

**THE MUNICIPALITY OF GREENSTONE**

**BY LAW 19-39**

**A BY LAW TO ADOPT  
AMENDMENT NO. 8 TO THE  
OFFICIAL PLAN OF THE  
GERALDTON AND SUBURBAN  
PLANNING AREA**

**WHEREAS** the Council of the Municipality of Greenstone has received an application to amend the official plan of the former Geraldton and Suburban Planning Area;

**NOW THEREFORE**, the Municipality of Greenstone in accordance with Section 21(1) and Section 17(22) of the Planning Act, 1990, as amended, hereby **ENACTS** as follows:

1. Amendment No. 8 to the Official Plan of the Geraldton and Suburban Planning Area Official Plan is hereby adopted.
2. This By-law shall come into force and take effect on the date of the final passing thereof.

**ENACTED and PASSED** this 1<sup>st</sup> day of October 2019



  
Renald Y. Beaulieu Mayor

  
Gabrielle Lecuyer, Clerk

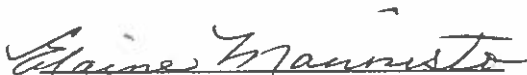
AMENDMENT NO. 8 TO THE OFFICIAL PLAN  
FOR THE GERALDTON AND SUBURBAN PLANNING AREA


OFFICIAL PLAN FOR THE GERALDTON AND SUBURBAN PLANNING AREA

Amendment No. 8

Amendment No. 8 to the Official Plan for the Geraldton and Suburban Planning Area, was presented to the Council of the Municipality of Greenstone under the provisions of Section 21(1) of the Planning Act, R.S.O. 1990 on the 1<sup>st</sup> day of October 2019.

This amendment was adopted by the Municipality of Greenstone by By-law No. 19-39 2019 in accordance with Section 21(1) and Section 17(22) of the Planning Act, 1990 on the 1<sup>st</sup> day of October 2019.

  
MAYOR  
Deputy-Mayor

  
CLERK



AMENDMENT NO. 8  
TO  
THE OFFICIAL PLAN FOR THE GERALDTON AND SUBURBAN PLANNING AREA

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THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE - does not constitute part of this Amendment.

PART B - THE AMENDMENT - consisting of the following text and schedule constitutes Amendment No. 8 to the Official Plan for the Geraldton and Suburban Planning Area.

## PART A - THE PREAMBLE

### PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to re-designate certain properties from the current “Open Space”, “Hazard Land”, “Commercial”, “Industrial” and “Future Water Supply” designations to the “Rural” designation. Furthermore, the purpose of this amendment is to add policies to enable the use of Site Plan Control, Holding Provisions and authority to acquire lands under Section 25 of the *Planning Act*. This amendment is required to permit the development of an open pit gold mine by Greenstone Gold Mines.

### LOCATION OF THE AMENDMENT

This Amendment applies to certain lands located in the vicinity of Highway 11 and Highway 584, as shown on Schedule "A" to this Amendment.

### BASIS FOR THE AMENDMENT

Greenstone Gold Mines GP Inc. (GGM) is proposing to develop an open pit gold mine in the vicinity of the intersection of Highways 11 and 584. The mine, also known as the “Hardrock Project” is anticipated to have a life of about 15 years. It will include a process plant, power generation facility, tailings and water management facility as well as other supporting infrastructure such as maintenance and storage facilities, warehouses and offices.

The majority of the lands being proposed to be used as an active mine site are currently designated as “Rural” in the Official Plan. Section 3.1 of the Plan contains the policies to guide development in the “Rural” areas. Mining activities are supported by these policies and specifically:

- Section 3.1 – Goals – to protect and enhance the mineral, aggregate, timber, recreation and tourism resources of the Planning Area.
- Section 3.1 – Permitted Uses – the predominant use of land designated Rural shall be of a non-urban nature including forestry, mining, conservation, waste disposal, public buildings and utilities not suitable in the Geraldton Urban Area.
- Section 3.1.2 – Extractive and Mining Industrial – Extractive and mining industrial uses including quarrying, sand and gravel pits, and other mining operation, shall receive consideration in the Rural area.

