by By-law 90-1250 shall be repealed.
4. This By-law shall come into full force and take effect on the day of the final passing hereof.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED IN OPEN COUNCIL THIS 25TH DAY OF MARCH , 2014.



Mayor, Christine Ellis



Clerk/Treasurer, Linda Maurer

.....
I, Linda Maurer, Clerk of the Township of Strong do hereby certify that the foregoing is a true copy of By-law No. 2014-008 passed by Council of the said Township on the 25th day of March, 2014.

Clerk

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INTRODUCTION

The preparation of this Official Plan began in the summer of 2012 and has involved many dedicated and committed people with an interest in the future of Strong Township.

The consultation process has resulted in a Vision for the future of Strong Township that is expressed in this Plan. This Vision is based on a series of planning principles that are intended to:

- protect the natural environment;
- encourage economic development;
- conserve natural resources; and,
- protect the character of developed and undeveloped areas.

The goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests for the next 20 years.

THE STRUCTURE OF THE PLAN

This Official Plan is divided into five parts, each of which is described below.

PART A (The Intent and Land Use Concepts) contains the Intent of the Plan as well as Goals and Strategic Objectives. These were prepared through Community consultation and are based on an understanding of past and future trends and the values of Strong Township residents. The goals and strategic objectives establish the framework for the remaining policies in the Plan. This section of the Plan also describes how the goals and objectives will be achieved through a series of land use designations.

PART B (Land Use Designations) contains the land use policies that apply to lands in the Township.

PART C (General Environmental Policies) contains the policies dealing with lakes, rivers and streams, floodplains and hazardous slopes throughout the Township. In addition, policies that specify the requirements for water resource and stormwater management reports and environmental impact studies are contained in this section.

PART D (General Development Policies) contains policies that deal with land use planning matters such as water and sewer servicing, transportation, cultural heritage resources and the subdivision of land. These policies apply to the whole of the Township.

PART E (Plan Implementation and Administration) describes how the policies of the Official Plan will be implemented.

PART A – THE INTENT AND LAND USE CONCEPT

A1 THE INTENT OF THE PLAN

This Official Plan is intended to form the foundation for decisions that are to be made by Council, members of the public and government agencies with respect to future land use in the Township of Strong. The guidelines contained in this Plan are intended to assist Council in the decision making process while providing members of the public with a sense of assurance as to the future development of their lands and the lands around them. The Official Plan will also be used by the Planning Board to make Planning decisions.

The basic intent of this Plan is to guide future development to areas where it is most suited and to protect the physical and natural resources of the Municipality in order to allow for their continued use and enjoyment.

A2 COMMUNITY SUSTAINABILITY

The goals of this Plan are premised on principles of sustainability. This means the Community will try to meet its needs today without unreasonably compromising opportunities for future generations to meet their own needs.

The policies of this Plan are founded on the premise that a sustainable community is composed of the following three principle elements in balance:

- i) The Environment: a connected system of environmental features and functions that support and preserve a diverse and healthy ecosystem;
- ii) The Economy: a strong, diversified and resilient economy that provides a variety of employment opportunities for citizens and is attractive to commercial and industrial investment; and,
- iii) The Socio-Cultural Fabric: a strong sense of culture and heritage and the provision of affordable public and private services and amenities.

A2.1 ENVIRONMENTAL SUSTAINABILITY

This Plan identifies a number of defining environmental and topographical features that contribute to Strong Township's extensive natural heritage system. The protection of these features is a key underlying principle in this Plan.

This Plan contains policies that recognize the character of Strong Township's green spaces, agricultural lands, shorelines and water resources, and terrestrial landscape as resources that contribute to the natural character of the Township.

The policies of this Plan also recognize the challenges created by Provincial interests in natural areas and attempts to manage these issues. Strong Township will support innovative and sustainable development policies and practices to protect the natural environment and help reduce greenhouse gas emissions.

Energy conservation and the encouragement of innovative energy supply alternatives are components of Strong Township's vision for sustainable development.

A2.2 ECONOMIC SUSTAINABILITY

A sustainable economic future for Strong Township will be made possible by ensuring a stable and sound fiscal position for the Township to support programs and services for citizens. In part, this will be achieved through self-

sufficiency with recognition of the role that Strong Township plays in a Regional near-north economic environment.

The need for economic sustainability is strongly articulated through the vision, goals and policies in this Plan that encourage entrepreneurial spirit and diverse employment opportunities based in rural development including resource development, recreation and tourism.

A2.3 SOCIAL SUSTAINABILITY

Social sustainability addresses the basic community need for housing, education, health care, employment, food, safety, security, and cultural and recreational opportunities. The policies of this Plan are intent on fostering a good quality of life for all residents through the development of a healthy community and the provision of services and programs, such as a community centre.

Individual needs vary with age, income, ability, skills, background and interests. As communities change and grow, there is additional pressure to provide for these needs and ensure communities remain healthy and that a high quality of life is maintained.

The provision of human services originates from several public service agencies including the Province. In addition, human services are provided by other private sector or quasi-public institutions, such as private schools, places of worship, and community service groups. Continued coordination and partnership among all human service providers is essential to the social-cultural health of Strong Township.

A3 GOALS AND STRATEGIC OBJECTIVES

A3.1 THE NATURAL ENVIRONMENT

A3.1.1 Goal

It is the goal of this Plan to protect significant natural heritage features and functions in the Township while recognizing that resource industries are important to local and provincial economies.

A3.1.2 Strategic Objectives

1. To protect, restore and improve significant environmental features and their associated ecological functions.
2. To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, factors into land use decision-making in the Township.
3. To ensure that land use planning contributes to the protection, maintenance, improvement, restoration, conservation and enhancement of groundwater and surface water resources.
4. To prevent negative impacts to the water quality and hydrological and hydrogeological characteristics of watercourses, lakes, aquifers and wetlands.
5. To prohibit the degradation of Provincially Significant Wetlands and the habitats and ecological functions they provide.
6. To encourage the protection of an open space system that links environmental and recreational resources in the Township.
7. To encourage the implementation and updating of existing and future watershed plans in cooperation with neighbouring municipalities and to recognize the use of the watershed as an ecologically meaningful scale for planning.

A3.2 GROWTH AND SETTLEMENT

A3.2.1 Goal

Strong Township is a rural municipality with no settlement areas. Therefore, it is the goal of this Plan to direct the majority of new residential development to the areas where similar development currently exists.

A3.2.2 Strategic Objectives

1. To maintain an adequate supply of vacant land to accommodate a range of new development.
2. To ensure that new development maintains the rural character of the existing community.
3. To permit a limited amount of rural residential development in appropriate locations, in the form of individual lots and through the process of infilling while ensuring adequate services and land use compatibility.
4. To maintain recreational areas to serve all citizens in the community.
5. To communicate with the local District Social Services Administration Board on matters related to affordable housing.

A3.3 RURAL AND AGRICULTURAL CHARACTER

A3.3.1 Goal

It is the goal of this Plan to maintain and promote the open space character of the rural areas, which currently accommodate farms, country homes, recreational uses and a landscape dominated by open space and forests.

A3.3.2 Strategic Objectives

1. To permit agri-business and secondary uses that support local producers and contribute to the local economy.
2. To protect the rural land base by regulating lot creation and land uses which are less compatible with rural and agricultural uses.
3. To encourage the development of low-intensity resource based recreational and eco-tourism uses in the rural areas, provided the use has a minimal impact on the character of the rural area and is properly sited.
4. To avoid the intrusion of land uses that are incompatible with the rural character and/or resource activities of the area.

A3.4 ECONOMIC DEVELOPMENT

A3.4.1 Goal

It is the goal of this Plan to encourage economic growth and to provide opportunities for economic development in the Township.

A3.4.2 Strategic Objectives

1. To encourage the development of tourist commercial uses in rural and shoreline areas where proximate to a natural recreational resource.
2. To support and maintain existing road networks in the interest of fostering economic growth and investment.
3. To encourage the development and expansion of agriculture, agricultural related and rural service businesses within the Township.
4. To encourage the development of compatible home-based businesses and home industries.
5. To encourage the protection of the Township's natural attributes, such as its rural character and its environmental features to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive.
6. To support economic development that is compatible with sensitive land uses.
7. To ensure the rehabilitation of contaminated sites in the Township.

A4 THE LAND USE CONCEPT

The following land use designations are designed to reflect major land uses presently occurring or that are anticipated to occur in the Township.

A4.1 RURAL

The *Rural* designation generally includes all of the rural areas as well as aggregate extraction areas in the Township.

A4.2 RURAL RESIDENTIAL

The Rural Residential designation applies to those lands adjacent to the Village of Sundridge that are used primarily for residential purposes in proximity to the Village.

A4.3 COMMERCIAL EMPLOYMENT

The Commercial Employment designation includes areas located at key areas adjacent to Highway 11 that are suitable for commercial and / or industrial development.

A4.4 SHORELINE

The *Shoreline* designation identifies all lands which share an association with the lake or the waterfront. This area is generally all lands within a 300-metre proximity of a lake but may vary depending on topographic features, roads, and existing development.

A4.5 CROWN LAND

The *Crown Land* designation applies to those lands that are owned by the Crown and to which local planning policy is not applicable.

A4.6 NATURAL HERITAGE PROTECTION

The *Natural Heritage Protection* designation identifies significant natural features which are intended to be protected from incompatible land use.

PART B – LAND USE DESIGNATIONS

B1 RURAL

B1.1 PURPOSE

The purpose of the Rural designation is to:

- a) permit uses which support the Township;
- b) protect the rural character and the role that it plays in the cultural heritage of the Township and maintain those elements which contribute to the open space character of the countryside;
- c) prevent the intrusion of land uses which are incompatible with the rural character and/or resource activities of the area;
- d) encourage rural land uses and associated activities that contribute to the economy of the Township; and,
- e) ensure that the scale of development is compatible with the role and function of the rural area.

B1.2 LOCATION

The Rural land use designation applies to the majority of land within the planning area that is not otherwise placed in one of the other land use designations for this Official Plan as shown on Schedule A.

B1.3 PERMITTED USES

- a) agricultural uses;
- b) single detached dwellings and accessory dwellings units;
- c) garden suites in accordance with Section E1.2;
- d) bed and breakfast establishments;
- e) home occupations, home industries subject to the provisions of Section B1.5.1 of this Plan and local Zoning By-laws;
- f) veterinary clinics, abattoirs and uses which serve agri-business;

- g) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
- h) small-scale accommodation uses subject to Section B1.5.8 of this Plan;
- i) forestry and resource management uses;
- j) uses related to recreation and tourism such as outfitting posts and eco-tourism uses;
- k) golf courses, subject to an amendment to the Zoning By-law;
- l) small-scale public uses;
- m) local institutional uses such as schools, day care centres, places of worship and cemeteries;
- n) commercial and industrial uses which serve the rural community and are compatible within a rural setting subject to Section B1.5.6;
- o) the extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage subject to Section B1.6;
- p) mineral exploration and mining activities authorized under the Mining Act subject to Section B1.7; and,
- q) wayside pits and quarries, portable asphalt plants and concrete plants for specific road works undertaken by a public authority in the area.

B1.4 DEVELOPMENT POLICIES

B1.4.1 The Creation of New Lots for Residential Purposes

Future lot creation shall be guided by the following criteria:

- a) a maximum of 3 new lots may be severed from an original Township lot having a lot area of 40 hectares;
- b) a maximum of 2 new lots may be severed from an original Township lot having a lot area of 20 hectares;
- c) a maximum of 1 new lot may be severed from an existing lot having a lot area of at least 10 hectares;
- d) the terms "original" and "existing" shall refer to a lot that existed in its current configuration on January 1, 1993;

- e) the severed and retained lands must maintain a minimum frontage on a public road of 60 metres and a minimum lot area of 1 hectare;
- f) the boundary of the severed lot complies with the minimum distance required by the Minimum Distance Separation I Formulae;
- g) the proposed lot(s) comply with the criteria set out in Section D4.2.1 (General Consent Policies) of this Plan;
- h) the proposed lots(s) are appropriately designed, buffered and/or separated from any industrial or other incompatible land use in accordance with Provincial guidelines to prevent adverse effects from odour, noise and other contaminants and to minimize risk to public health and safety.

B1.4.2 New Infilling Lots

In addition to Section B1.4.1, infilling lots may be created from a parcel in the Rural designation that existed on the date this Plan was approved, provided:

- a) the original lot has a minimum frontage of 120 metres and a minimum lot area of 2.0 hectares;
- b) the lot is located between two residences which existed on the date this Plan was approved on lots that are situated on the same side of the road and are not more than 400 metres apart;
- c) The proposed lot and the retained lot each have a minimum area of 1 hectare and a minimum frontage of 60 metres on an improved public road maintained on a year round basis; and,
- d) the proposed lot complies with the policies in Section D4.2.1.

B1.4.3 Original Lots of Record

Original Township lots of record may be severed along original lot lines, provided such lots have frontage on a public road assumed for year-round maintenance purposes.

Notwithstanding Section B1.4.1 (e) of this Plan, original Township lots of record severed in accordance with this section shall be eligible for subsequent severance under Section B1.4.1 of this Plan, except where such lots do not have frontage on a public road.

B1.4.4 Farm Consolidations and Boundary Adjustments

Boundary adjustments or farm consolidations may be considered where the effect of the boundary adjustment or consolidation is to improve the viability of the farm operation provided:

- a) no new lot is created; and,
- b) the viability of using the remaining lands affected by the application for agricultural uses is not adversely impacted.

B1.4.5 Minimum Distance Separation Formulae

New agricultural livestock buildings as well as non-farm development shall comply with the Minimum Distance Separation Formulae I and II as established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

MDS Formula 1 shall not apply to vacant lots of record that were created for residential purposes prior to January 1, 1993.

B1.5 RURAL DEVELOPMENT POLICIES

B1.5.1 Home Occupations and Home Industries

Home occupations are typically professional work and service activities that are carried out within the residential dwelling or accessory building that typically do not involve the retail sale of goods and services. In addition, such uses generally occupy no more than 30% of the gross floor area of the dwelling and do not change the character of the dwelling. Home occupations will be defined and regulated through provisions in the Township's Zoning By-law.

