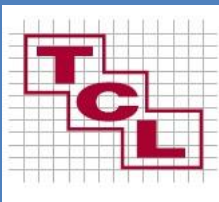


TOWNSHIP OF BALDWIN OFFICIAL PLAN

November 7, 2019

Draft Official Plan for Review



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GLOSSARY OF TERMS

| | |
|--------|---|
| AMIS | Abandoned Mines Information System |
| MDI | Mineral Deposit Inventory |
| MDS I | Minimum Distance Separation Formulae I |
| MDS II | Minimum Distance Formulae II |
| MMPET | Metallic Mineral Potential Estimation Tool |
| MNRF | Ministry of Natural Resources and Forestry |
| MENDM | Ministry of Energy, Northern Development and Mines |
| MECP | Ministry of the Environment, Conservation and Parks |
| MTO | Ministry of Transportation |
| OSP | Ontario Provincial Standards |
| PPS | Provincial Policy Statement |
| RSC | Record of Site Condition |
| TD | Technical Document |

TSSA Technical Standards and Safety Authority

FORWARD

Words in the text of this document shown in ***bold italicized*** are the words defined in the *Provincial Policy Statement* and those definition shall apply in the interpretation of the policies of this Plan. The definitions are shown in Appendix 1 to this Plan.

The Glossary provides a guide to acronyms or other terms used in this Plan.

Changes to the names of Ministries and agencies and to Statutes may occur from time-to-time; however, the policies are intended to be interpreted in the context of the prevailing authority or legislation in place when a land use decision is made.

Diagrams are used throughout the Plan to make the Plan more user-friendly. Unless otherwise indicated, diagrams do not constitute part of the legal policies of the Plan.

TOWNSHIP OF BALDWIN OFFICIAL PLAN

1.0 INTRODUCTION

The Township of Baldwin is an area of legendary beauty and heritage that invites residents and visitors alike to share a vision for enterprise, for adventure and for progress.

With a legacy of more than 10,000 years of indigenous settlement, the Township's planning area straddles Agnew Lake to the north and extends to the historic corridor of the CPR rail line and the Trans-Canada Highway to the south. The heart of the Township's settlement area is the hamlet of McKerrow which lies at the gateway to Manitoulin Island. The Township, was named after F. A. Baldwin, a Provincial Land Surveyor in the 1860's and incorporated in 1927. The Township was first surveyed in 1871. The train station along the CPR rail line was first called Stanley in 1908, then changed to Espanola Station in 1919. Due to the confusion of having two Espanola Stations, in 1931 the name was changed to McKerrow, named after J.O. McKerrow, a traffic manager for the Abitibi Pulp and Paper Co. It has been said that Jack McKerrow was also the inventor of the unit train. Many mining explorations took place over the years, (i.e. gold and other precious metals, as well as uranium). In June of 1969, Kidd Copper Mines Limited leased an existing mine and commenced shipping copper until September 1970.

Today the Township is an ideal location for business start-up, easy access to health care and post-secondary educational facilities, excellent telecommunications, competitive real estate and property tax values and a willingness to thrive and succeed.

The Official Plan establishes a policy framework that builds on a high quality of place for people of all ages and promotes sustainable development, a clean and healthy environment and opportunities for investment and development. The intent of the Plan is to leverage the historical, cultural, economic, rural amenities and natural assets in developing a healthy and resilient community.

The Township of Baldwin is well positioned to accommodate new development with a land supply (2018) of some 15 residential building lots in McKerrow, a further 34 ha of developable residential land and 12.9 ha of employment lands along the Highway 17 corridor. The Township is endowed with an extensive and well maintained road network, utilities, and public services, but also has access to modern health care facilities, post-secondary educational and major retail services within convenient commuting distance (Espanola, Sudbury).

Approximately 50% of the Township's land base is Crown land and the area

is host to a natural resource base of extensive mineral aggregates (e.g. some 450 ha including six licensed pits and quarries), **minerals**, some farm land and commercial forests which are the basis for a range of resource-based and value-added industries.

The Plan ascribes to an evolving partnership agreement in recognizing the need to embrace provincial interests, to build on the aspirations of the private sector and to continue to respect and coordinate with the interests of Indigenous communities and the conservation of Indigenous cultural history.

The Official Plan which follows has been drafted to address provincial and local interests but in a format that is 'user friendly'. Pictures diagrams and flow charts are intended to assist the reader in understanding the policies of the Plan and how they are considered in guiding community development.

The Plan has a 20 year time horizon (2019-2039). The Official Plan has been prepared on the basis of four key components:




1.1 Goal of the Township of Baldwin Official Plan

To attain a healthy economic base that supports sustainable and orderly community development while conserving the attributes and resources of the rural area.


1.2 Objectives Supporting the Goal of the Township of Baldwin Official Plan

Objectives designed to achieve the goal for each key component of the official plan are as follows:



Community
Development
Objectives

- Ensure well managed sustainable growth and development
- Provide for a range and mix of housing types and rural land uses appropriate for a rural area and a hamlet setting
- Ensure the efficient use of land
- Provide for necessary **infrastructure**
- Provide for essential **public service facilities**
- Ensure land use compatibility
- Grow and diversify the economic base
- Coordinate land use decisions with the Indigenous community, area municipalities and other affected parties
- Ensure appropriate public engagement in land use decision making



Environmental
Stewardship
Objectives

- Conserve public and private open space
- Promote biodiversity
- Ensure the effective and sustainable management of water resources
- Conserve **natural heritage features and areas**
- Conserve and restore naturalized shorelines
- Reduce greenhouse gas emissions
- Promote energy efficiency and conservation
- Reduce, recycle and reuse wastes
- Minimize **negative impacts** of sewage on other wastes and land and water
- Rehabilitate **brownfield sites**
- Minimize the **negative impacts** of climate change



Community
Health and
Safety
Objectives

- Promote active and healthy lifestyles
- Promote community design and development which is sensitive to the needs of all generations and those with disabilities
- Ensure safe development from all natural and human-made hazards



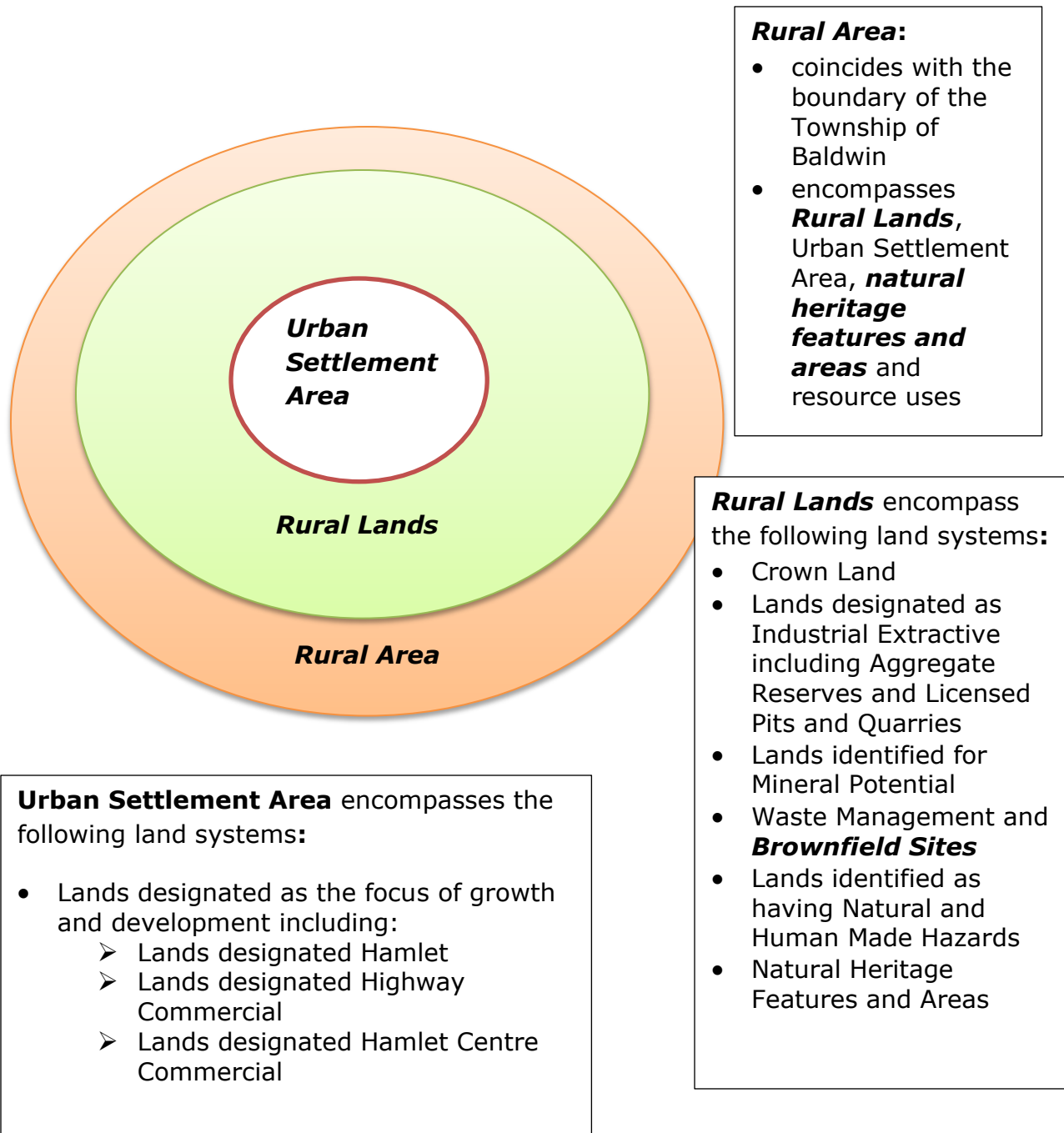
Resource
Management
Objectives

- Protect mineral and mineral aggregate resources for long-term use
- Conserve agricultural lands for foodland production
- Sustain forestry and forest management practices
- Conserve cultural heritage and **archaeological resources**
- Support and create opportunities for the use of renewable energy

2.0 LAND USE PATTERN

2.1 Land Use Pattern for Growth and Development

The structure for guiding growth and development and the management of resources within the Township of Baldwin Planning Area is represented in Diagram 1 (see Table 1 for scope of permitted uses).