There are several properties within the boundaries of the proposed mine site that are currently designated “Open Space”, “Commercial” and “Industrial”. The policies of the plan do not support mining activities within these designations. Therefore, these lands require a “Rural” designation. As part of the land consolidation for the proposed mine, GGM has acquired or is in the process of acquiring these properties and given the proposed development, the re-designation would be appropriate.

The “Open Space” designation represents the existing 18 hole golf course. Nine holes will be retained as an active golf course and the other nine holes will be incorporated into the mining operation.

The Future Water Supply designation is no longer needed and it was never used as a source of drinking water for the community. The piped water system for Geraldton comes from an entirely different source located on the north side of the municipality.

There is an existing “Hazard Land” designation on a portion of the proposed mine site. The permitted uses within this designation are limited to agriculture, conservation, horticultural nurseries, forestry, wildlife areas, public or private parks, golf courses and outdoor recreational activities. The policies of the Plan (Section 3.9.1(a)) state that “Hazard Lands have been delineated using aerial photography only, granting them interim status. They should be replaced by engineering data as it becomes available and accordingly reclassified.”

GGM has prepared an EIS/EA in support of the proposed development. These studies analysed numerous components including the natural environment which includes the Hazard Lands within the project area part of which are comprised of Goldfield Creek. The proposed development requires the realignment of this watercourse as well as other environmental projects such as development of approximately 7.5 hectares of new pond habitat. This Amendment will incorporate EIS/EA study to delineate the extent and location of the Hazard Land in accordance with the policies of Section 3.9.1(a).

The amending zoning by-law which implements this Official Plan Amendment contains provisions to establish a Sensitive Use Area (SUA) which extends 1000 metres from the Mining Zone which is the maximum separation distance provided for in the D-Series Guidelines. Most of the properties within the SUA have been acquired by GGM. However, there are two developed residential properties in addition to a number of other properties within the SUA which remain and which will be dealt with through consensual arrangements, mitigation, a determination of the degree of application of the Guidelines, or mining rights and/or the authority for title acquisition under Section 25 of the *Planning Act*.

As a result of the One Window Early Consultation, the Province has requested that all “Mining Hazards” and “Closed Waste Disposal Facilities” as identified on the draft new Official Plan for the Municipality be included in this Amendment. Therefore, a total of 5 “Mining Hazards” and one “Closed Waste Disposal Facilities” have been shown on Schedule “A” to this Amendment. The intent of these designations is to ensure that appropriate investigation is carried out to ensure that there are no hazards in the vicinity of these designations that might affect the use or development of the lands.

The current Official Plan does not contain policies to authorize the Municipality to designate by by-law lands as an area of Site Plan Control as required by Section 41(2) of the *Planning Act*. There are also no policies in the Plan to authorize the Municipality to apply a holding symbol in conjunction with any use designation as required by Section 36(2) of the Act. This amendment will add these policies as they will be useful planning tools to ensure the appropriate site development and timing of the proposed mine and the associated development.

Furthermore, the current Official Plan does not contain provisions to authorize the Municipality to acquire properties under Section 25 of the *Planning Act*. A policy has been added to enable the acquisition of any lands required for the proposed development.



## PART B - THE AMENDMENT

The Official Plan of the Geraldton and Suburban Planning Area, as amended, is further amended as follows:

1. The following policy is added as Section 2.16 – The Hardrock Project.

Greenstone owes its existence to the mining industry. Metallic mineral resources are generally prevalent throughout the Municipality of Greenstone where Precambrian Geology has historically been the source for gold mining. The importance of mining as a major part of the economic base of the Municipality will be reinforced with the development of a new open pit mine south of the built up area of Geraldton by Greenstone Gold Mines GP Inc. (GGM).