Home industries are small-scale industrial uses that are accessory to rural uses and/or a single detached dwelling. Such uses may also support the agricultural industry in the area. These uses should not detract from the primary use of the property for rural or residential purposes and shall be compatible with surrounding uses. Home industries may include welding, carpentry or machine shops, or agriculturally related uses that involve the processing or transportation of regionally produced agricultural crops or other products. The accessory retail sales of products produced in the home industry is also permitted. Home industries will be defined and regulated through provisions in the Township's Zoning By-law.

The development of a new home industry may also be subject to Site Plan Control and will, through an application for site plan approval have regard to the Ministry of the Environment D-Series Guidelines.

B1.5.2 Accessory Dwelling Units

Accessory apartments are considered to be an affordable housing choice and may be permitted in single detached, semi-detached and row house dwellings as well as within structures ancillary to residential dwellings in the *Rural* and *Rural Residential* designations. The implementing Zoning By-law shall permit accessory dwellings within a dwelling unit or ancillary structure provided that:

- a) the apartment will comply with the Ontario Building and Fire Codes as well as applicable provisions of the Township's Zoning By-law;
- b) adequate parking is available on the lot for both dwelling units; and,
- c) the water supply and private sewage system are appropriate to sustain the accessory apartment.

Accessory dwelling units within an accessory building detached from a dwelling unit may be permitted through an amendment to the Zoning By-law provided that the accessory dwelling is connected to the same well and septic system as the principle dwelling. Accessory dwelling units within accessory buildings shall not be permitted in the Shoreline designation. Severance of the accessory building shall not be permitted.

B1.5.3 Bed and Breakfast Establishments

Bed and breakfast establishments are permitted in single detached dwellings, provided the bed and breakfast establishment:

- a) is located within the principal residence of the owner/operator; and,
- b) preserves the character of the dwelling as a private residence;
- c) adequate parking is available on the lot for the residential use and the bed and breakfast; and,
- d) the water supply and private sewage system are appropriate to sustain the bed and breakfast.

The implementing Zoning By-law shall define a bed and breakfast establishment and may further detail the conditions under which a bed and breakfast establishment may be permitted.

B1.5.4 Daycare Facilities and Local Institutional Uses

Daycare facilities and small-scale institutional uses which serve the community, such as public and private elementary schools, Montessori schools, housing for seniors, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the water supply and private sewage system are appropriate to sustain the use; and,
- c) the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

B1.5.5 Cemeteries

In accordance with the Funeral, Burial and Cremation Services Act, cemeteries may be permitted in the Rural designation subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that:

- a) the size of the cemetery and the accessory uses are appropriate for the area;
- b) the use can be accessed by roads which are designed to accommodate high volumes of traffic in short periods of time;
- c) the applicant has fulfilled applicable technical requirements of the Funeral, Burial and Cremation Services Act; and,
- d) that approval, under Section 9 of the Environmental Protection Act be obtained, if required, when a crematorium is proposed.

B1.5.6 Commercial and Industrial Uses

The development of a commercial or industrial use that serves the needs of the rural community or the recreation/tourism markets may be permitted as an accessory use to a rural residence or farm use is permitted, provided:

- a) the subject lands have a minimum lot area of 2 hectares, or greater if determined through a required hydrogeological study;
- b) the use is associated with and/or secondary to a farm operation or rural residence;
- c) that any open storage associated with the use be incidental and subordinate to the use and be screened from view;
- d) the floor area of the use is no more than 300 square metres; and
- e) the majority of the products offered for sale, in terms of monetary value, are produced or manufactured locally or in conjunction with an

agricultural or agricultural-related use.

- f) The industrial or commercial use, if proposed on the basis of private on-site sewage services, is a dry industrial or commercial use, unless demonstrated through a hydrogeological assessment, prepared to the satisfaction of Council by a qualified professional in accordance with applicable Ministry of the Environment guidelines, procedures, and standards, that adequate on-site sewage and water services can be provided without unacceptable groundwater impacts.

Where industrial or commercial uses resulting in process wastes are proposed, documentation will be required to demonstrate that process waste water is similar to, or will be pre-treated to contaminant levels found in domestic sanitary sewage, based on standard scientific and engineering practices.

For the purposes of this policy, "dry industrial or commercial uses" shall be defined as those uses in which only the disposal of the domestic waste of employees is permitted and treated: no industrial liquid wastes, wash or cooling water or process wastes are permitted.

The development of a new commercial use shall be subject to a Zoning By-law Amendment and Site Plan Control.

B1.5.7 Rural Exhibitions and Tourism Establishments

This Plan supports the development of uses that promote the importance of the agricultural and rural community. On this basis, uses such as artist studios, pancake houses, farm machinery and equipment exhibitions, farm tours, holiday-related exhibitions and small-scale educational or interpretive establishments that focus on agri-tourism, eco-tourism or cultural tourism are permitted in the Rural designation. Such uses shall be encouraged to locate within existing clusters of farm buildings, where possible.

B1.5.8 Small-Scale Accommodation Uses

New small-scale accommodation uses including lodges, inns, hunting lodges or eco-tourism establishments may be permitted subject to an amendment to the implementing Zoning By-law. For the purposes of this Plan, a small-scale accommodation facility has a maximum of 15 rooms for guests. These uses shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan

Before considering an amendment to the Zoning By-law to permit any of these uses in the Rural designation, Council shall be satisfied that the proposed use:

- a) is compatible with the rural character of the area;

- b) can be designed and sited to blend in with the topography and setting on the lot;
- c) is located on a lot having an area of no less than 1.0 ha or greater if determined to be required through a required hydrogeological study;
- d) is located where it would have little or no impact on agricultural operations;
- e) can be serviced with an appropriate water supply and means of sewage disposal and the proponent is prepared to enter into an agreement with the Township with respect to maintenance of water and septic systems and the removal/ disposal of septic waste;
- f) is to be accessed by municipal roads that can accommodate the increased traffic generated by the proposed use;
- g) parking and traffic can be suitably accommodated on-site;
- h) will not cause a traffic hazard as a result of its location on a curve or a hill; and,
- i) can be appropriately buffered from adjacent residential or agricultural uses.

B1.5.9 Hobby Farms

Council recognizes that hobby farming is an agricultural use that is in keeping with the character of the rural area. A hobby farm is defined as a farm with a residence where a limited number of domestic animals are kept primarily for recreational purposes, where building related to the hobby farm are clearly subordinate and incidental to the residential use. Hobby farms are permitted in the *Rural* designation, provided the minimum lot size is 2.0 hectares.

B1.5.10 Alternative Energy Systems

Prior considering providing comments on a proposed alternative or renewable energy project Council may request the following issues to be addressed:

- a) Confirmation that the proposal has complied with the Ministry of the Environment's Environmental Screening Process for electricity projects;
- b) An assessment of the impacts including noise and character such a facility would have on existing lands uses and the future development of adjacent lands primarily with respect to issues of noise and character;

- c) An assessment of the operational feasibility of the utility, if the facility is to be publicly owned and operated;
- d) An assessment of the access and servicing requirements required for the facility;
- e) Confirmation that the proposal is not located within or adjacent to known or suspected habitat of endangered or threatened species or species of special concern, and;
- f) Other planning issues that may be considered at the time a proposal comes forward.

B1.6 AGGREGATE RESOURCE OVERLAY

B1.6.1 Intent

Strong Township has historically contributed to the regional need for aggregate resources used in road construction and manufacturing of aggregate related products. As such, the Aggregate Resource Overlay is intended to identify lands within the Rural designation which have potential to be used for aggregate extraction purposes. The following policies apply to the entire Rural designation, however the purpose of the overlay is to identify known aggregate deposits and to minimize conflicts between existing, new or expanding operations and other uses.

B1.6.2 Relationship between this Plan and the Ministry of Natural Resources

It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the Aggregate Resources Act. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent of the mineral aggregate operation, Council and the public before licenses are issued or modified. New mineral aggregate operations or expansions of existing operations are to be carried out in a manner that is consistent with the goals and objectives of this Plan.

B1.6.3 Development Adjacent to Existing Extractive Operations

When new development requiring a Planning Act approval is proposed within 300 metres of a pit or 1000 metres of a quarry within the Rural designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. In order to address this issue, the proponent may be required to retain a qualified professional to complete an impact assessment in accordance with the MOE D-6 Series Guidelines for Land Use Compatibility. Council may further require the proponent to submit written confirmation of adherence to the NPC-300 or its successors Noise Guidelines.

Where the application for development affects lands with known high quality aggregate resources according to Schedule A, the proponent will also be required to address the criteria in Section B1.6.5 of this Plan.

B1.6.4 New Mineral Aggregate Operations or Expansions to Existing Operations

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations shall require an Amendment to the Zoning By-law. New Mineral aggregate operations and/or expansions for the extraction to permit more than 20,000 tonnes of aggregate extraction shall require an Official Plan Amendment. All such applications shall be supported by studies that address:

- a) the effect of the operation of the mineral aggregate resource use on:
 - i) the natural heritage features and functions on the site and in the area;
 - ii) nearby residential uses;
 - iii) agricultural resources and activities;
 - iv) the character of the area;
 - v) the quality and quantity of groundwater and surface water in the subwatershed;
 - vi) the built or cultural heritage resources in the area;
 - vii) significant geologic formations on the site and in the area;
 - viii) the groundwater recharge functions on the site and in the immediate area assessed by a hydrogeological study;
 - ix) surface water features in the area; and,
 - x) nearby wells used for drinking water purposes.
- b) the location and suitability of the proposed haul routes;
- c) the effect of the noise, odour, dust and vibration generated by the proposed use assessed in accordance with the MOE's D-Series Guidelines as well as the NPC-300 OR ITS SUCCESSORS Noise Guidelines and the Aggregate Resources Act;
- d) how the natural features and functions on the site and in the area can be protected and/or enhanced as part of the design of the pit and/or after the pit has been progressively and finally rehabilitated;

- e) how the impacts from the proposed pit or quarry will be avoided and/or mitigated in order to lessen those impacts; and,
- f) how the site will be progressively and finally rehabilitated to accommodate subsequent land uses after the extraction is completed.

B1.6.5 Development of Other Uses in the Primary Aggregate Resource Overlay

The protection of known high quality mineral aggregate resources shall take precedence, wherever possible, over any development or land use that would preclude its future extraction.

On this basis it is the intent of this Plan that the lands located in or adjacent to the Primary Aggregate Resource Overlay in Schedule C be protected from development or land uses that may hinder the effective and/or economical extraction of aggregate in the future. However, there may be cases where the economical and/or physical extraction of aggregate is not feasible and/or appropriate. In such cases, new lots or other development or land use permitted by this Plan on lands so designated may be permitted, if it can be shown to the satisfaction of Council that:

- a) the land use pattern in the area has reduced the feasibility of extraction; or,
- b) there is not enough aggregate in the area to justify its economical extraction; or,
- c) the proposed land use or development serves a greater long-term public interest;
- d) issues of public health, public safety and environmental impact are addressed; and,
- e) the impact of new development within 1000 metres of all existing pits will be considered.

B1.6.6 Rehabilitation

The progressive and final rehabilitation of all pits and quarries in the Township is a goal of this Plan. Wherever possible, Council will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all licenses have progressive and final rehabilitation plans.

If a site is to be rehabilitated to a natural state, it is the intent of this Plan that natural self-sustaining vegetation and hydrologic features be established and restored. If the site was formerly used for agricultural purposes it is the intent of this Plan that substantially the same land area and soil capability for agriculture is restored.

Council may require a pit or quarry operator to post a Letter of Credit with the Township to ensure that the excavation and roads used to access the site are rehabilitated to the satisfaction of the Township.

B1.7 MINERAL RESOURCES

B1.7.1 Intent

It is the intent of Council to work with the Ministry of Northern Development and Mines to obtain information regarding mineral resources, to identify areas of mineral potential and abandoned mine sites.

B1.7.2 Permitted Uses

For the purpose of this Official Plan, mineral mining operations are those facilities designed and authorized under the Mining Act to extract metallic minerals such as ore, gold and copper, or non-metallic minerals such as graphite, mica or talc. Mineral mining operations include above and below ground work, open pits and quarries as well as associated processing, transportation, waste and tailing storage, and directly related activities all regulated in accordance with the Mining Act. Mineral mining excludes pits and quarries used for mineral aggregate extraction authorized under the Aggregate Resource Act.

B1.7.3 Quality of Resources in Strong Township

In the preparation of this Plan, the Township consulted with the Ministry of Northern Development, Mines and Forestry and it was determined that the metallic mineral potential of the Township can be characterized as being medium-low to medium.

B1.7.4 Development Policies

Mineral mining and related activities will only be permitted outside of Shoreline and Natural Heritage Protection designations as shown on Schedule 'A'. The compatibility of the mining activities with surrounding land use designations will determine the specific nature of permitted mining and mining related activities.

The establishment of mining related activities shall be subject to the approval of the Ministry of Northern Development, Mines and Forestry under the Mining Act and the Ministry of the Environment under the Environmental Protection Act and Environmental Assessment Act and may be subject to zoning regulations by the Township.

B1.7.5 Abandoned Mine Sites

When a development is proposed within 1,000 metres of an abandoned mine hazard there is potential for impact on a proposed development. The Township and proponent shall consult with MNDRM – Regional Land Use Geologist in order to assess the nature of hazards and what technical studies may need to be completed to determine whether the land is suitable for the type of development proposed and that the development does not interfere with any rehabilitation, maintenance or monitoring requirement for the mine workings/hazards.

B1.8 IMPLEMENTING ZONING BY-LAW

Most lands in the Rural designation shall be placed in a Rural (RU) Zone or an appropriate site specific zone where the policies of this Plan requires specific zoning to permit a use contemplated by this Plan.

The implementing Zoning By-law shall place all existing licensed aggregate operations in the Extractive Industrial (M2) Zone that permits quarries and sand and gravel extraction operations. The Zoning By-law may also place lands located within the Aggregate Overlay in a more restrictive zone which limits the range of land uses that could occur in such areas.

The implementing zoning by-law may contain substantial setbacks for extraction operations from adjoining properties designated for residential purposes by this Plan, municipal right-of-ways and property boundaries.

B2 RURAL RESIDENTIAL

B2.1 PURPOSE

The purpose of the Rural Residential designation is to:

- a) Identify the existing residential areas adjacent to the Village of Sundridge Municipal Boundary.
- b) To provide areas to focus and intensify new permanent residential development in the Township.
- c) To provide a range and mix of housing types and densities that will meet the needs of current and future residents.