2.2 Growth and Development Concept

The total land area of the Corporate limits of the Township of Baldwin is 83.2 km². The Township's population was 620 (2016) up from 551 (2011) (Census Profile, 2016 Census).

The Township has experienced modest population growth that reflects the need to plan for new growth and development. The population increased by 12.5% (2011 to 2016) and the number of dwelling units increased from 248 to 277 or 29 units (i.e. 6/year). Projected growth in the District of Sudbury is expected to decline 2016-2036 (-14.7%) while Greater Sudbury to grow by 1.7%. Proximity of the Township to Greater Sudbury is expected to yield positive growth over the long-term for the Township.

The land supply for housing remains constant at about 150 rural residential building lots ranging from 0.4 ha – 2 ha. (See also Section 3.0 – Housing Policies.) The focus of growth and development will be the hamlet of McKerrow with limited residential development permitted in the rural area.

Long-term economic prosperity will be supported in the Township by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The intent of the Plan is to maintain the low density and predominantly rural character of the Planning Area where low density residential development will prevail intermixed with resource based activities, resource-based recreational uses and other rural land uses. Development is intended to occur on large lots (having a minimum 0.8 ha) with large frontages (30 m). The focus of new development in the Urban Settlement Area of McKerrow will be infill on vacant lots of record (15 + 34 ha blocks) and in areas serviced by existing roads and municipal services.

Waterfront development will continue as an activity on the Agnew Lake, where such development is proven to be sustainable with respect to the biological capacity of the lake, the retention and/or restoration of shorelines and the conservation of the **cultural heritage landscapes** and **archeological resources** in and adjacent to this waterbody. Much of the available waterfront has been developed; however, the conversion of seasonal to permanent residential housing on Agnew Lake is expected to be ongoing in response to a changing demographic and retirees moving to a waterfront setting.

The designated Highway Commercial area will continue to be the focus for new major commercial development through infill and redevelopment. Home base businesses will continue to provide local services to residents throughout the Planning Area. Four-season tourist facilities and services are

land uses that are location-sensitive for their success and the intent of the plan is to leverage rural amenities and assets to their benefit.

The Planning Area will continue to depend on the **public service facilities** in Espanola and Greater Sudbury in meeting the educational, health care and to a lesser extent recreational and social services needed by area residents and businesses. Emergency and protective services will continue to be delivered individually and on a cost-shared basis among area municipalities.

Development will continue to be directed to the existing network of roads whose service levels, life-cycle maintenance and reconstruction is governed by the Township's Asset Management Plans.

Waste Management facilities are adequate for the life-span of the Plan notably through programs for waste reduction, diversion, and recycling. Regard shall be had for the Township's Asset Management Plan in planning for waste management facilities.

A large part of the **Rural Lands** are endowed with natural resources, notably **mineral aggregates** whose extraction or development, including value-added land use activities, support the economic base of the Township of Baldwin. Resource based uses also include forestry and some agricultural. Although there are no designated **prime agricultural areas**, foodlands are protected as contributing to local food security. Mineral potential has been identified and such lands could be used for mining development.

Servicing of development will be principally by means of **individual on-site water and sewage systems**. No new municipal water or sewer services are anticipated over the life of the Plan (2019-2039) with **no negative impacts**.

Incompatible land uses will be separated from other land uses to avoid land use conflicts, particularly between **mineral aggregate operations** and sensitive land uses. **Development** will also be directed away from natural hazards (e.g. flooding, erosion, hazardous forest types) and human-made hazards (e.g. abandoned mine sites, **brownfield sites**) except where the latter are rehabilitated or restored.

2.3 Community Development

Table 1 sets out the scope of permitted land uses for Community Development within the Township of Baldwin Planning Area for the **Rural Area**, for **Rural Lands** and for the Urban Settlement Area, respectively. The land use categories and activities are intended to coincide with the Land Use Plan Schedule. **Table 1** is to be read in conjunction with the Community Development Criteria and the policies in Section 2.3 in determining where and what type of development may be permitted and the technical requirements and justification.

Various references in this Plan are made to Crown Land (Sections 2.1, 5.3.5, 6.4.4, 7.11 and 7.17); however, the Township of Baldwin 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 and the disposition of Crown Land for private purposes. Where Crown Lands are proposed to be patented in accordance with applicable legislation and regulations, an official plan amendment may be required to illustrate the lands subject to the policies of a particular land use district. A zoning by-law amendment will be required to recognize the uses or uses proposed for the patent land. In reviewing a zoning by-law amendment, in this context, the Municipality will expect the proponent to conform to other applicable policies in this Plan.

| Table 1 – Community Development – Permitted Land Uses and Activities | | | | |
|---|--|--|--|---|
| | Column 1 | Column 2 | Column 3 | Column 4 |
| | Principal Land Use or Activity | Permitted Land Uses and Activities | Accessory Land Uses and Activities | References |
| 1 | Rural Area | | | |
| 2 | Rural Lands | See Rural Lands | See Rural Lands | Table 1, Sections 6-19 |
| 3 | Urban Settlement Area | See Urban Settlement Area | See Urban Settlement Area | Table 1, Sections 20-28, and Sections 2.3.1 and 2.3.3 |
| 4 | Natural Heritage Features and Areas | Natural Heritage features and Areas including significant wetlands and coastal wetlands, fish habitat, wildlife habitat, habitat of endangered species and threatened species, significant areas of natural and scientific interest | Conservation uses and activities | Sections 4.2 – 4.8 |
| 5 | Resource Uses | Forestry, Mineral Aggregate Operation, Mineral Mining Operation, Agriculture (See Rural Lands) | See Rural Lands | Table 1, Sections 8-12, and Sections 6.1 - 6.5 |
| 6 | Rural Lands | | | |
| 7 | Crown Land | No jurisdiction: use determined by Crown | No jurisdiction: use determined by Crown | Section 2.1, 2.3, 5.3.5, 6.4.4, 7.11, |

| | | | | |
|----|-----------------------------------|--|--|------------------|
| | | | | 7.17 |
| 8 | Mineral Aggregate Resource | Lands designated Industrial Extractive and consisting of Aggregate Reserves and a pit or quarry licensed under the <i>Aggregate Resources Act</i> | <ul style="list-style-type: none"> • Wayside pit or quarry • Agricultural use • Forestry • Aggregate processing, recycling, storage and stockpiling • Administrative office | Section 6.4 |
| 9 | Wayside Pit or Quarry | Wayside pit or quarry operated in accordance with provincial legislation and standards | Aggregate processing, recycling, storage and stockpiling | Section 6.4.8 |
| 10 | Mineral Resource | Mineral Mining Operation | <ul style="list-style-type: none"> • Mineral extraction, processing, smelting, storage and stockpiling • Administrative office | Section 6.5 |
| 11 | Forestry | Timber management, harvesting and reforestation | <ul style="list-style-type: none"> • Logging operation • Value-added uses such as maple syrup production | Section 6.3 |
| 12 | Agriculture | <ul style="list-style-type: none"> • Agricultural Use including an anaerobic digester • Agriculture-related Uses | <ul style="list-style-type: none"> • Dwelling • On-farm diversified uses • Agri-tourism uses • Home based Business • Kennel • Hobby Farm | Section 6.2 |
| 13 | Residential | <ul style="list-style-type: none"> • Limited low density | <ul style="list-style-type: none"> • Accessory Uses, Buildings | Sections 2.4-2.7 |

| | | | | |
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| | | residential including single detached and two-unit dwellings, mobile homes and innovative housing types | <ul style="list-style-type: none"> • Home Based Business • 2nd residential unit • Garden Suite • Bed & Breakfast Establishment • Boats, docks and marine structures • A storage container | |
| 14 | Seasonal Residential and Waterfront Development | <ul style="list-style-type: none"> • Permanent and seasonal single detached and two-unit dwellings • Lodges, marinas, limited recreational commercial development | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Bed & Breakfast Establishment • Garden suite for a permanent dwelling only • Home Base Business • One Guest Cabin for a waterfront lot • Boats, docks and marine structures • A storage container | Sections 2.3.7, 2.4-2.7 |
| 15 | Public Spaces, Recreation, Parks, Trails and Open Space | Parks, outdoor recreational facilities, trail systems and public open space areas | <ul style="list-style-type: none"> • Information kiosks, parking facilities, comfort and shelter stations, boat launches | Sections 5.2.1, 5.2.3, 5.2.2.6, 7.18 |
| 16 | Rural Commercial | <ul style="list-style-type: none"> • Lodging, campgrounds, tourist outfitters, commercial recreational | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers | Section 2.3.2, 2.4-2.7 |