The development will be carried out following extensive environmental impact studies and related approvals to ensure that the mining operation will be environmentally sound and that the land will be progressively rehabilitated for future land uses.

Substantial land holdings have been assembled for the Project to accommodate the operation and to reduce impacts on other land uses.

The Project is of great importance to the Municipality, Northwestern Ontario, the Province of Ontario and Canada as it will provide substantial employment and other economic benefits for a period of some 23 years.

While the majority of the Project area lies within the Rural Area designation, there are a number of designations that are no longer relevant or needed which are within the Project area. As a result, the following re-designations are made in this amendment.

2. Schedule A – Land Use Plan – Rural Area is amended by re-designating those lands shown as “Property Location 1” on Schedule A to this Amendment from “Open Space” to “Rural”.
3. Schedule A – Land Use Plan – Rural Area is amended by re-designating those lands shown as “Property Location 2” on Schedule A to this Amendment from “Commercial” to “Rural”.
4. Schedule A – Land Use Plan – Rural Area is amended by re-designating those lands shown as “Property Location 3” on Schedule A to this Amendment from “Industrial” to “Rural”.
5. Schedule A – Land Use Plan – Rural Area is amended by re-designating those lands shown as “Property Location 4” on Schedule A to this Amendment from “Hazard Land” to “Rural”.

6. Schedule A – Land Use Plan – Rural Area is amended by re-designating those lands shown as “Property Location 5” on Schedule A to this Amendment from “Future Water Supply” and “Hazard Land” to “Rural”.
7. Schedule A – Land Use Plan – The symbols “Mining Hazards” and “Waste Disposal Facility Closed” are added to identify the location of known mining hazards and former waste disposal facilities.

Implementation:

8. This Official Plan amendment will be implemented in a zoning by-law amendment applied to the Project area and to a surrounding area in order to provide an appropriate buffer between the Project and sensitive uses.
9. The zoning requirements may be supplemented by utilization of site plan control, holding provisions and land acquisition authority as provided for in Sections 41, 36 and 25 of the *Planning Act*, which were not previously provided for in the Official Plan.
10. In addition, special considerations apply in the case of impacts as between owners of surface rights and owners of mining rights where measures such as separation distances and buffers may not be practical or achievable. Therefore, some surface right holdings may be given non-conforming status under the zoning by-law with impacts to be dealt with under the *Mining Act* or through land acquisition.
11. For the purpose of furthering the development of the Hardrock Project and to reduce land use conflicts within the Project area, the Municipality may exercise authority under Section 25 of the *Planning Act* and acquire and hold land in the Project area and any land so acquired may be sold, leased or otherwise disposed of when no longer required.
12. The following policy is added as Section 2.17 – Site Plan Control.
  1. This policy shall apply only to those lands being developed by Greenstone Gold Mines GP Inc. zoned as MIN – Mining Zone in the implementing Zoning By-law.

The Site Plan Control process enables the Municipality to guide development in an orderly and efficient manner, and to improve the overall appearance and quality of development. It also provides for the appropriate treatment of features such as landscaping, parking, grading, drainage, lighting, fencing, buffering and screening, and allows the Municipality to enter into legal and binding agreements with owners/developers to ensure that these matters are addressed.

Site Plan Control shall be employed to achieve the following objectives:

- a) to ensure the conveyance of easements required by the Municipality or public utility;
- b) to ensure appropriate grading or alteration in elevation or contour of the land and provision for the disposal of storm or surface water;
- c) to ensure that the massing, conceptual design and bulk of development is generally compatible with adjacent buildings, uses and the natural landscape;
- d) to ensure an efficient pedestrian and vehicular traffic flow;
- e) to ensure adequate storage facilities, loading facilities, garbage disposal areas, parking areas and driveways are provided in an appropriate manner and location so as not to impede traffic flow and to facilitate, to the fullest extent practical and possible, a positive visual effect; and,
- f) to ensure the appropriate use of lighting, walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of lands to enhance land use compatibility and to facilitate, to the fullest extent practical and possible, a safe and visually pleasing environment.