B2.2 LOCATION

The Rural Residential designation is shown on Schedule A to this Plan and includes areas adjacent to the Village of Sundridge Municipal Boundary.

B2.3 IMPLEMENTING ZONING BY-LAW

All lands within the Rural Residential designation shall be placed in an appropriate Residential, Commercial or Institutional zone in the implementing zoning by-law.

B2.4 PERMITTED USES

The primary uses permitted in the Rural Residential designation are residential dwellings. Small scale local commercial and institutional uses are also permitted.

B2.5 DEVELOPMENT POLICIES

B2.5.1 Single residential, semi-detached, duplex and townhouse dwellings may be permitted in the Rural Residential designation without an amendment to the zoning by-law provided;

- a) they are located on a lot or parcel that can be legally conveyed under the Planning Act;
- b) new development in the Rural Residential designation east and west of the Village of Sundridge shall proceed as limited infilling or minor rounding out of existing developed areas on the basis of private sewage and water systems. Extension of municipal sewage treatment services from the Village of Sundridge shall only be considered where private sewage services would not be feasible due to environmental or

physical constraints on the lands. Such development is contingent on capacity being available in the Sundridge sewage treatment plant; and

- c) the lot or parcel has frontage on an existing public road maintained year round.

B2.5.2 Two separate residential dwellings on one lot will not be allowed. A duplex or a semi-detached dwelling may be permitted in the Rural Residential designation in the Zoning By-law. When considering such an amendment, Council shall be satisfied that:

- i) there is adequate sewage disposal and water service capacity available to service the two dwelling units acceptable to the appropriate approval agency, and the roads are of a standard that can accommodate the increased use; and
- ii) the development will not adversely affect the low density residential character of the area, and is designed to be in keeping with the character of the surrounding homes.

B2.5.3 Neighbourhood commercial and institutional uses such as small places of worship or community use buildings may be permitted as secondary uses in the Rural Residential designation through a By-law amendment. When considering an Amendment to permit a commercial use Council shall be satisfied that the use is compatible with neighbouring land uses and that the other policies in this Plan are met. For the purposes of this section the size of the use shall not exceed 4,500 litres per day of sewage effluent.

B2.5.4 Stirling Creek is a historic settlement area located at Lots 5 to 7, Concession II. Development on existing lots within Stirling Creek will be permitted provided the development can be sustainably serviced with an appropriate water supply and means of sewage disposal, including septage disposal.

B2.5.5 The Township will consult with The Village of Sundridge when considering development proposals within the Rural Residential Area, to determine if cross-municipal concerns pertaining to source water protection servicing, environmental considerations, or land use compatibility area addressed during the development review process.

B3 COMMERCIAL EMPLOYMENT

B3.1 PURPOSE

The purpose of the Commercial Employment designation is to:

- a) provide lands for the creation of diverse employment opportunities;
- b) improve the economic climate in the Township by making lands available for employment generating uses;
- c) ensure that new commercial/industrial development occurs in an orderly and compatible manner; and,
- d) provide areas where entrepreneurs and skilled trades can grow and develop and serve the needs of Northern Ontario business.

B3.2 LOCATION

The Commercial Employment designation is shown on Schedule A to this Plan and includes the area at the Highway 11 / Highway 124 Interchange.

B3.3 IMPLEMENTING ZONING BY-LAW

All lands within the Commercial Employment designation shall be placed in an appropriate Commercial, Commercial Employment or Industrial Zone in the implementing Zoning By-law. Lands in the Commercial Employment designation may be subject to a Holding provision to ensure technical issues relating to development have been addressed.

B3.4 PERMITTED USES

Permitted industrial uses on lands designated Commercial Employment will be comprised of dry industrial uses characterized as low water users that produce limited amounts of effluent. Such uses may include small scale manufacturing, assembly, processing, fabrication, storage and/or warehousing uses and research establishments, wholesaling, service commercial establishments and similar uses. Accessory retail, commercial and office uses and commercial uses that service the permitted industrial uses are also permitted, provided they occupy only a limited amount of the gross floor area and are accessory and incidental to the industrial use.

Commercial uses that require large land areas and exposure to the highway may be considered through an amendment to the Zoning By-law. In considering such uses the Township will consult with the Village of Sundridge regarding the impact of the proposal on the retail function and uses in the Village.

B3.5 DEVELOPMENT POLICIES

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

- a) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent residential or other sensitive uses which are existing or are planned in accordance with this Official Plan. To address this issue Council may require the business owner to retain a qualified professional to complete an assessment which demonstrates that the proposed use is compliant with the MOE D-Series Guidelines;
- b) The use has access to a provincial or municipal road and is serviced by an approved private water supply and septic system;
- c) Adequate parking and loading facilities are provided on the site;
- d) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area;
- e) Outdoor storage areas are substantially screened from view of passing traffic; and,
- f) Where a proposed use abuts or is in proximity to an existing sensitive land use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses. It is anticipated that where a D-Series assessment is completed, recommendations for buffering will be required.

B3.6 SERVICING OF COMMERCIAL EMPLOYMENT USES

For lands located in the Commercial Employment designation uses shall be permitted based on the ability to service the use on a sustainable basis.

The following servicing policies shall apply:

- a) for uses that have an average daily flow greater than 4,500 litres per day, the Ministry of the Environment B-7 Guideline "Incorporation of the Reasonable Use Concept into Groundwater Management Activities" shall apply; and,
- b) for uses that generate sewage effluent of more than 10,000 litres per day, an Environmental Compliance Approval from the Ministry of the Environment will be required. For uses that generate 10,000 or less

litres per day, a *Building Code Act* permit shall be required from the appropriate approval body.

New uses requiring more than 50,000 litres of water per day shall require an amendment to the Zoning By-law as well as a Permit to Take Water under the *Ontario Water Resources Act*. An application to amend the Zoning By-law to permit an industrial use requiring more than 50,000 litres of water per day shall be accompanied by a hydrogeological evaluation confirming that the required water quantity is available for the use and will not impact adjacent wells. Such an application shall also be accompanied by a Servicing Options Report and shall adhere to all applicable requirements of the Ministry of the Environment and follow their Guideline "Incorporation of the Reasonable Use Concept into MOE Groundwater Management Activities".

B3.7 LAND DIVISION

Applications for consent or the subdivision of land shall be subject to the policies set out in Section D4 of this Plan.

B4 SHORELINE

B4.1 PURPOSE

The purpose of the Shoreline designation is to:

- a) identify shoreline areas which are comprised of resource-based recreational uses and existing shoreline lands still in their natural state;
- b) To ensure that the quality of lake and river environments are maintained or improved and ensure that the quality and quantity of surface and groundwater is protected, improved or restored.
- c) To provide for environmentally sound development in shoreline areas; and,
- d) To ensure the natural state of the shoreline is maintained to the greatest extent possible

B4.2 LOCATION

The *Shoreline* designation as shown on Schedule A to this Plan applies to shoreline areas adjacent to Bernard Lake, Pool Lake and Cheer Lake.

B4.3 PERMITTED USES

Permitted uses in those areas designated as *Shoreline* as shown on Schedule 'A' are comprised of resource-based recreational uses which include parkland and trails, single detached residential dwellings and accessory bed and breakfasts and home occupations, marinas, tourist commercial uses which are compatible with surrounding uses.

B4.4 SHORELINE DEVELOPMENT POLICIES

B4.4.1 Residential Development Policies

Many dwellings in the Shoreline designation are capable of being utilized on a year-round or semi-permanent basis. It is the intent of this Plan that both seasonal and permanent occupancy will be permitted in these areas and the Implementing Zoning By-law will not define, regulate or differentiate between seasonal and permanent use of dwellings.

- a) New residential development shall consist primarily of single detached dwellings on separate lots. New lots shall have at least 60 metres of straight-line, shoreline frontage and road frontage and a lot area of 1 hectare or as approved in accordance with Section D4 of the Plan. Larger

lots may be required in areas where environmental or physical constraints exist on the lands such as deer wintering areas or sensitive fish habitat.

- b) All new residential development on vacant lots of record shall utilize sewage disposal systems that incorporate soils capable of retaining phosphorus to prevent its migration into the lake;
- c) One guest cabin may be permitted in the *Shoreline* designation as an accessory use to a residential use provided the lot has the minimum lot area required by the Zoning By-law. Specific regulations for guest cabins shall be provided in the Implementing Zoning By-law.
- d) Recreational Trailers may be permitted in the Shoreline Area on a temporary basis subject to a license issued by the Municipality stating the terms and time limits of the temporary use.

B4.4.2 Limited Service Zone

- a) All lots that do not have frontage on and direct access to an assumed public road that is maintained year round shall be placed in a Limited Service Residential Zone in the Implementing Zoning By-law.
- b) Rezoning of lands within the Limited Service Residential Zone to a Zone that does not distinguish between service levels may be considered by Council provided the following criteria are met:
 - i) The lot(s) being rezoned shall have frontage on, as well as gain direct access from a public road maintained year-round by the Township or on a private road owned and maintained by a condominium corporation;
 - ii) The dwelling(s) on the lot(s) to be rezoned shall comply with all building and construction standards that apply to dwellings to be used on a year-round basis;
 - iii) The dwelling(s) on the lot(s) to be rezoned shall be serviced by a private well on the same lot or an appropriate water supply;
 - iv) The dwelling(s) on the lot(s) to be rezoned shall be serviced by an appropriate means of sewage disposal that is designed to serve a year-round residence and which has obtained the approval under Part 8 of the Ontario Building Code or has obtained a Certificate of Approval issued by the Ministry of Environment;
 - v) The emergency services confirm, in writing, that the dwelling(s) on the lot(s) to be rezoned can be serviced year round by emergency vehicles; and,

- vi) The lot(s) to be rezoned complies with all applicable Zone provisions in the Implementing Zoning By-law.

B4.4.3 Limits of Shoreline Development

It is the intent of this Plan that new development in the *Shoreline* be directed to lands that are physically suitable for development in their natural state in an effort to maintain the area's unique character. Creating lands that are suitable for development by blasting or filling the natural landscape or dredging the lake bottom shall not be permitted.

Lake Bernard is considered a Lake Trout Lake, capable of maintaining a natural lake trout population, due to its water quality. The lake is considered to be at capacity since the concentration of phosphorus in the water exceeds the desirable concentration as determined by the Ministry of Environment. As the result, development is limited to existing vacant lots and changes in land use that will not increase the phosphorous concentration in the lake.

The Ministry of Environment's Lakeshore Capacity Assessment Handbook will be used as the basis for determining lakeshore development capacity. The Lakeshore Capacity Assessment Handbook indicates that Lake Trout lakes require a minimum dissolved oxygen level of 7 ppm (7 mg/L) in order to sustain Lake Trout.

On other lakes where capacity is available for new lot creation, new residential development in the *Shoreline* designation shall be limited to small-scale subdivisions, condominium (10 lots or less) or minor infilling by consent.

B4.4.4 Surface Water Quality

Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to a watercourse or lake. Septic systems shall be located at least 30 metres from a watercourse or waterbody, and in the case of lakes at or near capacity, including Lake Bernard, lot creation and land uses changes which would result in a more intensive use will not be permitted except under one of the following special circumstances:

1. to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake;
2. where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity;

3. where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake; and,
4. where the proposed site can meet the additional site-specific soils criteria in the Lake Capacity Assessment Handbook and where certain municipal planning tools and agreements are in place such as a Development Permit System under the Planning Act, and/or site plan control under the Planning Act, and site alteration and tree-cutting by-laws under the Municipal Act to implement those criteria.

There is an additional criterion accepted by MOE for situations where there are deep soils native to the site (undisturbed and over 3m depth), meeting a specified chemical composition and hydrologic condition. This approach requires site-specific soils investigations by a qualified professional and, if meeting the criteria, would require long-term monitoring and use of planning tools that would ensure long-term maintenance of specified conditions. The MNR and MOE will be consulted if this criterion is considered for Lake Bernard.

B4.4.5 Site Evaluation Report

Applications for new lot creation within the *Shoreline* designation will be required to prepare and submit a Site Evaluation Report which shall provide the following information:

- a) A description of the nature of the lands, the development proposal, and the natural and physical context of the site;
- b) Site specific information such as slope and soil characteristics, vegetation, drainage, erosion and flooding characteristics;
- c) A plan identifying suitable locations for a driveway, building envelope, septic location, shoreline amenity and docking area and existing vegetation to be retained;
- d) Environmentally sensitive areas shall be identified, including wetlands, fish habitat, and wildlife habitat;
- e) Potential impacts of the development should be identified including lake water quality impacts, storm water quality and quantity impacts, erosion, vegetation, habitat, shoreline and visual/aesthetic impacts;
- f) The Site Evaluation Report shall assess the constraints to development and address how the constraints can be managed or mitigated effectively through the utilization of appropriate development control techniques including site plan control; and,

- g) The report shall also address the appropriateness of the proposed development and its ability to satisfy the goals of this Plan.

B4.4.6 Bed And Breakfast Establishments

New bed and breakfast establishments may be permitted as of right Implementing Zoning By-law and may be subject to Site Plan Control in accordance with the policies of Section E1.4 of this Plan.

B4.4.7 Preservation of Vegetation

New development in the shoreline shall be sensitive to the preservation of existing tree cover and vegetation so as to prevent erosion, siltation and possible nutrient migration and help maintain wildlife habitat wherever possible. Development, which includes any main buildings and the filter bed and mantle associated with a private septic tank disposal system shall be set back a minimum of 20 metres from the high water mark for existing lots and 30 metres for lots created after January 1, 1993. Site alteration and disturbance of vegetation within the setback shall be limited to minor alterations to accommodate access trails, docks, water pumping equipment or restoration work. Performance standards respecting the protection of the vegetative buffer and the amount and type of development permitted to encroach within the buffer shall be administered through Site Plan Control.

B4.4.8 Shoreline Setbacks from Fish Habitat

In shoreline areas, adjacent to Type One or Unknown fish habitat, Council will require a minimum setback of 30 metres for new development on vacant lots of record and redevelopment or expansions to existing buildings and structures that are subject to a planning approval. In cases where this is not achievable, the greatest setback possible will be required.