| | | | | |
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| | | uses, golf courses and retail services which cater to the travelling public, tourists and the eco-tourism industry | | |
| 17 | Rural Industrial | <ul style="list-style-type: none"> • Resource-based industries such as a sawmill, paper products mill, smelter, aggregate crushing and processing • Value-added light industries and agricultural-related uses (e.g. abattoir, cheese factory, craft brewery) | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers | Sections 2.3.6, 2.4-2.7, 2.9 |
| 18 | Waste Management System | <ul style="list-style-type: none"> • Waste Management facility (active or closed) operated in accordance with provincial legislation and standards | <ul style="list-style-type: none"> • Facilities for waste processing, storage, reduction, diversion, and recycling | Sections 2.7, 2.9 |
| 19 | Alternative and Renewable Energy Systems | <ul style="list-style-type: none"> • Wind turbines • Solar panels • Biomass, biogas and biofuel uses and facilities • Geothermal uses and facilities | | Section 6.7.4 |
| 20 | Urban Settlement Area - McKerrow | | | |
| 21 | Residential Area | <ul style="list-style-type: none"> • Single detached and two-unit dwellings | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures | Sections 2.3.1, 2.4-2.7, |

| | | | | |
|----|--------------------------|---|--|---------------------------------------|
| | | <ul style="list-style-type: none"> • Group Home • Multiple-unit dwellings • Existing mobile home • Neighbourhood Serving Commercial Uses | <ul style="list-style-type: none"> • Home Based Business • 2nd residential unit • Garden Suite • Bed & Breakfast Establishment • One Guest Cabin for a waterfront lot • A storage container | |
| 22 | Highway Commercial | <ul style="list-style-type: none"> • Retail stores, personal service uses, business offices, financial services, self-storage facilities, uses which are dependent on the traveling public or substantial traffic flows or which are important to tourism including automotive uses (auto and recreational vehicle sales and services), accommodation, and eateries, Existing storage yards, contractor and school bus yards | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers | Sections 2.3.1, 2.3.3, 2.4-2.7, 2.9 |
| 23 | Hamlet Centre Commercial | <ul style="list-style-type: none"> • Retail stores, personal service uses, business offices, professional, places of entertainment, | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Accessory dwelling units • Storage | Sections 2.3.1, 2.3.2, 2.3.3, 2.4-2.7 |

| | | | | |
|----|--|---|--|---|
| | | eateries, financial services, existing residential uses | containers | |
| 24 | Public Service Facilities | <ul style="list-style-type: none"> • Uses which provide recreation, social, educational, cultural and protective services to residents and businesses • Municipal buildings | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers | Sections 2.4-2.7, 2.10 |
| 25 | Institutional | <ul style="list-style-type: none"> • Uses such as a place of worship, private club or community hall which provide services to rural residents and businesses | <ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures | Sections 2.4-2.7 |
| 26 | Public Spaces, Recreation, Parks, Trails and Open Space | <ul style="list-style-type: none"> • Parks, outdoor recreational facilities, trail systems and public open space areas | Information kiosks, parking facilities, comfort and shelter stations | Sections 2.3.1, 5.2.1, 5.2.3, 5.2.2.6, 7.18 |
| 27 | Alternative and Renewable Energy Systems | <ul style="list-style-type: none"> • Wind turbines • Solar panels • Biomass, biogas and biofuel uses and facilities • Geothermal uses and facilities | | Section 6.7.4 |
| 28 | Environmental Protection | <ul style="list-style-type: none"> • Unclassified wetlands and a natural heritage features and areas | Conservation uses and activities | Section 4 |

2.3.1 Hamlet of McKerrow

The hamlet, as the only urban settlement area in the township is intended to be the focus of residential and commercial development. The land supply for future growth and development is adequate for the planning period (2019-2039) within the settlement area boundaries.

The Plan distinguishes between the node of highway commercial development centred at the intersection of Highways 6 and 17 from the Hamlet Centre Commercial area designed to cater to more local needs. The residential area is a distinctive community lying to the north of the Hamlet Centre Commercial Area and the intent of the Plan is to provide for a safe, convenient and healthy living environment for all generations. A range of housing types and densities shall be permitted along with neighbourhood servicing commercial uses where they are demonstrated to be local in character, are located on a main street and are compatible with the residential character. Such uses are subject to site plan control.

The settlement pattern is generally compact but constrained by the physical limitations of wetlands and rugged topography which are to be conserved and protected in their natural state for their natural heritage values and aesthetic amenities.

Public service facilities, institutional uses and public open space round out the development pattern. The Plan provides opportunities for expansion of the Hamlet recognizing the physiographic limitations. Council may identify a **settlement area** or allow the expansion of a settlement area boundary only at the time of a **comprehensive review** and only where it has been demonstrated that: (a) sufficient opportunities for growth are not available through **intensification, redevelopment** and **designated growth areas** to accommodate the projected needs over the identified planning horizon; and (b) the **infrastructure** and **public service facilities** which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment. Growth and development of the Hamlet will continue to be based on a mixed land use pattern while recognizing the importance of land use compatibility. Development shall ensure that public service facilities, parks and open space and supportive institutional uses are appropriately planned and integrated as the Hamlet grows. Development will continue to be based on individual on-site water and sewage services.

2.3.2 Bed & Breakfast Establishment

A bed and breakfast establishment shall be permitted within a single detached dwelling provided the physical character of the dwelling is not substantially altered. The single detached dwelling must clearly be the principal use of the land and the bed and breakfast



clearly an accessory use to the dwelling. A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. Such establishments must have the proprietor living on the premises. The local health unit shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing Zoning By-law shall define a bed and breakfast use and the appropriate zone provisions.

2.3.3 Commercial Uses

The Highway 17 corridor and the area at the intersection of Highway 6 will be recognized as the commercial "main street" of the Township. Subject to Provincial access controls (see Sections 2.6, and 5.3.1), a range of highway commercial uses shall be permitted that cater principally to the travelling public.

The Hamlet Centre Commercial designation is intended to cater largely to the needs of the local community.

Beyond the Highway 17 corridor on **Rural Lands**, commercial uses shall include those which cater to the tourist or eco-tourism industry and outdoor recreation which can be scaled and are compatible with adjacent uses.

2.3.4 Home Based Businesses

For the purposes of this Plan, a home based business is defined as a privately operated legal business located within a residential dwelling or an accessory building by the occupant or owner thereof and which is compatible with the character of a residential setting and which is an accessory use or clearly secondary to the principal residential use.

Home based businesses shall be encouraged as a means of providing local services, to providing an incubator for new businesses and as a means to providing more specialized services to a broader clientele. (See also Section 6.2.1 for businesses on farm properties.) Categories of home based businesses may include a broad scope of small businesses that comply with the following criteria:

1. The business (use) does not create a nuisance for neighbours.
2. The floor area used for the business in the dwelling or accessory building shall be appropriate to the type of business.
3. Up to two businesses per dwelling may be permitted.
4. A small advertising sign shall be permitted.

5. Retail sale of products produced or fabricated on the property will be permitted.
6. Access controls shall meet Ministry of Transportation requirements for a residential use (see Section 5.3.1.3).
7. No outside storage related to the home based business operation shall be permitted on the premises unless proper screening and buffering techniques are utilized so the storage cannot be seen from the abutting properties or the travelled road (except for the sale of firewood).
8. Verification that sewage disposal services have adequate capacity from the addition of a home based business.

2.3.5 Garden Suites

Garden suites which are defined as a one-unit detached (portable) residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability require some support to live on their own. Council may provide opportunities for garden suites on a site specific basis provided the lot is of a sufficient size and the unit can be properly serviced (water supply and sewage disposal). Council may use the provisions of the *Municipal Act* to create a registry and govern occupancy. *Garden suites shall be permitted in accordance with sections 39 and 39.1 of the Planning Act.*

2.3.6 Industrial Uses

The intent of this Plan is to reinforce the importance of industry to the economic health of the Planning Area by encouraging the development of resource based industrial uses which are "value added", particularly those which are forest product related or are "dry industries" or related to the aggregates industry. Diversification of the industrial base will be encouraged to further strengthen the local economy. Industrial development will be required to meet applicable standards for protecting the environment and for minimizing any **negative impacts** on surrounding land uses, particularly **sensitive land uses**. Much of the industrial activity is

Dry-industry means an industrial or commercial land use with an average daily effluent flow of less than 10,000 litres per day per lot and consisting of domestic wastes only. The processing of mineral aggregates and forest industry uses (e.g., log cooling) is exempt from the restrictions on "dry industries".

expected to take place where rail and road transportation services are available. The intent of the Plan is to build on the access to existing **infrastructure** and utility installations.

2.3.7 Seasonal Residential and Waterfront Development

The Seasonal Residential and Waterfront Development designation applies to lands within 300 m [984 ft.] of the shoreline of Agnew Lake. Setbacks shall be governed by the policies of Sections 2.8.1 and 4.9 of this Plan. Lands may be accessed as water access for seasonal residential uses only. Access may be permitted otherwise by existing private roads including minor extensions to round out development where new public road access would be cost prohibitive. Existing private roads shall be governed by the policies of Section 5.3.2.6 and 5.3.4 of this Plan. Council may limit provision of municipal services to areas where public access is not available or private roads are not maintained to a standard to permit access by emergency vehicles.

Seasonal to permanent conversions may be permitted subject to the following criteria:

1. Compliance with Section 4.9 and 7.17 of this Plan.
2. That the sewage disposal systems incorporate the best technology for phosphorus removal and meet the requirements of the *Ontario Building Code*, and are setback a minimum of 30 m from the shoreline or flood plain elevation (see Section 2.8.1) whichever is the greater. (Section 2.7 applies.)
3. That the development fronts on a public road where school bussing and emergency services are available.
4. That the lands are appropriately zoned or rezoned.

2.3.8 Storage Containers

Storage containers including sea containers will be strictly controlled to ensure compatibility with neighbouring properties (e.g. visual appearance). Storage containers shall meet the requirements of the *Ontario Building Code* depending on the occupancy classification. Standards will be set out in municipal zoning by-laws and site plan control may apply.