To achieve these objectives, the matters addressed through Site Plan Control may include, but are not necessarily limited to:

- a) road widening requirements subject to compliance with subsection 41(9) of the *Planning Act*;
- b) location, design and construction of vehicular and pedestrian access points;
- c) location, design and construction of off-street parking and loading facilities;
- d) facilities for on-site pedestrian and vehicular circulation and access to buildings and structures;
- e) location, design and construction of on-site exterior lighting, signage, landscaping, buffering, fencing, outdoor storage, and garbage disposal facilities;
- f) servicing and grading of lands;
- g) provisions for stormwater drainage;
- h) location, design and construction of outdoor recreation and amenity areas;
- i) location, massing, and conceptual design of buildings and structures;
- j) measures to minimize any loss of sunlight and privacy to adjacent properties;
- k) noise attenuation; and,
- l) easements.

Subject to compliance with subsection 41(9) of the *Planning Act*, as a condition of approval of plans and drawings, the Municipality may require the owners to provide to the satisfaction of, and at no expense to the Municipality, information pertaining to any or all of the items listed within the relevant sections of the *Planning Act*.

As a condition of approval of plans and drawings, the Municipality may require the

owners of land to provide, at no expense to the Municipality, lands for road widening sufficient to achieve the protected right-of-way width. All dedications may be taken equally on either side of the existing road centre line, where possible, out to the limits of the protected right-of-way.

The Municipality may require that the owners of land subject to Site Plan Control enter into one or more agreements to ensure the provision of the required works and facilities, as well as the maintenance thereof, to the satisfaction of the Municipality and at the sole risk and expense of the owner. Site Plan Control Agreements shall be registered against the title of land to which they apply. Where a Site Plan Control By-law is in effect, approval of site plans, and completion of agreements shall be required prior to issuance of building permits.

Any municipal undertakings will be planned and constructed in accordance with applicable requirements of the *Environmental Assessment Act* and the *Municipal Class Environmental Assessment*.

13. The following policy is added as Section 2.18 – Holding Provisions.

This policy shall apply only to those lands being developed by Greenstone Gold Mines GP Inc. zoned as MIN – Mining Zone in the implementing Zoning By-law.

To provide a range of regulatory mechanisms for the purpose of implementing the objectives of this Plan and to specifically control what might otherwise be premature development, it is a policy of this Plan that, in accordance with the *Planning Act*, Council may, through the use of a holding symbol (H) in conjunction with any land use designation in the Zoning By-law, specify the use to which lands shall be put at some time in the future, but which are now considered premature or inappropriate for immediate development.