The Zoning By-law will recognize buildings and structures that do not comply with the setbacks identified in Section B.4.7 and B4.4.8 and permit minor expansions to those uses without further planning approval. In some cases it is recognized that landowners may apply to seek additional relief from the required shoreline setback. In reviewing such cases, the Committee of Adjustment or Council may request a site evaluation report and shall be satisfied that the reduction will not adversely impact environmental features or functions, and:

- i) The proposed setback is reasonable based on the size, shape and/or topography of the lot; or
- ii) Mitigative measures have been provided to ensure the intent of Section B6.4.2 is maintained.

- iii) Where recommended by and EIS completed in accordance with Section B6.4.2 on the adjacent lands the required setback could be greater than the minimum required in this section.

B4.4.9 Tourist Commercial Uses

It is the intent of this Plan to provide for the continuation of existing tourist establishments and resort commercial uses and, where feasible, to support the further development of this component of the local economic base in keeping with market demands related to changing lifestyles and leisure activities.

The tourist commercial uses permitted in the *Shoreline* designation shall be limited to small-scale tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis such as rental cabins and housekeeping cottages, lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the tourist commercial use shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other similar personnel and staff members.

In reviewing an application to rezone land for a Tourist Commercial use, Council shall consider the following matters:

- a) Regard shall be had for the layout and design of resort commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.
- b) It is the intent of this Plan to encourage increased setbacks of large-scale development from the shoreline. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boat houses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law.
- c) It shall be the policy of this Plan to require a minimum of five percent of the gross area associated with those resort commercial uses which provide accommodation for improved outdoor purposes. For the purposes of this Plan, improved outdoor areas shall mean lands which have been graded and leveled and, as may be necessary, sodded or seeded or otherwise enhanced so as to provide suitable areas and facilities for the use and enjoyment of visitors or patrons.

- d) An application for development of a resort commercial use which requires an amendment to either this Plan or the Implementing Zoning By-law shall be accompanied by a hydrogeological report with respect to the adequacy of groundwater supplies and the ability of the soils to sustain development on the basis of private services. All private water supply and effluent treatment systems shall be installed in accordance with the authority responsible for their approval. Sewage treatment systems shall require tertiary treatment.
- e) In considering an application for an amendment to permit the development of a resort commercial use, Council shall have regard for the physical suitability of the site, the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan.

Specific regard shall also be had for such matters as the provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable degree of compatibility with adjacent land uses.

- f) An application for the development of a resort commercial use shall be accompanied by a site plan.
- g) Notice of applications to amend the By-law to permit new commercial uses shall be given to property owners within 400 metres (1200 ft) of the subject lands. Wherever possible public meetings for these proposals shall be held during the summer season, between May 1 and October 15.
- h) Council may consider the impacts of increased density when establishing the density of new tourist commercial developments and will ensure that the density of such development is compatible with existing shoreline uses and of a scale appropriate to the lake where it is proposed. Density standards will be established through the Zoning Amendment process with consideration for the maximum number of occupants that can be accommodated, rural servicing standards, lot size, lot frontage, lake size, existing lake uses compared to the types of recreational uses and amenities proposed.

B4.4.10 Fractional Ownership

Densities permitted for developments based on fractional ownership shall be based on the nature and built form of the development. Developments in the form of individual cottages shall meet the frontage and density requirements for residential uses. Developments in the form of tourist resorts with communal facilities and commercial services shall be based on the policies for

tourist commercial developments and shall be subject to a zoning amendment to a tourist or shoreline commercial zone.

B4.4.11 Design Objectives in Shoreline Areas

It is anticipated that the shoreline areas will see some degree of change during the life of this Plan as a result of redevelopment and expansion of aging recreational dwellings. Council encourages that the shoreline areas evolve in a manner that is respectful of the existing character or the shoreline areas. On this basis, the following are objectives of this Plan relating to waterfront design:

- to promote development which is based on good design and environmental principles;
- to enhance the unique character of the Township's waterfront areas by encouraging design that is complementary and compatible with existing development;
- to minimize the extent of site alteration necessary to accommodate new development;
- to exercise appropriate municipal development control in order to achieve a consistent site, building and landscape design;
- to be sensitive to the impact of light and sound on the lake environment; and,
- to protect significant natural heritage values and ecological functions.

B4.4.12 Shoreline Servicing

- a) Site and building services and utilities such as wells, sewage treatment systems, waste storage/pumping facilities, air conditioning equipment, propane storage tanks, and hydro equipment and telephone transformers shall be located and/or screened from the lake and adjacent residential dwellings or other sensitive land uses, in order to buffer their visual and operational effects.
- b) Site access, service areas and loading areas shall be located away from the lake so as to minimize disruption or conflicts with adjacent land uses. Sidewalks and other pedestrian routes shall be visually screened as necessary from public views. Screening should be designed to use natural vegetation, landscaping and/or solid fencing. Loading and service areas should be buffered for noise and lighting impacts, particularly when located adjacent to residential areas.

- c) It is recognized that with some commercial land use, there may be a need to accommodate some limited outside storage or staging areas, particularly for uses such as marinas and campgrounds. These storage areas should be organized and designed to reduce their potential negative impacts. Therefore, open processing and storage areas should be located in the rear or side yards and screened from public view, or from views from adjacent properties, using fencing and/or landscaping.

B4.4.13 Shore Road Allowances

Council shall continue to offer lands to be purchased which have historically been identified as shoreline road allowances to the abutting property owners. Council may also establish agreements with prospective purchasers to maintain the natural vegetative state of the shoreline or to require existing buildings and structures located on the shore road to be removed. Where existing buildings are located on the shore road and cannot be removed, an Amendment to the Zoning By-law may be required to address areas of non-compliance with the Implementing Zoning By-law.

B4.4.14 Shoreline Archaeological Resources

Where it has been determined that a shoreline possesses potential for containing archaeological resources Council shall require the submission of an archaeological assessment in accordance with Section D3.2.8 for all development applications. Council shall have regard to the policies of Section D3 where archaeological resources have been identified.

B4.4.15 Zoning

Shoreline uses shall be zoned in separate zone classifications in the Township's Zoning By-law and provisions will be established to regulate issues such as density and setbacks.

B5 CROWN LAND

B5.1 PURPOSE

The purpose of the *Crown Land* designation is to identify lands in the Township which are Crown land and which the Township has no regulatory control over in accordance with the Planning Act. Crown lands are administered by the Ministry of Natural Resources through the Public Lands Act and other applicable legislation.

B5.2 LOCATION

The *Crown Land* designation as shown on the Schedule A to this Plan. Crown land is disbursed throughout the Township.

B5.3 PERMITTED USES

The Township has no authority to regulate land use on Crown Land, but encourages Federal and Provincial governments and agencies to be consistent with the policies of this Plan as it relates to the issuance of tenure, occupational authority and permitted undertakings on Crown Land.

B5.4 DEVELOPMENT POLICIES

Where lands are proposed to be patent in accordance with applicable legislation and regulations, an Official Plan Amendment will not be required but a Zoning By-law Amendment will be required to recognize the use or uses proposed for the patent land. In reviewing a Zoning By-law Amendment, in this context, Council will expect the proponent to conform to other applicable policies in this Plan.

B5.5 IMPLEMENTING ZONING BY-LAW

All lands within the *Crown Land* designation shall be placed in an Open Space Zone in the implementing Zoning By-law.

B6 NATURAL HERITAGE PROTECTION

B6.1 PURPOSE

The purpose of the *Natural Heritage Protection* designation is to:

- a) maintain and enhance the ecological integrity of the natural heritage system;
- b) eliminate the potential for the loss or fragmentation of Provincially significant wetlands and the habitats and ecological functions they provide; and,
- c) provide the tools to properly assess development applications located in close proximity to environmentally sensitive features and areas.

B6.2 LOCATION

The *Natural Heritage Protection* designation is intended to include the following components of the Township's Natural Heritage System:

- a) Significant habitat of endangered or threatened species;
- b) All other wetlands greater than 2 hectares in area as shown on Schedule B to this Plan; and,
- c) Any other area, feature or function that has been determined to be environmentally significant as a result of a planning approval process.

Lands designated Natural Heritage Protection are shown on Schedule A to this Plan. The individual components of the Natural Heritage Protection designation are shown on Schedule B to this Plan but it is noted that there may be other significant natural heritage features in the Township that have not been formally confirmed by the MNR to be shown on Schedule B to this Plan.

B6.3 PERMITTED USES

Permitted uses on lands designated Natural Heritage Protection are limited to conservation and passive recreational uses that do not require development or site alteration. Public works, utilities and infrastructure that by their nature must be located within the floodplain, such as flood and erosion control works are permitted. For the purposes of this section, a golf course or similar land use is not a passive recreational use. Proposals for the development of buildings and structures accessory to permitted uses are required to be accompanied by a supporting Environmental Impact Study which demonstrates that no negative impact on the natural features or their

ecological functions will occur due to the proposed development. Nothing in this Section is intended to limit the ability of existing agricultural uses to continue on lands that are designated Natural Heritage Protection. Similarly, existing forestry and existing woodlot management activities are not intended to be prohibited but are expected to comply with good forest management practices as provided by the Ministry of Natural Resources and the Ontario Forestry Association.

B6.4 GENERAL POLICIES APPLYING TO THE NATURAL HERITAGE PROTECTION DESIGNATION

B6.4.1 Use of Lands in Private Ownership

Where any land within the Natural Heritage Protection system is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public.

B6.4.2 Adjacent Lands

Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- a) 30 metres from any other wetland not evaluated to be a Provincially significant wetland;
- b) 120 metres from significant wildlife habitat or the significant habitat of any endangered or threatened species and where scientific data has determined a different setback the greater distance shall be applied; and,
- c) 120 metres from the boundary of a fish habitat area.

No development or site alteration shall be permitted on these adjacent lands without Council approval of a zoning by-law amendment, site plan, development permit or other appropriate planning approval. To evaluate the ecological function of the adjacent lands and to demonstrate that there will be no negative impacts on the natural heritage feature or its ecological functions Council may require an Environmental Impact Study and/or a subwatershed study and/or a geotechnical study be completed and approved by Council, subject to the comments of the appropriate agencies. The requirements for an Environmental Impact Study are contained in Section B5.8 (Requirements for an Environmental Impact Study) of this Plan.

The scale and the contents of the required studies shall be determined at the time the development is proposed. The setback from the adjacent lands may

be increased or decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed.

B6.5 DESCRIPTION OF COMPONENTS OF THE NATURAL HERITAGE PROTECTION DESIGNATION

The Natural Heritage System represents a network of natural areas including the lands and waters that support the ecological functions critical to the survival of these areas. Below is a description of those components of the natural heritage system that are within the *Natural Heritage Protection* designation.

B6.6 WETLANDS

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. These areas are generally shown on Schedule B. The presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four types of wetlands are swamps, marshes, bogs and fens. Wetlands play a very important role in the natural heritage system, since they:

- a) provide habitat for plants and animals;
- b) store water for groundwater recharge purposes;
- c) trap sediments, nutrients and contaminants thereby improving downstream water quality;
- d) provide corridors for plant and animal movements; and,
- e) provide flood control and protect shorelines from erosion.

There are two categories of wetlands in this Plan, which have been distinguished for planning purposes, these are Provincially Significant Wetlands, and local wetlands.

There are a number of wetlands in the Township that have either not been evaluated by the MNR or do not meet the criteria to be considered Provincially significant. These wetlands are local wetlands and are identified on Schedule B. Any application for development or site alteration in a local wetland shall be subject to a work permit issued by the North Bay-Mattawa Conservation Authority.

B6.7

SIGNIFICANT HABITAT OF ENDANGERED, THREATENED SPECIES

According to data provided by the Ministry of Natural Resources, the following endangered and threatened species have the potential to be found in the Township:

- i) Eastern Hog-Nosed Snake;
- ii) Blandings Turtle;
- iii) Barn Swallow;
- iv) Eastern Meadowlark;
- v) Eastern Whip-poor-will;
- vi) Chimney Swift;
- vii) Bobolink;
- viii) Little Brown Myotis; and,
- ix) Northern Myotis.

The Ontario Ministry of Natural Resources is responsible for approving and defining significant habitat of endangered species and threatened species. The presence of Species at Risk (extirpated, endangered or threatened species) may be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with Ministry of Natural Resources staff. For significant habitat of endangered species and threatened species in the Township, the following policies will apply:

- a) An Environmental Impact Study must be undertaken by the proponent to confirm the presence of any endangered species and threatened species and/or their significant habitat.
- b) Development and site alteration shall not be permitted in the significant habitat area of endangered species and threatened species unless authorized by a permit or agreement under the Endangered Species Act.
- c) Development and site alteration on adjacent lands to the significant habitat of an endangered species or threatened species is not permitted, unless it has been demonstrated through an Environmental Impact Statement as outlined in this Plan that there will be no negative impacts on the natural features or their ecological functions. "Adjacent to" will generally mean within 120 metres of such habitat unless it is determined through the consideration of appropriate information or studies that a greater or lesser distance should be considered for particular species or site.
- d) Development proponents should exercise due diligence to ensure that any activities being contemplated would not contravene the Endangered Species Act, 2007, that came into effect on June 30, 2008.

B6.8 REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT STUDY

Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS shall be prepared in accordance with the requirements of this section.

B6.8.1 Purpose of an EIS

The purpose of an EIS is to:

- a) collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);
- b) assist Council in making an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the Township; and,
- c) evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.
- d) Where the focus of study is adjacent lands as defined by this Plan, the EIS shall evaluate the ecological function of the adjacent lands and demonstrate that there will be no negative impacts on natural features or ecological functions.
- e) Confirm the presence of any endangered species and threatened species and/or significant habitat.

Any EIS required by this Plan must describe the critical natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.

Council and any appropriate agency must approve an EIS before the planning application facilitating the development can be considered for approval by the Township.

B6.8.2 Contents of an EIS

The EIS shall include a description of:

- a) the proposed undertaking;
- b) the natural features, presence of threatened or endangered species and their significant habitat and ecological functions of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to development;
- c) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the *Natural Heritage Protection* designation;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design and how they will be addressed;
- f) any monitoring that may be required to ensure that mitigating measures are achieving the intended goals;
- g) how the proposed use affects the possibility of linking core areas of the natural heritage system by natural corridors that may or may not be identified on the schedules to this Plan; and,
- h) a Management Plan (MP) identifying how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be enhanced where appropriate and describing the net effect of the undertaking after implementation of the MP. The MP shall also establish the limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.