2.4 Community Development Criteria

All **development** and **redevelopment** shall be subject to the applicable Community Development Criteria (Sections 2.4 - 2.10). Reference shall be made to the relevant Technical Documents where an assessment, justification or information is required in making a land use planning decision. Applications for development shall not be deemed to be complete unless accompanied by the required technical studies or other information (see Section 7.4). All decisions affecting land use planning shall be consistent with the most current Provincial Policy Statement¹ and shall comply with the Growth Plan for Northern Ontario, 2011.²



2.5 Lot Size Criteria

The minimum lot area for any new lot creation shall be 0.8 ha [1.97 ac.] except:

1. Where a hydrogeological study specifies the need for a larger lot(s) (see D- Series Reference)
2. Where part of a lot is located on a **hazardous site** or **hazardous lands**, the minimum lot area shall be calculated to exclude the hazardous area
3. Where a greater minimum area is established in the zoning by-law (e.g. non-residential use, hobby farm etc.)

Lots shall be of a size and shape to suitably accommodate:

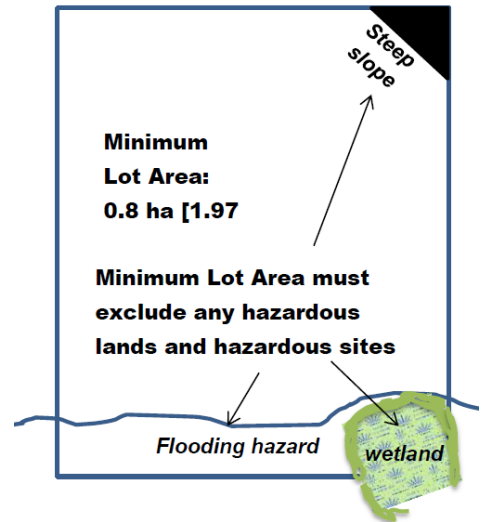
4. All existing and new buildings, accessory uses and structures. Consideration should also be given to potential future expansion.
5. **individual on-site water and sewage services** and stormwater facilities including an adequate

See MECP Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment Procedure <https://www.ontario.ca/page/d-5-4-individual-site-sewage-systems-water-quality-impact-risk-assessment>, and Procedure D-5-5 Technical Guideline for Private Wells: Water Supply Assessment <https://www.ontario.ca/page/d-5-5-private-wells-water-supply-assessment>

¹ <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

² https://www.placestogrow.ca/index.php?option=com_content&task=view&id=53

- separation distance between a drilled well and a septic tank or sewage disposal system
6. access, parking and loading facilities
 7. snow storage
 8. setbacks from roads, water bodies and physical constraints, and
 9. to provide a sufficient land area to allow development where constraints exist such as topography, organic soils, rock, slopes, **wetlands**, narrow bays and peninsulas, **flooding hazard** or **erosion hazard**



Lots shall be designed to coincide with the low density character of the Planning Area with the focus on a compact and efficient land use pattern in the Urban Settlement Area.

Existing lots including vacant lots may be developed or redeveloped where the land use is appropriate for the size and **development** of the lot and where the lot can be sustainably serviced with **individual on-site water and sewage services** where required. Wherever possible, existing undersized lots should be merged to create larger parcels. (See also Section 2.7)

2.6 Lot Access Criteria

Access to development shall be by one of the following means:

1. Frontage on an improved year-round maintained municipal road.
2. Frontage on a seasonally maintained municipal road for seasonal land uses only.
3. Frontage on a provincial highway subject to obtaining all required approvals from MTO for land use, entrances, drainage and implementing any highway or entrance

Provincial Highways
Township Road
Township Road (Seasonally Maintained)
Private Road



Provincial Highway

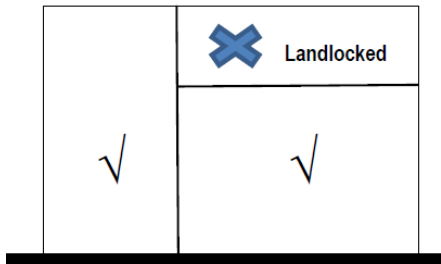
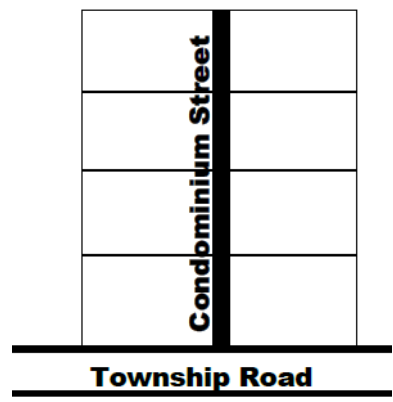
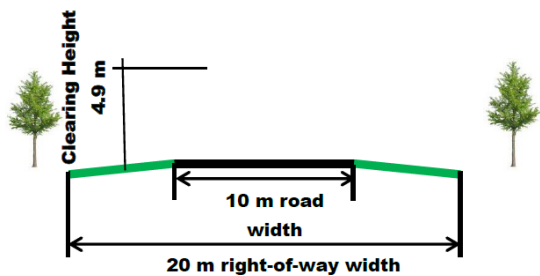
Access management subject to controls under *Public Transportation and Highway Improvement Act* for Permit Control Area

Highway Access Management Guideline

December 2013

improvements resulting from any required traffic or drainage or stormwater management studies. Wherever feasible, access shall be via an interconnecting improved municipal road. (See: MTO, *Highway Access Management Guideline*, 2013, <http://govdocs.ourontario.ca/node/29705> for corridor management.) See also Section 5.3.1.

4. Frontage for infill development on an existing private road or legal right-of-way/easement which meets appropriate maintenance standards right-of-way width, travelled surface width, height clearances and slope required for regular and emergency vehicle use (see diagrams). Council may require a maintenance agreement or may govern any matters under Section 35 of the *Municipal Act* as a condition of development. See also Section 5.3.4.
5. Frontage on a private road servicing a condominium where the private road connects directly with an improved public road and meets appropriate construction and maintenance standards (see diagram).
6. Frontage may be exempted for land uses for infrequent or private access (e.g. farm field, hunt/fish camp, public utility, communications facility, passive recreational use).
7. Landlocked lots for new development shall not be permitted (see diagram).
8. Access may be exempted for development on an island or water-access only lot, notably on Agnew Lake where access to a parking area on the mainland or same lake, owned or described in a registered easement and being in the same name and



interest as the island or water-access lot is available. See also Section 2.3.7.

2.7 Water, Sewage, Stormwater and Waste Management Services

The servicing criteria for all development shall be as follows:

1. **Individual on-site water or sewage services** shall be permitted where site conditions are demonstrated to be suitable for the long-term provision of such services with no **negative impacts** such as degradation to the **quantity and quality of water, sensitive** surface or ground water features or their related **hydrologic functions** due to development, and where there is demonstrated off-site capacity for hauled sewage (see *TD for Hauled Sewage*). Technical reports/approvals may be required (i.e. hydrologic, hydrogeological, sewage systems).
2. The development of guest cabins on a waterfront lot shall be subject to the nutrient loadings of the receiving lake, the long-term provision of **individual on-site water and sewage services** with **no negative impact** and the provision of adequate access or boat launch for water access only lots.
3. **Municipal or private communal water and sewage services or partial services** may be permitted where the need is determined to be appropriate through a servicing options report in consideration of an application(s) for a subdivision or multiple lot **development, or redevelopment**, for major non-residential development, for a condominium, or other development, as determined by the municipality, for

Applicants shall pre-consult with the Sudbury & District Health unit in the planning, design and review of site conditions for any sewage systems with projected effluent flows of less than 10,000 Litres/day.

Applicants shall pre-consult with the Ministry of the Environment, Conservation and Parks in the planning, design and review of site conditions for any sewage systems with projected effluent flows of greater than 10,000 Litres/day and for sewage or water systems which require an Environmental Compliance Approval.

Hauled sewage: reference shall be made to MECP hauled Sewage Fact Sheet:
<https://www.ontario.ca/page/guide-applying-approval-hauled-sewage-septage-or-processed-organic-waste-biosolids>

public health reasons, or for failed **individual on-site water or sewage services**. **Partial services** shall be limited to infilling and minor rounding out of development. All servicing options shall demonstrate that site conditions are suitable for the long-term provision of services with no **negative impacts**. A Municipal Responsibility Agreement may be required for municipal ownership of any communal services.

4. A hydrogeological report (using TD: D-5 Guidelines) shall be required for any development projected to generate more than 4,500 litres of sewage effluent per day, and for development on hydrogeologically sensitive environments.
5. Only dry-industries as described in Section 2.3.5 are permitted unless a hydrogeological report as described above provides the justification for an alternative servicing option.
6. Technical reports where required shall be based on the MECP D-Series Guidelines.
7. Stormwater management facilities shall be planned and constructed using best management practices designed to minimize or prevent increases in contaminant loads, to minimize changes in water balance and erosion, to maximize the use of vegetation and pervious surfaces risks, to attenuate, retain, detain and recycle stormwater to the extent possible, and by not increasing risks to human health and safety and property damage. Technical reports shall be based on MECP Guidelines and shall be required for larger commercial, industrial, institutional or multiple lot/unit residential

Stormwater Management Guidelines:

- Introduction to Stormwater Management Planning and Design:
<http://www.ontario.ca/environment-and-energy/understanding-stormwater-management-introduction-stormwater-management>
- Stormwater Management Planning and Design Manual 2003:
<http://www.ontario.ca/environment-and-energy/stormwater-management-planning-and-design-manual>
- Stormwater Pollution Prevention Handbook 2001:
<https://archive.org/details/std01076383.ome>

developments, also development adjacent to a provincial highway where required by MTO, and may be required for developments close to waterfront areas (see 5.3.1). Technical reports shall include a construction-mitigation plan.