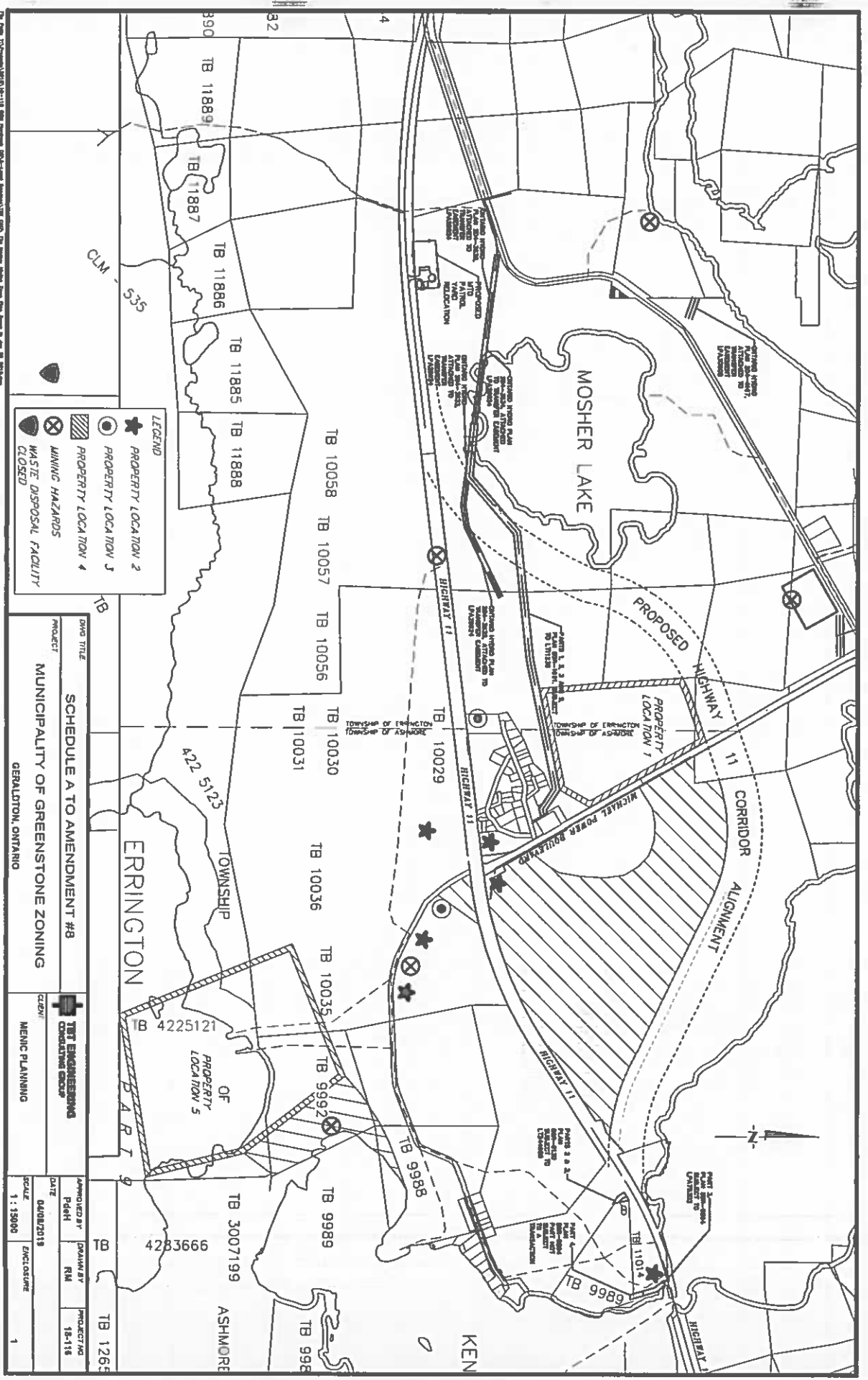
The holding symbol (H) shall be utilized as a means to:

- a) identify the future intended use of lands;
- b) ensure appropriate phasing of development or redevelopment;
- c) defer development until such time as the necessary services, facilities and/or improvements are in place to adequately serve the subject land;
- d) protect specific natural features or sensitive areas from adverse impacts; and/or,
- e) ensure that specific environmental concerns including soil contamination have been addressed prior to development.

A holding symbol (H) may be applied on the basis of one or more of the following considerations:

- a) where municipal infrastructure or community support services have been determined to be insufficient to serve the proposed development;
- b) where transportation facilities have been determined to be inadequate relative to the proposed land use;
- c) where development is contingent upon other related matters occurring first, such as the consolidation of land ownership to ensure orderly development and phasing of the project, or the execution of agreements relating to the provision of infrastructure;
- d) where soil contamination or other environmental constraints must be appropriately addressed prior to development;
- e) where potential impacts on the natural environment must be appropriately addressed prior to development; or,
- f) where it has been determined that the completion of studies or plans which address environmental, economic or other technical concerns are necessary prior to development.

The holding symbol may be removed from all or part of a property in accordance with the *Planning Act*, once an applicant has satisfied the Municipality with respect to all matters relating to the placement of the holding symbol.



The information on this plan is based on the information provided by the client. The user should refer to the plan for details.