B6.8.3 What an EIS Should Demonstrate

The EIS should demonstrate, where applicable, that the proposed use will:

- a) not discharge any substance that could harm air quality, groundwater, surface water, land and associated plant and animal life;

- b) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
- c) not cause erosion or siltation of watercourses or changes to watercourse morphology;
- d) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- e) not cause an increase in flood potential on or off the site;
- f) maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic and fish habitat;
- g) not significantly affect the scenic qualities of the area;
- h) not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;
- i) enhance and restore endangered terrestrial and aquatic and fish habitat where appropriate and feasible;
- j) not create noise, dust, odour and vibration that will have an adverse impact on the enjoyment of neighbouring properties;
- k) not interfere with the function of existing or potential natural corridors;
- l) not lead to a significant reduction in the forest resource or interior forest habitat in an area; and,
- m) not lead to species loss or negative impacts on endangered, threatened or species of special concern and/or their habitat.

In addition, the EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features identified on Schedule B to this Plan or the ecological functions for which the area is identified. The Township may further require an EIS to demonstrate that no negative impacts resulting from the proposed use will occur to any other significant natural feature identified by the Township or the Province.

B7**ZONING BY-LAW IMPLEMENTATION**

The implementing zoning by-law shall specify that all buildings and structures be set back an appropriate distance from the boundary of a Natural Heritage Protection Zone as required under Section B5.4.2. A reduction in the setbacks will require either an Amendment to the implementing zoning by-law or a minor variance subject to the comments of the appropriate agencies. Matters to be considered in reviewing an application to reduce the setback include:

- a) the nature and stability of the soils;
- b) the nature and stability of the vegetation and cover;
- c) the slope of the land;
- d) the nature of existing and proposed drainage patterns;
- e) the nature of the fish and wildlife that may be present; and,
- f) the scale of the proposed development.

Council shall be satisfied that the proposed development can be accommodated without there being a negative impact on the features and functions of the corridor and in a safe manner.

PART C – GENERAL ENVIRONMENTAL POLICIES

C1 OBJECTIVES

It is the intent of this Plan to:

- a) recognize and protect all significant rivers, streams and other bodies of water and significant natural heritage features in the Township from development and site alteration that may have an impact on the features and their function as an important component of the natural heritage system;
- b) ensure that development does not occur on lands that are unstable or susceptible to flooding;
- c) ensure that development does not occur on hazardous slopes;
- d) protect the quality of water available for drinking water purposes.
- e) encourage the protection of natural heritage features recognized as important for maintaining connectivity and biodiversity on the landscape;
- f) identify what is required to support an application for development in an area that is considered to be environmentally sensitive; and,
- g) identify what information is required to support an application that may have an impact on the hydrogeological resources of the Township.

C2 ENVIRONMENTAL FEATURES NOT INCLUDED IN THE NATURAL HERITAGE PROTECTION DESIGNATION

C2.1 LAKES, RIVERS AND STREAMS

All of the lakes, rivers and streams in the Township as shown on the schedules to this Plan are considered to be environmentally significant since they:

- a) contain fish habitat areas;
- b) function as corridors for migrating wildlife habitat movement and vegetation dispersal;
- c) serve to maintain the quality and quantity of surface and ground water resources; and,
- d) assist in the improvement of air quality.

It is the intent of this Plan to protect all lakes, rivers and streams from incompatible development to minimize the impacts of such development on their function. No development/site alteration is permitted within the flooding hazard limit, as defined by the 100 year flood, or within the Erosion Hazard limit, as defined by a qualified person and sealed/stamped by a professional engineer in accordance with the provincial guidelines outlined in the Ministry of Natural Resources Guide to Understanding Natural Hazards (2001). The top of bank shall be determined by an Engineer and/or Surveyor.

C2.2 FISH HABITAT

New development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it can be demonstrated through an EIS that there will be no negative impacts on the fish habitat features or their ecological function. For the purpose of this section 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. New development and site alteration may be permitted within fish habitat only if it can be demonstrated through an EIS that such development will have no negative impact on the feature and the Department of Fisheries has authorized such development or works in accordance with the Fisheries Act. For the purpose of this section, lands adjacent to Type One fish habitat are defined, as being within 120 metres of a Type One Fish or Unknown Fish Habitat areas.

Generally development shall be setback 30 metres from Coldwater Streams, warm water streams and lake shorelines. Lesser setbacks may be provided in

the Zoning By-law to reflect existing uses or the findings of an EIS prepared in support of a development application.

C2.3 AREAS OF SIGNIFICANT WILDLIFE HABITAT

Significant wildlife habitat areas shown on the Schedule B to this Plan include significant wildlife habitat areas such as moose wintering areas, deer wintering areas, staging areas, aquatic spawning areas, nesting sites and the habitat of species of special concern. As new information becomes available other wildlife habitat areas may become known and added to Schedule B. This new information will be considered at the time a development application is submitted and/or when the Official Plan is reviewed.

New development and site alteration may be permitted within areas of significant wildlife habitat or the adjacent lands if it can be demonstrated through an EIS that such development will have no negative impact on the feature or the ecological function. For the purposes of this plan, it is anticipated that development applications will require an EIS if proposed within 120 metres of a significant wildlife habitat.

C2.4 DEER HABITAT

The Ministry of Natural Resources has identified large portions of the Township as significant deer habitat area. The Township recognizes the importance of protecting deer wintering habitat which is shown on Schedule B of this Plan, and is composed of both Stratum 1 and Stratum 2 habitat.

- a) Stratum 1 is the core of the deer's wintering habitat. It is primarily composed of coniferous trees (pine, hemlock, cedar, spruce) with a canopy cover of more than 60%, which limits snow depth. Deer use this area when mobility is most restricted by snow deeper than 46 centimetres.

Development and site alteration in Stratum 1 habitat shall not be permitted unless it has been demonstrated through the preparation of an EIS that there will have no negative impacts on the natural features or the ecological function. Site Plan Control may be used to ensure that the recommendations of the E.I.S. are implemented.

- b) Stratum 2 forms the entire deer wintering habitat and is the area occupied by deer in early winter or occasionally all winter during mild winters. A mild winter occurs when the snow cover in the area is light, and less than 30 centimetres in depth.

Development and site alteration in Stratum 2 habitat must conserve conifer stands, feeding areas and movement corridors and may be

subject to the preparation of an EIS and Site Plan Control to identify the compatibility of the proposal and mitigation measures.

Protecting Stratum 1 and Stratum 2 deer wintering habitat is important because finding suitable wintering habitat is a primary limiting factor for northern deer populations.

- c) Access roads and driveways in winter deer habitat should avoid areas of thermal cover and deciduous browse within 30-50 metres of the conifer thermal cover.
- d) New lots in deer wintering habitat must have a minimum lot frontage of 90 metres and minimum depth of 90 metres. Where new lot creation is proposed in areas where there is a narrow conifer fringe on the shoreline that provides critical deer habitat, the minimum frontage shall be 120 metres and minimum depth 90 metres. Lesser lot sizes may be considered pending an EIS prepared by a qualified specialist indicating that winter deer habitat does not exist.

C2.5 OTHER AREAS IDENTIFIED THROUGH A PLANNING PROCESS

It is anticipated that there will be areas of land where a detailed planning approval process or Provincially initiated study has identified an environmental or topographical feature that should be protected from development. These areas may have been identified at the time of the review of a development application or may have been identified as being sensitive as part of a Township initiated study. New environmental features which are identified will be added to Schedule B in one of two ways: by an Official Plan Amendment for that purpose or at the time of the Official Plan review; whichever is most expeditious.

C3

WATER RESOURCE MANAGEMENT

At the present time, all areas of the Township obtain drinking water from private wells or existing surface water intakes. It is a policy of this Plan to protect existing sources of drinking water for future use.

On this basis, all development applications for Plan of Subdivision or Condominium Description, relating to new commercial, industrial, institutional and any use permitted in Section B5.3, shall be supported by a Water Resource Management (WRM) report.

The WRM Report shall be prepared by a hydrogeological professional to the satisfaction of the Township and the appropriate agencies. The purpose of the WRM Report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:

- a) how to maintain or enhance the natural hydrological characteristics of the water resource;
- b) how to minimize or eliminate the effect of the proposed use on the groundwater recharge function;
- c) how to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
- d) how to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
- e) whether it is required to monitor water budgets for groundwater aquifers and surface water features; and,
- f) how to ensure that the quality of the watercourses affected by the development are maintained.

C4 STORMWATER MANAGEMENT

All commercial, industrial, institutional and residential development (five lots or more) proposals shall be supported by a Stormwater Management (SWM) report. The content and depth of the SWM report shall be determined when the development is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of Council and the appropriate agencies and be prepared in accordance with The Stormwater Management Practices Planning and Design Manual (1994) or its successor and shall:

- a) provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year Timmins storm event;
- b) document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
- c) provide recommendations on how to maintain pre-development water quality and improve run-off where appropriate;
- d) document the means by which stormwater volume control will be provided; and,
- e) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.

Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the local Council may be required as a condition of approval, to provide for their continued maintenance.

C4.1 IMPLEMENTING ZONING BY-LAW

All stormwater management facilities in a Plan of Subdivision shall be placed in the Natural Heritage Protection Zone in the implementing zoning by-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized.

C5 HAZARD LAND POLICIES

C5.1 STEEP SLOPES AND RAVINES

The following policies shall apply to development proposed in association with steep slopes and ravines.

- a) Development will not be permitted on slopes that are subject to active erosion or historic slope failure.
- b) Development shall be sufficiently setback from the top of bank of slopes greater than 1 in 3. The development setback distance may be determined in consultation with an engineer and/or surveyor subject to the following criteria:
 - i) soil type and groundwater patterns;
 - ii) vegetation type and cover;
 - iii) severity of slope; and,
 - iv) nature of development.
- c) In some instances, where a sufficient development setback cannot be achieved, the proponent will be required to provide a slope stability analysis as a prerequisite to any development. The analysis shall be prepared by a qualified professional to the satisfaction of Council.

C5.2 NATURAL HAZARDS

C5.2.1 The regulatory flood elevation which defines the boundary of the floodplain for Lake Bernard is 330.21 metres CGD. Outside of the floodplain, new buildings should be flood-proofed by requiring minimum opening elevations of 330.71 m CDG.

C5.2.2 Development will generally be directed to areas outside of hazardous land adjacent to the floodline elevations for inland lakes specified in Section C5.2.1 as well as river and stream systems which are impacted by flooding and/or erosion hazards, and hazardous sites. Hazardous sites may consist of steep slopes, unstable soils, organic soils, and unstable bedrock. Where development is proposed within or partly within these features, the development proponent shall submit a technical study prepared by a qualified professional to the satisfaction of the Township and the North Bay-Mattawa Conservation Authority, which demonstrates the following:

- a) the hazard can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;

- b) new hazards are not created and existing hazards are not aggravated;
- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and,
- e) the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

Recommendations made in the technical report(s) will be implemented through the planning process. Where the technical report indicates that development within a particular hazard is not feasible, the development shall not proceed.

C5.2.3 Development and site alteration within a floodplain is prohibited, except for that development and site alteration which, by its very nature, must be located within a floodplain. A floodplain consists of those areas, usually low lands adjoining watercourses, which have been or may be subject to flooding hazards.

Where development and site alteration is proposed in the vicinity of flooding hazards, a detailed engineering study will first confirm the actual extent of the flooding hazard. Development and site alteration will only proceed if it has been demonstrated to the satisfaction of the Township and the North Bay-Mattawa Conservation Authority that it can occur safely on the subject lands outside of the flooding hazard, and not upon lands which are high points surrounding by the flooding hazard. Lands impacted by flooding hazards will be zoned appropriately to prohibit development and site alteration, except for that development and site alteration which must, by its very nature, be located within a floodplain.

C5.2.4 Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources. Proponents may be required to undertake a site assessment to determine the presence of hazardous forest types for wildland fire, as may be indicated by generalized wildland fire hazard information. If development is proceeding where hazardous forest types are present, mitigation measures should be identified by proponents to outline how the risk will be lessened.

C5.3 HAZARDOUS SUBSTANCES

Uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on hazardous lands or hazardous sites or in the *Shoreline* or *Natural Heritage Protection* designations.

C6

WASTE DISPOSAL AREAS

There are two open waste disposal sites in the Township as shown on Schedule A to this Plan. It is a policy of this Plan to ensure the residents of Strong Township are provided with a safe and cost efficient waste management program. In the event a new landfill site is proposed in a new location, an amendment to this Plan will be required unless the site is located on Crown land.

The development of new uses or new or enlarged buildings or structures within an assessment area of approximately 500 metres from the boundary of a fill area of an open or closed landfill site, may be permitted provided an assessment is completed to determine:

- a) the impact of any potential methane gas migration;
- b) whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the waste disposal site;
- c) regard for the Ministry of the Environment D-4 Guidelines (Land Use On or Near Landfills and Dumps);
- d) whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the waste disposal site; and,
- e) the impact of the proposed use on leachate migration from the landfill site.

The studies required to support a development application within the assessment area shall be prepared by a qualified professional and may be scoped based on the type and/or scale of the development proposed.

All lands within the assessment area shall be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding provision permitting the development of any new use or primary buildings or structures within the assessment area shall not occur until Council is satisfied that all of the studies required have been satisfactorily completed. It is not the intent of this policy to require assessment for minor additions or renovations to existing uses.

In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies dealing with the matters set out above shall be submitted for Council's consideration.

Any development on a closed landfill site will require the permission of the Minister of the Environment.

C7**LAND USE COMPATIBILITY**

It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries in addition to uses adjacent to waste disposal sites or sewage treatment facilities. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other.

Where development is proposed within 100 m of Highway 11, Council may require the proponent to submit a study identifying the impacts of noise and vibration and the required measures to mitigate the impacts of the transportation facility on sensitive land uses in accordance with MOE Guideline NPC-300 or its successors.

CONTAMINATED SITES

If the site of a proposed use is known or suspected to be contaminated, Council shall require the proponent to prepare a study prepared in accordance with the Ministry of Environment guidelines which determines the nature and extent of the contamination and the identification of a remedial plan if required. Where the need for remediation is identified, the site shall be restored and a Record of Site Condition be obtained before development approvals are granted. A Record of Site Condition shall be required where a change in use is proposed in accordance with Section 168.3.1 of Part XV.1 of the Environmental Protection Act and Part IV of Ontario Regulation 153/04.