8. **Waste management systems** shall be designed and maintained to provide adequate capacity for current and future requirements and to meet provincial legislation and standards and compliance with the Township's Asset Management Plan.

2.8 Natural and Human-Made Hazards

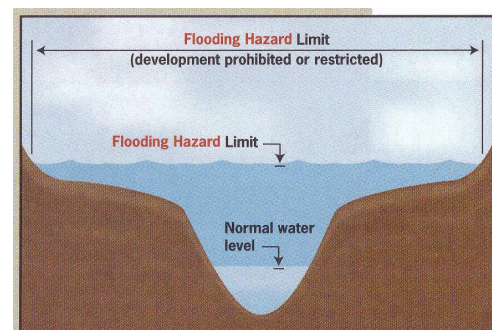
2.8.1 Flooding and Erosion Controls

Development and **site alteration** shall not be permitted within areas which are impacted by **flooding** hazards and or **erosion hazards**. The following regulatory 1:100 year floodplain elevations have been determined for the Planning Area:

- Agnew Lake – 263.74 m [865.3 ft.]

The **erosion hazard** applies to those portions of the valleyland system that are both apparent (confined) and not apparent (unconfined). **Development** and **site alteration** may be permitted below the **flooding hazard** limit for uses which by their nature must locate within the **floodway** such as flood and/or erosion control works, **infrastructure** such as stormwater outlets, a dock, wharf, boat launch, or boat house. Minor extensions to existing habitable and other buildings may be permitted where **floodproofing standards**, protection works and **access standards** are met and new hazards are not created and existing hazards are not aggravated and no adverse environmental impacts will result.

A technical study may be required to establish a development setback and



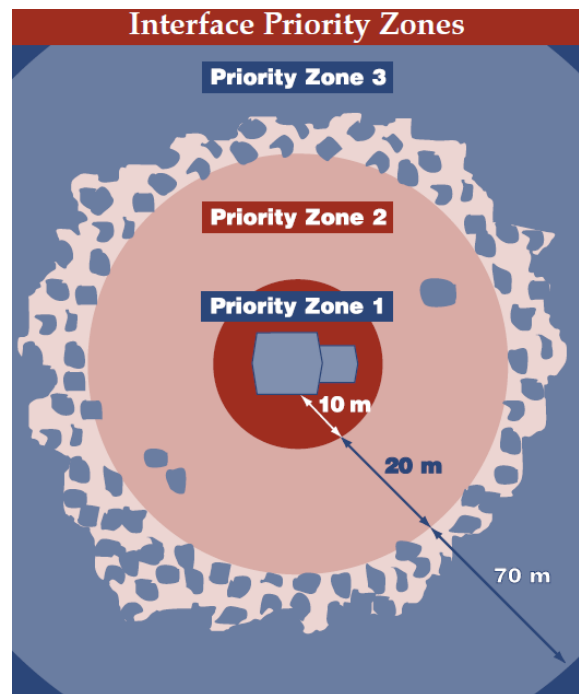
other conditions for lands adjacent to a water body where the **flooding hazard** or **erosion hazard** has not been determined. Site Plan control may be used to regulate development within any **flooding hazard** or **erosion hazard** area.

2.8.2 Hazardous Lands and Hazardous Sites

Development including an **essential emergency service** and an **institutional use** shall not be permitted to locate in **hazardous lands** such as lands subject to a **flooding hazard** or an **erosion hazard** and **hazardous sites** such as organic soils, steep or unstable slopes. A geotechnical study may be required to assess development conditions on **hazardous sites**.

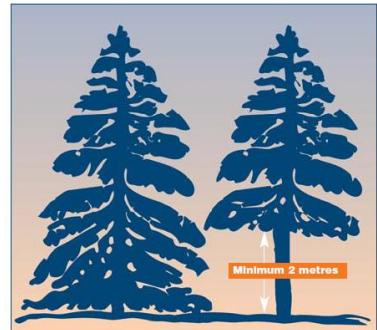
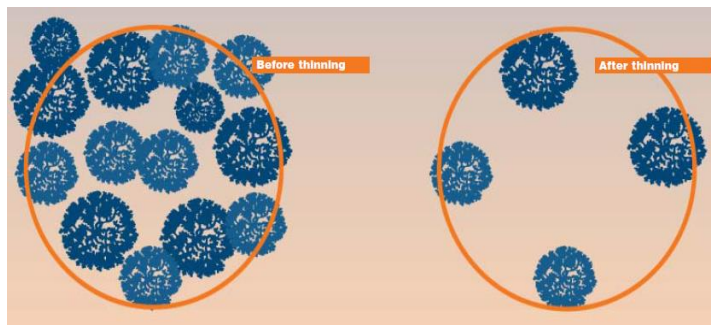
2.8.3 Wildland Fire

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 fires** (see Appendix 2) except where the risk can be acceptably mitigated based on MNRF **wildland fire assessment and mitigation standards**. Forest fire management techniques or plans may be required as a condition of approval including site plan approval. Property owners will be encouraged to develop plans using the priority zone system (see reference). Applicants may be required to undertake a site review to assess the level of wildland fire hazard and associated

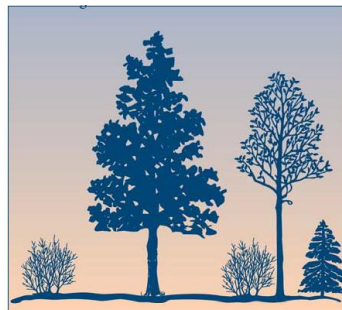


Priority Zone 1 is the area within 10 m of a dwelling or main building where flammable vegetation should be removed (i.e. small trees and shrubs, dead and dying trees, deadfall, woodpiles/firewood, ground litter/debris, dead organic matter, needles), and by keeping grass mowed, trees pruned and thinned and replacing conifers with hardwood species. Add a fuel break or increase distance for slopes adjacent to buildings.

risk on and in the vicinity of proposed development lands.



Before understory thinning



After understory thinning

Recommended pruning

Wildland Fire Risk Assessment and Mitigation Reference Manual (Ontario Ministry of Natural Resources, April 2017) <https://www.ontario.ca/page/wildland-fire-risk-assessment-and-mitigation-reference-manual>

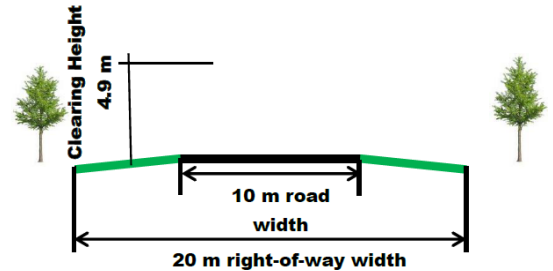
Priority Zone 2 is the area within 10 m to 30 m of a dwelling or main building where fuel sources should be reduced so that combustion cannot be supported and fire intensity is reduced. Tree canopy should be thinned so crowns of trees do not touch. Thin understory and prune lower branches. Remove concentration of over mature, dead and dying trees. Reduce number of evergreen trees. Increase 30 m distance for slopes.

Priority Zone 3 is the area within 30 m to 100 m of a dwelling or main building where fuel sources should be reduced but not eliminated so fires can be low intensity and more readily extinguished. Keep deciduous trees in mixed-woods forest to hinder fire spread. On sloped area extend zone 3 further downslope.

2.8.4 Wildland Fire Management Measures

Wildland fire management measures may be required by Council with input from the Roads Department in considering such criteria as:

1. Ensuring proper road access for emergency vehicles and for escape (e.g., construction standards, width, bearing capacity, height clearance - see diagram).
2. Evaluating fire response capabilities.
3. Determining the location of emergency water sources.
4. Ensuring buildings are well spaced and properly sited (e.g., north and east facing slopes or flatter terrain and construction with fire resistant materials).
5. Identifying the location of roads which may act as fire barriers or fire breaks.
6. Encouraging fire-wise landscaping.
7. Establishing distance separations between buildings and densely wooded areas, particularly tree species with high ignition factor.
8. Establishing setbacks or limiting distances from nearby fire risks (e.g., railways, campgrounds etc.).



2.8.5 Mine Hazards

Development of lands on, abutting or within 1 km [0.6 miles] of a **mine hazard** shown on a Land Use Schedule to this Plan shall only be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. Subject to consultation with the Ministry of Energy, Northern Development and Mines a technical report may be required to assess the

 Mine Hazard

Rehabilitation and remediation to comply with *Rehabilitation Code, O. Reg. 240/00, Schedule 1*, under the *Mining Act*.

need for rehabilitation and remediation under the *Mining Act* and where required, such rehabilitation shall be carried out as a condition of a land use planning approval.

2.8.6 Contaminated Sites

Lands identified as contaminated or potentially contaminated shall be evaluated and where required, remediated such that the site is suitable for the intended use with no **adverse effects**. Mandatory filing of a *Record of Site Condition (RSC)* with the MECP is required for any change to a sensitive use such as a change from an industrial, commercial or institutional use to a residential or parkland or other use prescribed by the legislation. A record of site remediation shall be filed on the Environmental Brown Fields Registry after the site has been remediated. A copy of the RSC along with an affidavit from a qualified professional acknowledging that the Municipality may rely on the RSC shall be required before a land use approval is given.

Where a gasoline station site is being redeveloped to a sensitive land use, the approval authority shall require a clearance letter from the Technical Standards and Safety Authority (TSSA).

2.9 Land Use Compatibility

2.9.1 Protection from Adverse Effects

All development including **major facilities** shall be planned to ensure that land uses are appropriately designed, buffered and/or separated from each other to prevent or mitigate **adverse effects** from odour, noise and other contaminants and to minimize the risk to public health and safety and to ensure the long-term

Remediation to comply with *O. Reg. 153/04, Record of Site Condition* under the *Environmental Protection Act*.

Contaminated Site Remediation:

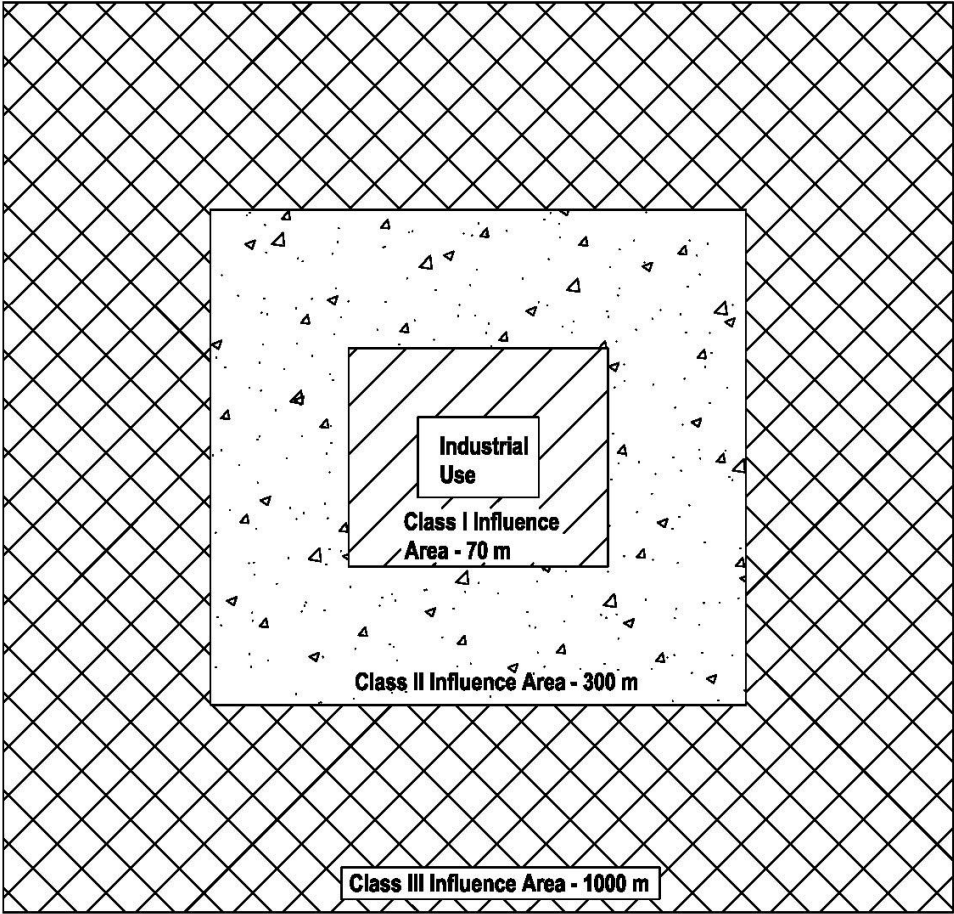
- Record of Site Condition: A Guide on Site Assessment, the Cleanup of **Brownfield Sites** and the Filing of Records of Site Condition:
<http://www.ontario.ca/environment-and-energy/guide-site-assessment-cleanup-brownfields-filing-records-site-condition>
- Contaminated Sites RSC Registry:
http://www.ene.gov.on.ca/environment/en/subject/brownfields/STDPROD_075742.html

viability of **major facilities**. **Major facilities** include airports, transportation **infrastructure** corridors, rail lines and facilities, sewage treatment facilities, **waste management systems**, industries, energy generation facilities and transmission systems, resource extraction activities such as mineral aggregate and mining operations, and livestock facilities.

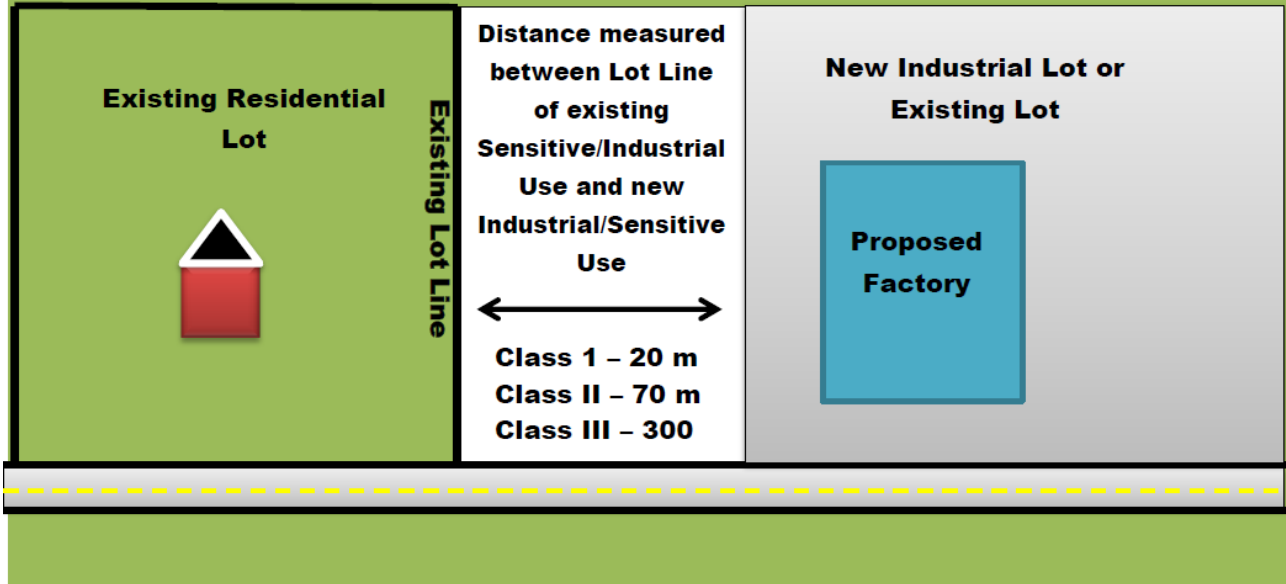
2.9.2 Influence Areas and Separation Distances

Table 2 sets out a list of **major facilities** and other land uses, the influence area where exposure to nuisance factors by residents and other **sensitive land uses** should be minimized, the minimum separation distances designed to ensure land use compatibility, and studies that may be required to assess **adverse effects** and required mitigation or other measures. All standards shall be applied on a reciprocal basis between land uses to ensure that whether the **major facility** or the **sensitive land use** is constructed first, that the alternative land use or use which is installed secondly is appropriately separated and protected from any **adverse effects**.

Influence Area Surrounding Industrial Uses



Separation Distance: Measured from property line of the industrial use to the property line of the sensitive land use



Separation Distance: Measured from the face of an Industrial building or Accessory building to the property line of an Sensitive Land Use