Council may also place a Holding symbol on such lands until it is acceptably cleaned up and decommissioned in accordance with Ontario Regulation 153/04 of the *Environmental Protection Act*.

The final approval of development applications on contaminated sites shall be conditional on the verification of registration of the Record of Site Condition on the Province's Brownfield Site Registry. The Record of Site Condition shall specify that the site is cleaned up to the standard required for the proposed use. Before a Record of Site Condition can be filed, a qualified professional must assess the property and confirm that any concentration of contaminants meets the soil, sediment and groundwater standards applicable to the proposed use.

PART D – GENERAL DEVELOPMENT POLICIES

D1 WATER AND SEWER SERVICING STRATEGY

D1.1 OBJECTIVES

It is the intent of this Plan to:

- a) ensure that public health and the natural environment are protected;
- b) ensure that new development is carried out in a manner which respects the environmental policies of this Official Plan;
- c) identify the preferred means of servicing in the Township;
- d) ensure that appropriate servicing options are considered when major new development is proposed; and,
- e) ensure that appropriate agreements are in place before development on private communal services occurs.

D1.2 PREFERRED MEANS OF SERVICING

Given that no municipal sewer and water servicing capacity is available in the Township, the preferred means of servicing lands in the Township is private, individual, on-site water and sewage systems on each conveyable lot. Private communal water and septage services may be considered by Council subject to Section D.1.3.

Partial services in the form of municipal sewage treatment from the Village of Sundridge will only be considered if necessary to address failed individual on-site sewage services in existing development within the Rural Residential designation to the east and west of the Village of Sundridge and shall be contingent upon available servicing capacity.

D1.3 COMMUNAL SERVICES

Communal water and sewage systems shall not be permitted unless Council approves an Official Plan amendment to permit such a system. Communal Services may be utilized in conjunction with a development proposal only if the installation of such a system is demonstrated to be a more feasible servicing option over individual on-site sewage and water services. In addressing the issue of feasibility it shall also be demonstrated that the communal system can be sustained by local water resources and site

conditions and will provide better long-term protection to human health and the natural environment.

The proponent of a private communal servicing system will be required to enter into a Responsibility Agreement with Council before development occurs. Such an agreement is a legal agreement between the proponent and a Township that stipulates the conditions under which the communal services will be constructed, operated and maintained, as well as the actions to be undertaken by Council in the event of default. The agreement shall also specify the amount of up-front funds required for any remedial measures that may be necessary in the event of default. This policy is not intended to bind a Township to enter into a Responsibility Agreement.

D1.4 SETBACKS FROM SEWAGE LAGOON

The Village of Sundridge sewage lagoon is located in the Township of Strong. No development shall be permitted within 300 metres of the lagoon unless a study has been completed in accordance with Ministry of Environment Guidelines that supports a lesser setback. The Village of Sundridge shall be consulted where such development is proposed.

D2 TRANSPORTATION

D2.1 OBJECTIVES

It is the intent of this Plan to:

- a) facilitate the safe movement of both people and goods to and from the various communities within the Township;
- b) ensure that new development does not create a traffic hazard;
- c) reduce the financial burden of road maintenance upon the general taxpayer by ensuring heavy users of local roadways share in maintenance costs;
- d) ensure appropriate right-of-way widths for all existing and proposed roads; and,
- e) restrict development on non-winter maintained roads, private roads and individual rights-of-way.

D2.2 TYPES OF ROADS

D2.2.1 Provincial Highways

Council will encourage the continued upgrading of Highways 11 and 124 through the Municipality. Development adjacent to these roads should not reduce the effectiveness of these routes by reducing existing speed limits or creating traffic hazards. Properties must qualify for an entrance and sign permits, building and land use permits, and meet the minimum geometric and safety requirements of the Ministry of Transportation for access prior to any site development. In addition noise feasibility completed in accordance with MOE Guideline NPC-300 OR ITS SUCCESSORS may also be required.

New entrances to Highway 11 will not be permitted. New entrances to Highway 124 where an alternative access to a side road is available will not be permitted. New entrances will only be permitted where no alternative access exists and where safety and operational criteria can be met to the satisfaction of the Ministry of Transportation.

In addition to all the applicable municipal requirements, all proposed development located adjacent to and in vicinity of a provincial highway within the Ministry of Transportation's permit control area under the Public Transportation and Highway Improvement Act will also be subject to Ministry of Transportation approval. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning.

Any outdoor storage and loading areas associated with commercial and industrial uses that back onto provincial highways are to be visually screened or appropriately located so as to not be visible to the traveling public.

Where a draft plan of subdivision or condominium is proposed adjacent to a provincial highway, the layout of the subdivision should be designed so that the lots back onto the provincial highway and front onto an internal local road.

The right of way width for a provincial highway will be determined by the Ministry of Transportation.

D2.2.2 Local Roads

Local roads are those roads that are assumed and maintained for public use by the Township of Strong and are identified on Schedule C to this Plan. Access to and usage of these roads is subject to the jurisdiction of the Township.

D2.2.3 Private Roads

Private roads are access routes located on private property and maintained by private individuals, Corporations or Associations. Such roads generally provide access to more than one property. It is the policy of this Plan to prohibit the extension or establishment of new private roads or individual rights-of way for the purpose of facilitating new lot creation, with the exception of an extension required to provide legal access to an existing land-locked parcel which is inaccessible by water.

D2.2.4 Roads on Crown Land

There are a number of access roads or forest roads over Crown land in the Township. The Township supports the public use of these roads for recreation and resource-related uses, however the Township will not expend financial resources to maintain, upgrade or assume such roads. Improvements or capital works proposed for such roads must be authorized by the Ministry of Natural Resources. Where Planning Act approvals are sought for lands that require access over Crown land, such approvals will be contingent on the proponent obtaining support or a clearance from the Ministry of Natural Resources for the use of Crown land for access.

D2.2.5 Unopened Municipal Road Allowances

There are a number of unopened municipal road allowances located throughout the Township. The Township does not intend to improve these road allowances for public use, but where the improvement of an unopened road allowance would yield a substantial public benefit, Council will consider the provision of long-term maintenance provided the cost to upgrade the

unopened road allowance is borne by landowners who would directly benefit from the improvement.

Council intends to retain all unopened road allowance, but may consider the closing and conveyance of an unopened road allowance only in accordance with Section D2.3.4.

D2.2.6 Closing and Conveyance of Road Allowances

Unopened road allowances will be retained by the Township and may be used to accommodate future transportation needs, if warranted.

Notwithstanding, Council may pass by-laws to close any portion of an opened or unopened road allowance in accordance with the Municipal Act, and in doing so, the Township may convey ownership of some or all of the lands.

Prior to considering the closure and conveyance of any road allowance, Council will consider the following criteria:

- i) If the road allowance to be closed provides an existing or potential public access to a lake or river by leading to the water's edge, Council will not offer the lands for sale; and,
- ii) If the road allowance is used by a formalized recreational trail organization, as indicated on the Schedules or Appendices to this Plan, it must be demonstrated that the closure will not be detrimental to the greater trail network.

Where the Township is requested to close and convey any portion of a road allowance, Council may, as a condition of such conveyance, require any of the following:

- i) The exchange of other property to provide appropriate land or water access;
- ii) Notification of such closure and conveyance in accordance with a By-law passed in accordance with the Municipal Act;
- iii) The subject lands be rezoned;
- iv) The removal or structural repair of buildings or structures; or
- v) The prospective owner of such lands to assume responsibility for all costs associated with the closure including the preparation of a survey and all legal documents necessary to effect the land transfer.

D2.3 ROAD POLICIES

D2.3.1 Right-of-Way Widths

The minimum right-of-way width for all municipal roads shall generally be 20 metres. Every effort will be made to secure this right-of-way width as a condition of Planning Act approvals. In addition, where road deviations are known to exist, Council will secure such deviations through Planning Act approvals.

D2.3.2 Transportation Impact Studies

Transportation impact studies may be required by Council to support a development application. The intent of such a study is to ensure that the proposed development can be designed and sited to ensure that the impacts of the development on the adjacent road network are addressed.

D2.3.3 Conditions Under Which Development is Permitted on Private Roads

All existing lots that front on a private road shall be placed in a Limited Service Residential (LSR) Zone in the implementing zoning by-law. These lots shall also be subject to Site Plan Control. Council may restrict new development on a vacant lot until an Agreement is entered into between the landowner and the local Township to address the road access issue.

It is not the intent of this policy to control the siting of building or structures on the lot, unless it is deemed by Council that issues relating to buffering, building placement and/or drainage should be dealt with in the context of a Site Plan Agreement.

Prior to considering a Site Plan Agreement, Council shall be satisfied that:

- a) The use of the lot is permitted by the implementing zoning by-law;
- b) The lot and all buildings and structures on the lot comply with the implementing zoning by-law; and,
- c) The sewage disposal system is operating in accordance with current standards and that the use is serviced by an appropriate water supply on the same lot.

The Site Plan Agreement shall contain wording that indicates that:

- i) the owner acknowledges and agrees that the lot in question does not front on an improved public road;

- ii) the owner acknowledges and agrees that the Township does not or is not required to maintain or snowplow the said road or street;
- iii) the owner acknowledges and agrees that the Township will not take over or assume a private road or street as a Township public road or street unless it has been built according to an appropriate road standard; and,
- iv) the owner acknowledges and agrees that the Township is not liable for any injuries, losses or damages as a consequence of the Township issuing a building permit.

D2.3.4 Restricted Use of Roadways

Council may pass by-laws under the Municipal Act to regulate the use of Township roads in order to prevent roads from being damaged or to prevent conflicts between users. Where a development may result in significant road impacts or issues with compatibility Council may require the users to enter into an agreement with respect to the use of the road and responsibility for damage to the road and road safety.

D2.4 RAILWAYS

Where the development of a sensitive land use is proposed within 500 metres of a principal main line, 250 metres of a secondary main line or 100 metres of any other line, a detailed noise assessment may be required to be undertaken and submitted in support of the application to determine what mitigation may be required to meet Provincial noise guidelines.

Where a sensitive land use is proposed within 100 metres of a principal main line or 50 metres of a secondary main line, a noise feasibility study will be required to determine if the development should proceed and what mitigation is required.

D3 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES

D3.1 OBJECTIVES

It is the intent of this Plan to:

- a) recognize that the maintenance of the Township's heritage resources will contribute to the preservation of the Township's character;
- b) ensure that the nature and location of heritage and archaeological resources as well as the adjacent lands to these features are known and considered before land use decisions are made;
- c) prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources, including significant built heritage resources or significant cultural heritage landscapes and encourage development which is adjacent to significant cultural heritage resources to be of an appropriate scale and character; and,
- d) consult and seek the advice of a Heritage Committee or other established heritage organizations when making decisions regarding the conservation of cultural heritage resources in the Township.

D3.2 POLICIES

D3.2.1 Public Works

Public authorities have the ability to make decisions affecting the public realm that can have a positive impact on cultural heritage resources. On this basis, the carrying out of any public work by any Public Authority shall ensure the retention and protection of identified cultural heritage resources in accordance with the goals and objectives of this Plan.

D3.2.2 Heritage Impact Assessment

Council will require a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect a protected heritage property/cultural heritage resource.

D3.2.3 Retention/Relocation of Heritage Buildings

The Township shall encourage the retention of buildings of cultural heritage value in their original locations whenever possible. All options for on-site retention shall be considered before approval is given for relocation to another site. These options include: integration within new development areas, adaptive re-use of the building in its original location (e.g. use as a community centre within a residential subdivision), and relocation of the building on the development site.

D3.2.4 Demolition of Built Heritage Resources

Pursuant to the Ontario Heritage Act, Council may also refuse to permit the demolition of heritage buildings or structures that have been designated under the *Ontario Heritage Act*.

Council shall ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alteration and that such documentation shall be the responsibility of the applicant in consultation with the Ministry of Culture. Council shall ensure that significant records and documentation will be located in an appropriate repository.

D3.2.5 Archaeological Assessments

Council recognizes that there may be archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas throughout the Township. Archaeological sites and resources contained within these areas can be adversely affected by any future development.

Council shall therefore require archaeological assessments and the preservation or excavation of significant archaeological resources in accordance with Provincial regulations set out by the Ministry of Culture, as well as licensing regulations referenced under the Heritage Act. The need for impact assessments will be determined in conjunction with development applications through the use of provincial screening criteria, qualified mapping or the inventories referenced earlier in the Section. Areas of archaeological potential can be found in areas close to water, current or ancient shorelines, rolling topography, unusual landforms or areas of known historic settlement.

Archeological assessments completed in conjunction with a development application will be referred to the Ministry of Culture for review and approval.

Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services when an identified historic human cemetery, marked or unmarked human burial is affected by land use

development. In these cases, the provision of the Heritage Act and Funeral, Burial and Cremation Services Act shall apply.

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

Council may also maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34(1) 3.3 of the *Planning Act* to prohibit any land use activities or the erection of buildings or structures on land which is a site of significant archaeological resources.

D3.2.6 Compliance for Reports

Archaeological assessment reports prepared by licensed consultant archaeologists are to be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists as amended from time to time, as set out by the Ministry of Tourism, Culture and Sport, as well as the terms and conditions of an archaeological license under the *Ontario Heritage Act*.

D3.2.7 Alterations to Sites

Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.

D3.2.8 Marine Archaeology

Council recognizes that, within the boundaries of the Township, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artifacts from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value. The remains may currently be under water or were, at one time, under water but are no longer submerged.

Council shall, prior to approving a development proposal, require a marine archaeological assessment to be conducted by a licensed marine archaeologist, pursuant to the *Ontario Heritage Act*. Any marine archaeological resource that is identified must be reported to the Ministry of Tourism, Culture and Sport immediately.

D4 SUBDIVISION OF LAND

This section is intended to contain policies that are to be considered with every application to subdivide land in the Township. Regard shall also be had to the specific policies dealing with lot creation in each land use designation.

D4.1 PREFERRED MEANS OF LAND DIVISION

Land division by Plan of Subdivision, rather than by consent, shall generally be deemed necessary if:

- a) the extension of an existing public road or the development of a new public road is required to access the proposed lots; or,
- b) the area that is proposed to be developed is not considered to be infilling or minor rounding out of a built-up area; or,
- c) a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,
- d) more than three new lots are being created.