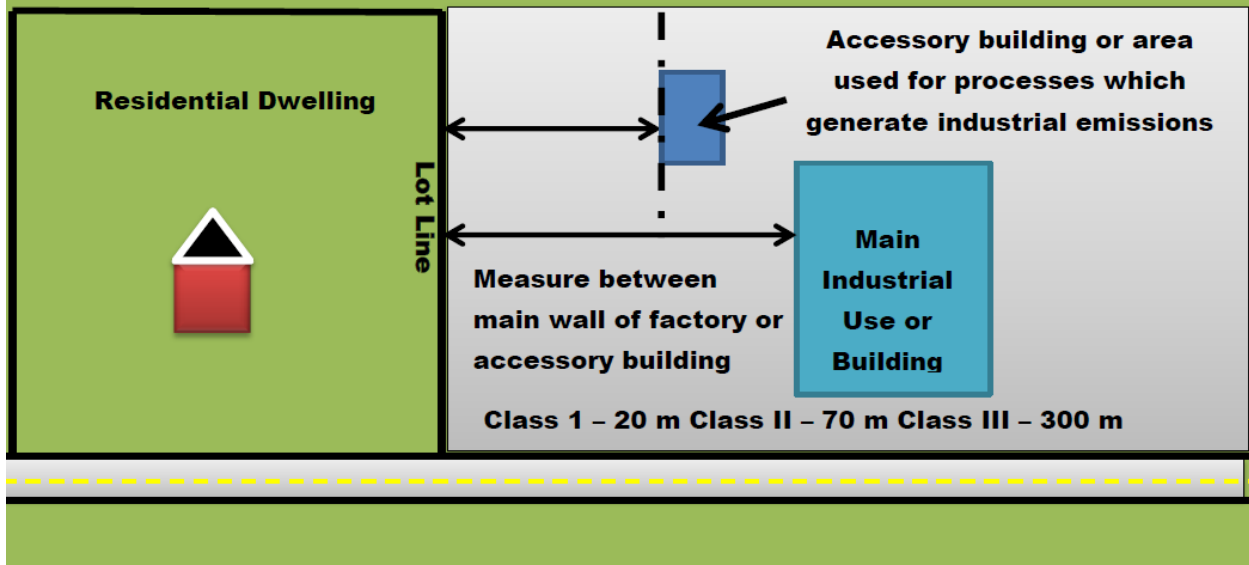


Table 2 - Land Use Compatibility Standards

| Major Facility or Land Use | Influence Area | Minimum Separation Distance, Separation Standard or Other Standard | Technical Document ¹ |
|---|---|---|--|
| Airport, Private Airfield or Sea Plane Base | | New residential development and other sensitive land uses are prohibited in areas above 30 NEF/NEP | Noise Exposure Forecast: https://www.tc.gc.ca/media/documents/ca-standards/NEF-Calc_2_0_6_en.exe |
| Helipad | | 200 m setback from the nearest edge of a helipad and any non-residential use not classified as a sensitive land use. Separation distance for sensitive land uses shall be determined by a noise and vibration study using NPC-300 | NPC-300: Environmental Noise Assessment Guideline - Stationary and Transportation Sources - approval and Planning: http://www.ontario.ca/environment-and-energy/environmental-noise-guideline-stationary-and-transportation-sources-approval . Standard 325, Heliports, Part III, Canadian Aviation Regulations issued under the Aeronautics Act |
| Class I Industry | 70 m or as determined through a technical study, and measured from closest existing, committed or proposed property/lot line of the industrial use to the property/lot line of the closest existing, committed or proposed sensitive land use | 20 m minimum dependent on a technical study, and measured from closest existing, committed or proposed property/lot line of the industrial use to the property/lot line of the closest existing, committed or proposed sensitive land use | Guidelines D-1: Land Use Compatibility, and Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses See diagrams for Influence Area and separation distances |
| Class II Industry | 300 m (measured as above) | 70 m (measured as above) | |
| Class III Industry | 1,000 m (measured as above) | 300 m (measured as above) | |
| Pit | 300 m (measured from the boundary of the Mineral Aggregate Resource Area) | 70 m minimum dependent on a technical study or as otherwise approved by license under the <i>Aggregate Resources Act</i> . | |
| Quarry | 1,000 m (measured from the boundary of the Mineral Aggregate Resource Area) | 300 m minimum dependent on technical study or as otherwise approved by license under the <i>Aggregate Resources Act</i> . | |
| Waste Management Facility | 500 m measured from the closest limit of the licensed footprint of an active waste management facility or the boundary of the disposal area of a closed site | 30 m minimum, dependent on a technical study, and measured from the closest limit of the licensed footprint of an active waste management facility or the boundary of the disposal area of a closed site, or as authorized by a valid Environmental Clearance Approval or a Section 46 Order under the <i>Environmental Protection Act</i> | Guidelines D-4: Land Use on or Near Landfills and Dumps. Landfill Standards: A Guideline On the Regulatory and Approval Requirements for New or Expanding Landfill Sites. NPC-300: Environmental Noise Assessment Guideline - Stationary and Transportation Sources - approval and Planning |
| Waste Stabilization Pond | 500 m measured from the nearest edge of any active waste stabilization pond | A technical study (using the D-2 Guidelines) shall be required for any sensitive land use proposed to be located closer than 500m from the nearest edge of any active waste stabilization pond or as authorized by a valid Environmental Clearance Approval | D-2 Series: Compatibility between Sewage Treatment and Sensitive Land Use |
| Agricultural Use including a first or altered Livestock Facility, an anaerobic digester, new land uses and lot creation | | Development shall comply with the Minimum Distance Separation Formulae I and II, whichever is applicable. MDS I shall apply to all lots created after March 1, 2017. MDS I setbacks shall apply to vacant existing lots created prior to March 1, 2017 which have a lot area greater than 2 ha and on which residential uses are proposed. MDS I shall apply to an existing livestock facility that may be present on the lot a surplus dwelling is being severed from. MDS I and II shall not apply to agriculture-related uses or on-farm diversified uses with the exception of a food service such as an on-farm tea room or food concession. MDS II shall not apply to a closed cemetery or which receive low levels of visitation or have no place of worship which shall be classified as a Type A land use. All other cemeteries are subject to MDS II (Type B land use). MDS I shall not apply to lot creation for surplus dwellings to an existing livestock facility or anaerobic digester on an adjacent lot. | The Minimum Distance Separation (MDS) Document, Publication 853, as amended from time to time by the province including Sections 3, 4, 5 and all definitions. http://www.omafra.gov.on.ca/english/landuse/m ds.htm |

Notes: 1. All MOECP D-Series Guidelines can be found at: <http://www.ontario.ca/environment-and-energy/environmental-land-use-planning-guides>

2.9.3 Noise and Vibration

1. Residential areas and other land uses shall be protected from the **adverse effects** of excessive noise and vibration through good land use planning and site plan control. All applications for development of a **sensitive land use** (e.g. residential use, daycare, education or health care facility) within 50 m [164 ft.] of Highway 17 and/or the main CPR Rail Line or within 1,000 m [3,280 ft.] of a stationary noise source not associated with an industry (i.e., hydro transformer or gas compressor station) should be accompanied by a noise feasibility study prepared by a qualified consultant and to the satisfaction of Council. The study shall demonstrate whether noise and vibrations levels can be reduced to meet provincial standards in accordance with the MECP Publication NPC 300, Environmental Noise Assessment Guideline.
2. All applications for development of a **sensitive land use** (e.g. residential use, daycare, education or health care facility) within 50 m [164 ft.] of Highways 17 and 6 and 300 m [984 ft.] of the main CPR Rail Line or within 1,000 m (3,280 ft.) of a stationary noise source not associated with an industry (i.e., hydro transformer or gas compressor station) should be accompanied by an acoustical study prepared by a qualified consultant and to the satisfaction of the municipality. The study shall demonstrate how noise and vibrations levels can be reduced to meet provincial standards in accordance with the MECP NPC 300, Environmental Noise Assessment Guideline. The conclusions and recommendations of this study shall be implemented through conditions of the development approval.

2.9.4 Rail Corridor Control

In protecting against the danger of derailment collision or spillage, mile 38.65 to 42.0 of the secondary main line shall have a 15.24 m [50 ft.] right-of-way on either side of the tracks, and in addition , a 30m [98.4 ft.] set back beyond the right-of way. Furthermore, mile 42.0 to 43.8, a primary branch line shall have a 15.24 m [50 ft.] right-of-way on either side of the tracks, and in addition , a 15m [49.2 ft.] set back beyond the right-of way. (See Rail Line on Schedule 'A'.)



2.10 Public Service Facilities

Strong communities include an array of **public service facilities** designed to serve the current and projected needs. Land use decisions shall ensure that the necessary **public service facilities** area available or will be available to service growth and development. While recognizing that services may be provided in nearby urban centres (see 2.2 and 2.11.4), development approvals will not be granted unless Council is satisfied that **public service facilities** are or will be adequate including, educational, health care, social and recreational services, cultural services, and fire, police and emergency services. The affected service delivery agencies will be consulted in the review of planning applications.

The co-location of **public service facilities** will be encouraged. *Example: combining a municipal office, works garage, fire hall and community mail boxes* (see photo diagram of Example of Co-located Facilities).

Emergency management services should be strategically located to support the effective



and efficient delivery of such services (e.g. minimize response times, use of joint facilities, and inter-municipal service agreements).

2.11 Coordination

Land use planning decisions affect and are affected by many stakeholders and by shared landscapes and resources. A coordinated, integrated and comprehensive approach to land use planning which considers these and other criteria will lead to more equitable and well-rounded decision-making.



2.11.1 Managing Growth and Development

Council in conjunction with other area municipalities will monitor population, employment and housing development having regard to trends across the District of Sudbury and in Northern Ontario with the intent of reflecting growth projections as they affect the Planning Area. (See also 3.0 Housing Policies)

2.11.2 Economic Development Planning

Council in conjunction with area municipalities will collaborate on matters of economic development planning and programming with the La Cloche Manitoulin Business Association Corporation (LAMBAC) and regional stakeholders such as businesses, government, the Manitoulin-Sudbury District Services Board (MSDSB) education organizations and Indigenous communities.

2.11.3 Transportation and Infrastructure Corridors

Land use planning will be integrated with the protection of existing and planned corridors and rights-of-way for transportation (e.g. provincial Highways 17 and 6, rail services, electricity generation facilities and transmission systems, gas and oil pipelines, recreational trails (e.g. OFSC trails, TransCanada Trail) and portages with the intent to minimize



or avoid **negative impacts** on services from **development** or **redevelopment**. Development setbacks may be imposed to protect the integrity of an **infrastructure** corridor.



2.11.4 Public Service Facilities

Council will collaborate with the Town of Espanola and the City of Greater Sudbury, the respective boards of education and health care agencies in planning for institutional, educational, social, health care and emergency management services required to meet current and projected growth and development needs for **public service facilities**.

2.11.5 Ontario Provincial Police

The Township will provide for on-going communication with the Ontario Provincial police regarding public safety, crime, community safety zones and social issues in the Planning Area.



2.11.6 Indigenous Interests

Council in conjunction with area municipalities will collaborate and coordinate land use planning matters with indigenous communities and will consult with respect to the conservation of **archaeological resources** and **cultural heritage landscapes**.

2.11.7 Growth Plan for Northern Ontario

Council will ensure that the policies of this Plan are in accordance with the Growth Plan for Northern Ontario and associated development activities.



2.11.8 Resource Management

Council will mutually consult with other municipalities and other orders of government with respect to land use decisions which have overlapping impact notably with the protection of provincial interests in the

management and development of natural resources (e.g. agriculture, **minerals**, mineral aggregates, forestry, **natural heritage features and areas**, **watersheds**, water resources, and energy resources).

2.12 Natural Heritage and Cultural Heritage

Community development is subject to the policies of Sections 4.2 through 4.8 of this Plan with respect to Natural Heritage Features and Areas Section 6.6 of this Plan for Cultural Heritage Resources.

3.0 HOUSING POLICIES

3.1 Housing Policy and Affordable Housing

To provide an adequate and sustainable supply of housing to meet current and projected needs over the 20 year planning period. The delivery of affordable housing and other housing programs is the mandate of the Manitoulin-Sudbury District Services Board (MSDSB) within the framework of Ontario’s Housing Policy Statement, *The Housing Services Act (2011)*, and the provincial Long-Term Affordable Housing Strategy (LTAHS). The MSDSB prepared a Housing and Homelessness Plan in 2014 and continues to work towards the implementation of that plan. A major focus is the Direct Shelter Subsidy Program (DSS) which provides financial assistance to families and seniors to enable them to stay in their homes. The latter provides an alternative to the construction of new affordable housing units in the Municipality.