D4.2 NEW LOTS BY CONSENT

D4.2.1 General Criteria

Prior to considering an application to create a new lot for any purpose, Council shall be satisfied that the proposed lot:

- a) fronts on and will be directly accessed by a public road that is maintained on a year-round basis;
- b) Notwithstanding (a), a lot may be created on a private road as shown on Schedule C with a registered right-of-way extending 500 metres or less from an assumed municipal road;
- c) will not cause a traffic hazard as a result of its location on a curve or a hill;
- d) can be serviced with an appropriate water supply and means of sewage disposal, including septage disposal and the treatment capacity of disposal capacity for hauled sewage from private individual on-site sewage services;
- e) will not have a negative impact on the drainage patterns in the area;
- f) will not affect the developability of the remainder of the lands, if they are designated for development by this Plan;

- g) will not have a negative impact on the features or their ecological functions of any environmentally sensitive feature in the area or as identified in Schedule B;
- h) will be compatible with surrounding land use and natural features as outlined in the MOE D-Series Guidelines; and,
- i) considers proximity to natural and manmade hazards.

D4.2.2 Boundary Adjustments

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.

D4.2.3 Lots for Utilities

The creation of new lots for public utilities, communication utilities and water and sewer infrastructure may be permitted, provided:

- a) the area of the proposed lot is minimized and reflects what is required for the use; and,
- b) the implementing Zoning By-law, as a condition of Provisional Consent, only permits uses that are related to the utility on the lot.

D4.3 SUBDIVISION/CONDOMINIUM DEVELOPMENT POLICIES

This section is intended to contain general Plan of Subdivision/Plan of Condominium policies that are to be considered with every application for Plan of Subdivision/Plan of Condominium. For the purposes of this Plan a unit in a vacant land condominium shall be considered a 'lot'. Regard should also be had to the specific policies dealing with lot creation in each land use designation.

Prior to the consideration of an application for Plan of Subdivision/Plan of Condominium, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) the lands will be appropriately serviced with water, roads and other infrastructure, schools, parkland and open space, community facilities and other amenities;

- c) there is sufficient reserve sewage system capacity, including treatment capacity of disposal capacity for hauled sewage from private communal systems and individual on-site sewage services;
- d) the density of the development is appropriate for the area;
- e) the subdivision/condominium, when developed, will be integrated with other development in the area;
- f) the subdivision/condominium conforms with the Natural Heritage Protection and management policies of this Plan;
- g) the proposal conforms to Section 51 (24) of the Planning Act, as amended; and,
- h) where new waterfront development is proposed by Plan of Subdivision or Condominium, the lands must be designated Shoreline.

Prior to the registration of any Plan of Subdivision or Condominium , a Subdivision Agreement between the landowner and the Township will be required.

D4.3.1 Affordability

It is a policy of this Plan to ensure existing and new residents have access to diverse and affordable housing choices. However, given that all future development will be privately serviced, it is acknowledged that there are limitations to providing a diversity of housing types in the interest of achieving Provincial affordability requirements. This Plan provides for accessory apartments and garden suites, which will contribute towards affordability objectives. In addition, enabling the development of semi-detached and duplex buildings with accessory apartments will ensure that affordable forms of housing are available in the Township

D4.3.2 Energy Efficiency and Air Quality

Council encourages subdivision design that promotes or derives energy efficiency and improved air quality through land use and development patterns which maximize the use of alternative or renewable energy, such as solar and wind energy as well as the mitigating effects of vegetation.

D4.4 PUBLIC PARKLAND

D4.4.1 Objectives

It is the objective of this Plan to:

- a) establish and maintain a system of public open space and parkland areas that meets the needs of present and future residents;
- b) enhance existing parkland areas wherever possible to respond to changing public needs and preferences;
- c) ensure that appropriate amounts and types of parkland are acquired by the Township through the development process;
- d) encourage the dedication and donation of environmentally sensitive lands into public ownership to ensure their continued protection; and,
- e) manage the public open space and parkland areas in a manner that is consistent with the environmental objectives of this Official Plan.

D4.5 GENERAL POLICIES APPLYING TO ALL PUBLIC PARKLAND

D4.5.1 Dedication of Land through the Development Process

Council will require the dedication of five percent (5%) of the land within a residential Plan of Subdivision or consent to be dedicated to the Township as parkland. Two percent (2%) of the land within a non-residential development shall be dedicated as parkland. In lieu of the above requirements, Council may require cash-in-lieu of parkland instead, as deemed appropriate. In the establishment of a Parkland Dedication By-law, Council may determine value on the basis of either the value of raw land on the day prior to draft approval (Provisional Consent) or on the basis of the value of the new lot(s) prior to issuance of a Building Permit.

All lands dedicated shall be conveyed in a physical condition satisfactory to the Township.

Lands within the *Natural Heritage Protection* designation and/or which have been identified as hazard lands shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

D4.5.2 Use of Monies Received Through the Cash-in-Lieu Process

All monies received under the provisions of Section D4.5.1 should be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities in accordance with the Planning Act. This policy shall not prevent Council from acquiring a residential lot in a

subdivision which will not be used as parkland but will be held as an asset of the Corporation.

D4.5.3 Parkland Dedication By-law

Council may enact a Parkland Dedication By-law that establishes:

- a) the lands to which the by-law is applicable;
- b) the rate of parkland dedication in accordance with Section D4.5.1 of this Plan;
- c) the development applications which are subject to parkland dedication requirements;
- d) land uses which are exempt from parkland dedication requirements; and,
- e) in the case of cash-in-lieu, whether the value of parkland will be determined on the basis of raw land prior to approvals or on the basis of value of the individual lot(s) prior to issuance of a building permit.

D4.6 PARKLAND DEVELOPMENT POLICIES

D4.6.1 Parkland Siting and Design

All public parkland shall:

- a) be as accessible as possible and be open to view on as many sides as possible for safety purposes;
- b) have direct and safe pedestrian access;
- c) incorporate natural heritage features wherever possible into the design of the parkland;
- d) be connected, wherever possible, to trail systems, cycling routes and natural heritage corridors.

D5**TECHNICAL STUDIES AND PEER REVIEWS**

Where a policy in this Plan requires the submission of technical studies, such studies must be prepared at the applicant's expense by a qualified professional. When technical studies are submitted with a development application, Council may authorize a qualified professional to peer review such studies and provide advice to Council at the applicant's expense.

D6**MINIMUM DISTANCE SEPARATION**

All farm and non-farm development will comply with the Minimum Distance Separation formulae, established by the Province and as amended from time to time, in order to protect existing agricultural operations and to minimize odour conflicts between livestock facilities and development.

MDS will not be applied to existing vacant lots as of the date of approval of this Plan.

PART E – PLAN IMPLEMENTATION AND ADMINISTRATION

E1 PLAN IMPLEMENTATION

E1.1 ZONING BY-LAWS

The Township's zoning by-law will be updated within three years of the approval of the Official Plan as required by Section 26(9) of the Planning Act.

E1.2 TEMPORARY USE BY-LAWS

The Township may pass temporary use by-laws permitting:

- temporary housing;
- temporary accommodation facilities;
- temporary tourist uses and facilities;
- garden suites;
- parking lots for a specific one-time event; and,
- industrial uses related to the resource and agricultural base of the area and other similar uses.

These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. A garden suite may be permitted on a property for up to 20 years. Subsequent by-laws granting extensions of up to three years may be passed. However, once the by-law has lapsed, the use must cease.

Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
- c) The proposed use shall not require the extension or expansion of existing municipal services;

- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- e) Parking facilities required by the proposed use shall be provided entirely on-site;
- f) The proposed use shall generally be beneficial to the neighbourhood or the community as a whole; and,
- g) The owner has entered into an agreement with the Township and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

E1.3 HOLDING PROVISIONS

In accordance with the Planning Act, Council may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions of the Township have been met. These conditions may be set out in the policies applying to the land use designations in this Plan or may be specified within the language of a zoning by-law amendment. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of development or redevelopment occurs;
- b) development does not proceed until services and utilities are available to service the development; and/or,
- c) agreements respecting the proposed land use or development are entered into.

E1.4 SITE PLAN CONTROL

All areas of the Township are designated as proposed Site Plan Control areas under the provisions of the Planning Act. All uses may fall under Site Plan Control. All lands within designations that permit single detached dwellings are also designated as proposed Site Plan Control areas in accordance with Section 41(5) of the Planning Act.

The following items may be regulated under a site plan agreement:

- a) the massing and conceptual design of proposed buildings;
- b) the relationship of proposed buildings to adjacent buildings, streets, and public areas;

- c) the provision of interior walkways, stairs, elevators, and escalators accessible to the public from streets, open spaces and interior walkways in adjacent buildings;
- d) exterior design including character, scale, appearance, and design features of buildings and their sustainable design;
- e) Sustainable design elements on any adjoining highway including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
- f) Facilities designed to have regard for accessibility for persons with disabilities.

In addition, major projects related to the production or transmission of energy may also fall under Site Plan Control.

E1.5 COMMUNITY IMPROVEMENT

These policies are intended to provide a basis and mechanism for Council to utilize the provisions of Section 28 of the Planning Act to encourage the planning or replanning, design or redesign, resubdivision, clearance, development, or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or of any them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary for specific areas of the Township. It may also include the provision of affordable housing.

Council may undertake Community Improvement Plans (CIP) in order to implement the policies of this Plan as municipal finances and other sources of funding permit. Wherever possible Council will seek funding from senior government sources and other partnerships to assist in community improvement programs after clarifying what components of improvement plans will be eligible for Community Improvement grants and loans as prescribed by Section 28(7) and Section 32 of the *Planning Act*.

E1.5.1 Community Improvement Areas

The entire Township of Strong, as identified in this Official Plan, is designated as a community improvement project area. Specifically, areas that provide gateways to the Township and have the potential to attract recreation and tourism investment will provide the basis for future community improvement initiatives.

E1.5.2 Community Improvement Projects

Community Improvement projects and programs shall include, but not be limited to:

- a) The development of seniors housing or forms of affordable housing.
- b) The development of a recreational trail and public uses at or near waterfront areas;
- c) The preservation, rehabilitation, renewal and reuse of heritage resources;
- d) Improvements to road surfaces to enable safe and comfortable travel by pedestrians, bicycles and vehicles;
- e) Projects designed to foster accessibility and active transportation in the community;
- f) Tree planting, remediation and naturalization programs; and,
- g) The construction and improvement of buildings and structures that promote energy efficiency.

E1.5.3 Community Improvement Incentives

In order to encourage improvements to private and public lands, Council may offer the following incentives to private landowners:

- a) reduction or elimination of planning or building application fees;
- b) reduction of property taxes for a time period that reflects the land owner's contribution to public infrastructure or parkland;
- c) providing specific grants to property owners to improve the appearance of private land and buildings; and,
- d) other incentives that are permitted by legislation and outlined by Council.

Specific incentives will be approved by a Community Improvement Plan adopted by Council.

E2 NON-CONFORMING USES

E2.1 INTENT OF OFFICIAL PLAN

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the implementing zoning by-law. In some instances, where issues of compatibility are not created, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the implementing zoning by-law. In such instances, Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the Township for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to a more appropriate location.

E2.2 ROLE OF THE IMPLEMENTING ZONING BY-LAW

Existing uses which do not conform with the policies of this Official Plan may be zoned in the implementing zoning by-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;
- c) the uses do not interfere with the appropriate development of the surrounding lands; and,
- d) when the use is discontinued, re-zoning may only take place in accordance with the policies and intent of this Plan.

E3**NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS**

A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing zoning by-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the implementing zoning by-law;
- c) does not increase the amount of floor area in a required yard or setback area; and,
- d) will not pose a threat to public health or safety.

A non-complying lot in existence prior to the effective date of the implementing zoning by-law that does not meet the lot area and/or lot frontage requirements contained within the implementing zoning by-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the implementing zoning by-law, and the buildings or structures comply with all of the other provisions of the implementing zoning by-law.

In addition, as noted in Section D4.2 (New Lots by Consent), new lots that are created as a result of the merging of two or more lots in an existing Plan of Subdivision or lots that are made larger as a result of a lot addition shall be deemed to comply with the frontage and area requirements of the implementing zoning by-law.

PRE-CONSULTATION AND COMPLETE APPLICATIONS

In order to ensure that all the relevant and required supporting information pertaining to a planning application is provided at the time of submission, Council may, by By-law, require a proponent to attend a pre-consultation meeting with staff prior to the submission of a planning application. Council may also establish a fee under Section 69 of the Planning Act to be paid by an individual requesting a pre-consultation meeting.

The purpose of pre-consultation is to ensure a prospective applicant is provided with a basic understanding of the local planning policy and regulation that may be applicable to a planning approval. Prior to attending any pre-consultation application, Council places a responsibility on the proponent to have reviewed applicable Provincial policy, regulation and legislation that may impact a planning application. Council also requires a proponent to attend a pre-consultation with clear and concise information, concept sketches, mapping and/or reference plans to assist in effectively communicating a proposal. The intent of pre-consultation discussions is not to provide an approval, nor certainty of approval.

Subsequent to a pre-consultation meeting, the Township will determine what supporting information (i.e. reports and studies) is required as part of the complete application submission and inform the proponent of these requirements. Where the proponent requires pre-consultation comments to be provided in writing, such communication shall be circulated to Council as information and become part of the public record.

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

- a) Prescribed application fee;
- b) Completed application form together with requisite authorizations;
- c) Prescribed information and material as required by Planning Act Regulations;
- d) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) Concept plans and/or drawings; and,
- f) Any studies as identified as necessary through pre-consultation.

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

E4.1 STUDIES THAT MAY BE REQUIRED TO ACCOMPANY A PLANNING APPLICATION

Further to Section E.4 (f), the following are the types of studies that may be required to accompany a Planning Application. The nature and intensity of the proposed development will determine the requirements for studies.

- a) Transportation Impact Study;
- b) Stormwater Management Plan;
- c) Hydrogeological Assessment;
- d) Floodline Delineation Report;
- e) Environmental Site Assessment;
- f) Planning Justification Report;
- g) Ministry of the Environment (MOE) Record of Site Condition (RSC);
- h) Contaminant Management Plan;
- i) Environmental Impact Study;
- j) Lake Impact Study;
- k) Archaeological Assessment;
- l) Heritage Impact Assessment;
- m) Noise Study;
- n) Vibration Study;
- o) Geotechnical Study;
- p) Dust and Odour Feasibility Study;
- q) Ecological Site Assessment;
- r) Conceptual Site Plan and Building Elevations;
- s) Site Evaluation Report;
- t) Water Resource Management Report; and
- u) Erosion and Sediment Control Plans.

E4.2 TECHNICAL STUDIES AND PEER REVIEWS

Where a policy in this Plan requires the submission of technical studies, such as an Environmental Impact Study, such studies must be prepared at the applicant's expense by a qualified professional. When technical studies are submitted to the Township, Council may authorize a qualified professional to peer review such studies and provide advice to Council at the applicant's expense.

E5**AMENDMENTS TO THE PLAN – PUBLIC NOTICE**

An Official Plan Amendment shall not be required for minor changes to this Official Plan for changes to the Plan which do the following:

- a) Changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) Consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) Corrects grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps; and,
- d) Translates measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.

In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of The Planning Act.

E6

INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require amendment to this Plan.

It is recognized that the boundaries of the *Natural Heritage Protection* and *Hazard* designations may be imprecise and difficult to confirm. Given this reality, Council shall use available resources to determine the extent of the environmental areas on a site by site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Natural Heritage Protection* or *Hazard* designation shall not require an Amendment to this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

DEFINITIONS

For the purposes of interpretation this Plan, the definitions in the *Planning Act*, R.S.O. 1990, the Provincial Policy Statement 2005, and other applicable legislation shall apply. In all other instances terms shall be defined in accordance with common usage and if necessary, reference to the **Canadian Oxford Dictionary, 2nd Edition**.

Where the term 'development' is used in this Plan it refers to development of land that requires some form of planning approval including Official Plan or Zoning By-law Amendments, minor variance, site plan approval or lot creation.

OFFICIAL PLAN REVIEW PROCESS

The assumptions, objectives and policies of this Plan shall be reviewed and revised no less than every five years after this Plan comes into effect at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended. The five-year review shall consist of an assessment of:

- a) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- b) the degree to which the objectives of this Plan have been achieved;
- c) the supply and location of vacant rural lots and the rate of absorption of existing vacant lots;
- d) whether the Township has increased its commercial and industrial assessment in relation to residential assessment;
- e) the Township's role within the District of Parry Sound and its relationship with other municipalities;
- f) development trends in the District of Parry Sound and their effect on development in Strong Township; and,
- g) the Plan's regard to matters of provincial interest; conformity to provincial plans; and consistency with provincial policy statements.

Township of Strong







Official Plan





SCHEDULE 'A'

Land Use

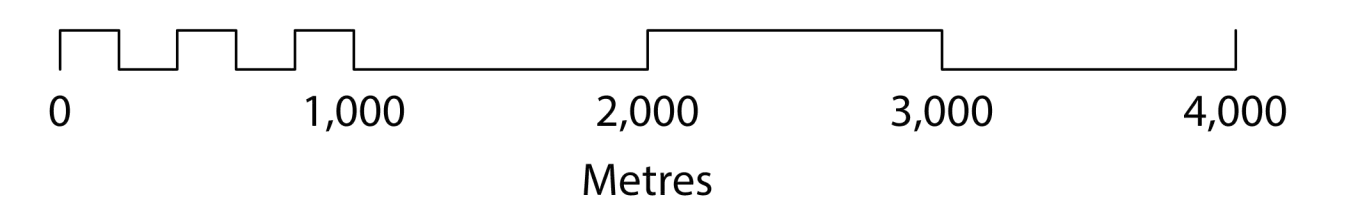
Legend

Land Use

-  Crown Land
-  Commercial Employment
-  Natural Heritage Protection
-  Rural
-  Rural Residential
-  Shoreline

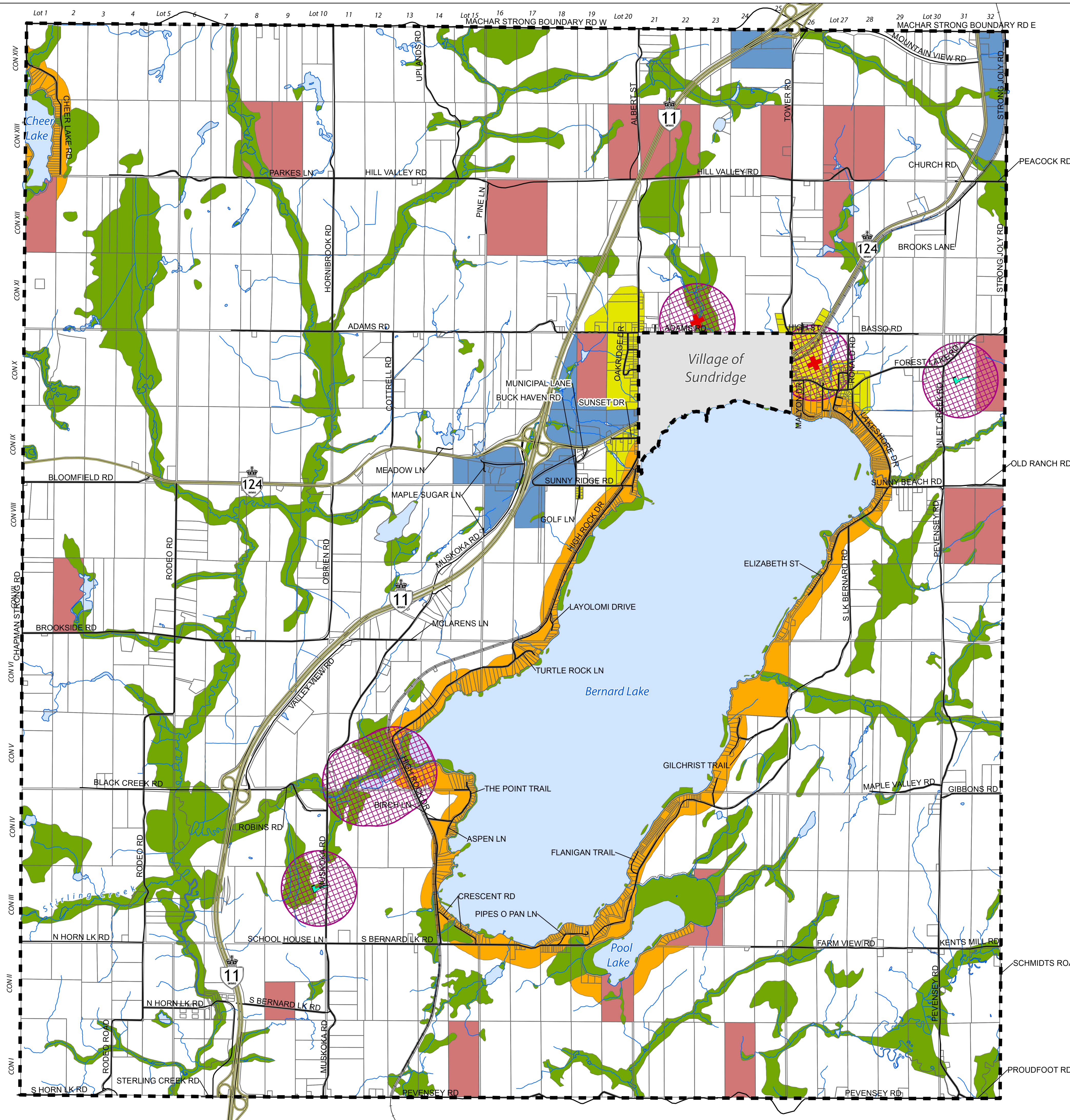
-  Closed Waste Disposal Site
-  Open Waste Disposal Site
-  500m Assessment Area
-  Municipal Boundary

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Date: February, 2014

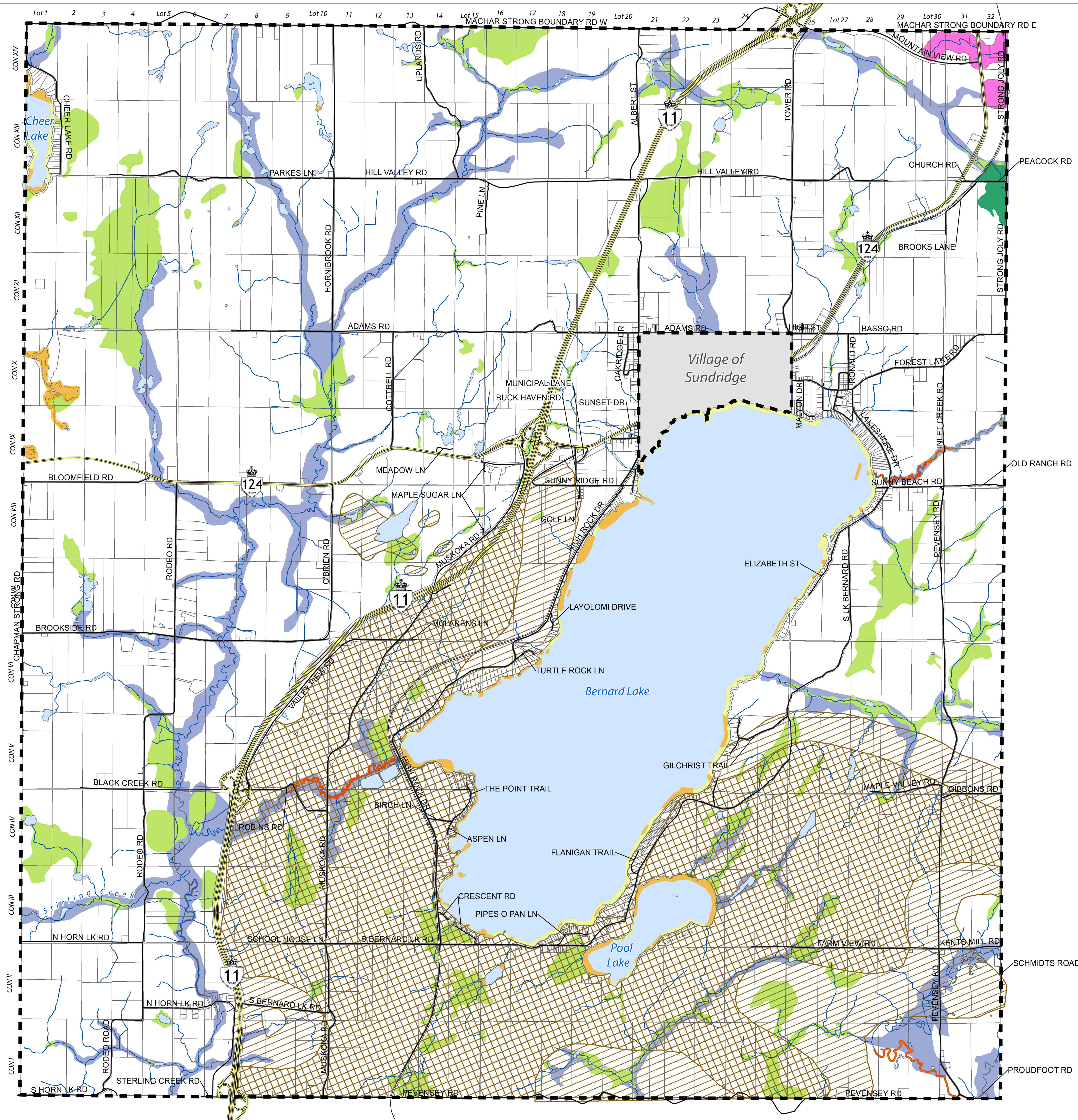


Township of Strong

Official Plan

SCHEDULE 'B'

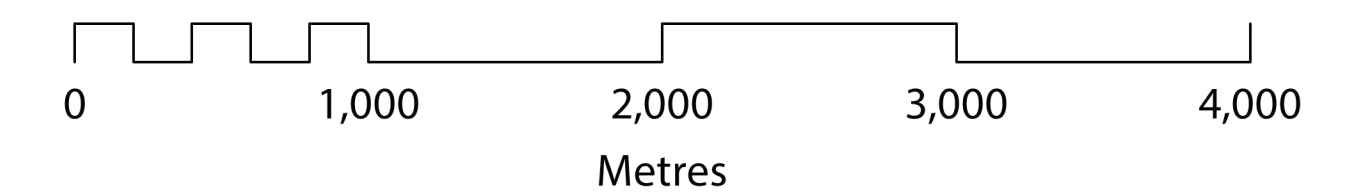
Natural Heritage Features



Legend

-  Type One Fish Habitat
-  Type Two Fish Habitat
-  Deer Wintering Area (Stratum 1)
-  Deer Wintering Area (Stratum 2)
-  Fish Migration Route
-  South River Intake Protection Zone
-  Other Evaluated Wetland
-  Unevaluated Wetland
-  Floodplain Area
-  Watercourse
-  Municipal Boundary

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SCHEDULE 'C'

Transportation and Mineral Aggregates

Legend

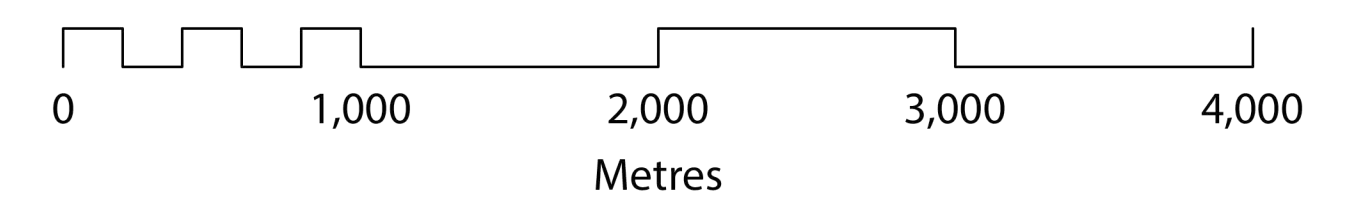
Road Classification

-  Provincial Highway
-  Municipal Road Maintained Year Round
-  Private Road
-  Over/Underpass
-  Interchange

-  MTO Aggregate Site
-  Railway
-  TransCanada Pipeline
-  OFSC Trail¹
-  Primary Aggregate Resources
-  ARA Licensed Area
-  Municipal Boundary

¹According to OFSC Trail data.

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