3.2 Housing Types

The range of permitted housing types includes:

1. Single and 2-unit dwellings including mobile homes, group homes, and innovative housing types which meet *Ontario Building Code* standards.
2. 2nd residential units (additional units) shall be permitted as of right in primary dwellings (i.e. single detached, semi-detached, or rowhouse) and ancillary structures except on seasonal residential lots, on ‘at-capacity’ lakes, on **hazardous sites** and lots lacking sustainable sewage systems (see Section 2.7).
3. Multiple unit dwellings and housing designed to meet unique housing needs for Indigenous, homeless and older persons, or which meet



identified social housing and **special needs**.

4. Portable housing such as garden suites.
5. Mobile homes in the Rural Area.
6. Housing options may also include life-lease housing, co-ownership housing, co-operative housing community land trusts, tiny houses and similar innovative housing types to enhance the opportunities to meet varied needs.

(See photo examples of permitted housing types)

3.3 Housing Targets

1. To embrace the Manitoulin-Sudbury District Services Board (MSDSB) housing targets for **affordable** rental and **affordable** home ownership based on the **regional market area** and facilitate the delivery of **affordable** housing through collaborative planning with the MSDSB (see definition of **affordable** in Appendix 1).
2. To target the existing vacant lot supply as the primary source for new housing.

3.4 Housing Density

Low density housing will be the prevailing housing type based on sustainable **individual on-site water and sewage services**.

3.5 Implementation Strategy

Measures to implement housing policies will include:

1. Monitoring the residential land supply to provide for 3-6 housing starts annually.
2. Updating the zoning by-law to permit 2nd residential units (additional units), and by introducing standards for rezoning for multiple units and



Recycled Storage Containers



Tiny House



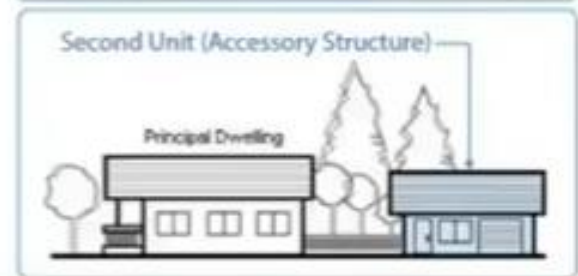
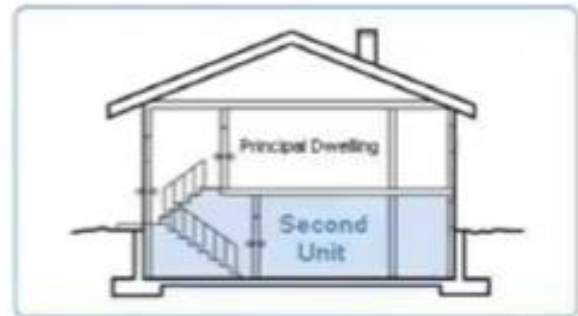
Yurt



Underground House

innovative housing types while conserving existing lot area and frontage standards.

3. Ensure sufficient lands are suitably zoned to meet the long-term housing supply needs of the Township of Baldwin.
4. Working with MSDSB to obtain funding and implementing programs for **affordable** housing and for meeting unique housing needs.
5. Applying site plan control for multiple unit residential buildings with 5 or more dwelling units.
6. Facilitating the conversion of **brownfield sites** for housing.
7. Respecting community development and design criteria and policies of this Plan for all residential development activity.
8. Conserving a low density built form consistent with the current urban and rural settlement pattern.
9. Conserving the integrity of **built heritage resources** and **cultural heritage landscapes** in approving housing development(s).
10. Directing **development** where it optimizes the use of existing roads, **infrastructure** and **public service facilities**.
11. Encouraging cost-efficient, energy efficient and compact housing types.



12. Facilitating the delivery of housing for **special needs** including group homes, crisis care, shelter for the homeless, and housing for older persons.



4.0 Environmental Stewardship

4.1 Keynote Environmental Stewardship Policy

To conserve, protect, restore and improve the natural environment for current and future generations.

4.2 Natural Heritage and Biodiversity

Natural features and areas of provincial and local significance will be protected for the long-term. Biodiversity is recognized as the variability among living organisms from all sources (e.g. terrestrial, marine, aquatic) and the ecological complexes of which they are a part including diversity within and between species and ecosystems, with the policy intent of sustaining the attributes of the natural environment needed to conserve and protect biodiversity within the Township of Baldwin Planning Area.

4.3 General Roles and Responsibilities

Council will provide for habitat protection through the review of development applications and with the technical advice of the MNRF. MNRF provides technical advice related to species at risk and their habitat, including advice on survey protocols for site specific assessments and approval of delineated species at risk habitat. MECP can also provide advice on required authorizations under the *Endangered Species Act, 2007* and the associated regulation (O. Reg. 242/08.) if development or site alteration will impact endangered or threatened species or their habitat.

Planning tools for protecting habitat may include zoning, site plan control, development agreements, parkland dedication and site alteration by-laws (see Section 7.0). Stewardship and incentive opportunities are considered other means to sustain **natural heritage features and areas** in the Township of Baldwin.

Endangered Species Act, 2007 and O. Regulation 242/08

<https://www.ontario.ca/laws/statute/07e06>

Species at Risk:
O. Regulation 230/08
<https://www.ontario.ca/laws/regulation/080230>

Stewardship and Incentive Opportunities

- Voluntary stewardship
- Species at Risk Stewardship Fund
- Species at Risk Farm Incentive Program
- Conservation Land Tax Incentive Program
- Managed Forest Tax Incentive Program
- Conservation trusts and easements
- 50 Million Trees Program

Council recognizes that hunting and fishing activities are a part of habitat management and that these activities as well as the trapping of fur bearing animals are permitted throughout the Township subject to provincial regulations

4.4 Scope of Natural Heritage Features and Areas

Features and areas to be protected include:

1. **Significant wetlands**
2. **Habitat of endangered species, threatened species**, species at risk Habitat of endangered and threatened species listed under the *Endangered Species Act*, 2007, Ontario Reg. 230/08
3. **Significant wildlife habitat**
4. **Fish habitat**
5. **Significant areas of natural and scientific interest**



4.5 Prescribed Requirements

4.5.1 Development and Site Alteration

Wetlands

Development and **site alteration** shall not be permitted in **significant wetlands** in Ecoregion 5E.

Wildlife Habitat, Areas of Natural and Scientific Interest (ANSI)

Development and **site alteration** shall not be permitted in **significant wildlife habitat**, and **significant areas of natural and scientific interest** in Ecoregion 5E (see diagram and Appendix 1) unless it has been demonstrated through a technical study that there will be no **negative impacts** on the natural features or their **ecological functions**.

Fish Habitat

Development and **site alteration** shall not be permitted in **fish habitat** except in accordance with **provincial and federal requirements**.



BLANDING'S TURTLE

greyish brown to black shell with yellowish flecks; bright yellow chin & throat; bulging eyes; 12 – 18 cm long

THREATENED

See Fisheries Act: <http://laws-lois.justice.gc.ca/eng/acts/f-14/>

Endangered and Threatened Species

Development and **site alteration** shall not be permitted in **habitat of endangered species and threatened species**, except in accordance with **provincial and federal requirements**.

Development and **site alteration** shall not be permitted on **adjacent lands** to the **natural heritage features and areas** identified in policies 4.5 unless the **ecological function** of the **adjacent lands** has been evaluated through an Environmental Impact Study and it has been demonstrated that there will be no **negative impacts** on the natural features or on their **ecological functions**. (See also 4.7)

Watercourses and Woodlots

Watercourses and associated valley lands, existing woodlots and tree lines will be conserved in their natural state to the extent possible. Setbacks may be prescribed in the zoning by-law and other planning tools may be used as set out in Section 4.3 to provide for the protection and conservation of these features. (See also Section 4.9)

Agricultural Lands

Nothing in policy 4.5 is intended to limit the ability of **agricultural uses** to continue.

Wetlands are unique habitat for many different species of plants and animals and also regulate flooding and water recharge areas.



Natural Heritage Reference Manual, 2010
<https://ontario.ca/document/natural-heritage-reference-manual>

Significant Wildlife Habitat Guide, 2000
<https://ontario.ca/document/guide-significant-wildlife-habitat>

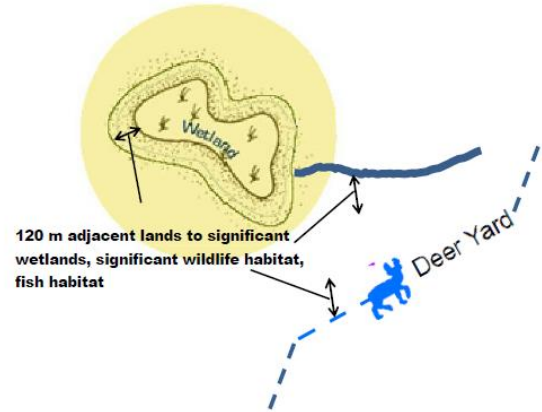
4.6 Adjacent Lands

Adjacent lands for the purposes of Section 4.5 above are within:

1. 120 m of a **significant wetland**.
2. 120 m of **significant wildlife habitat**.

3. 120 m of **fish habitat**.
4. 120 m from a **significant area of natural or scientific interest – life science** and 50 m for a **significant area of natural or scientific interest – earth science**.

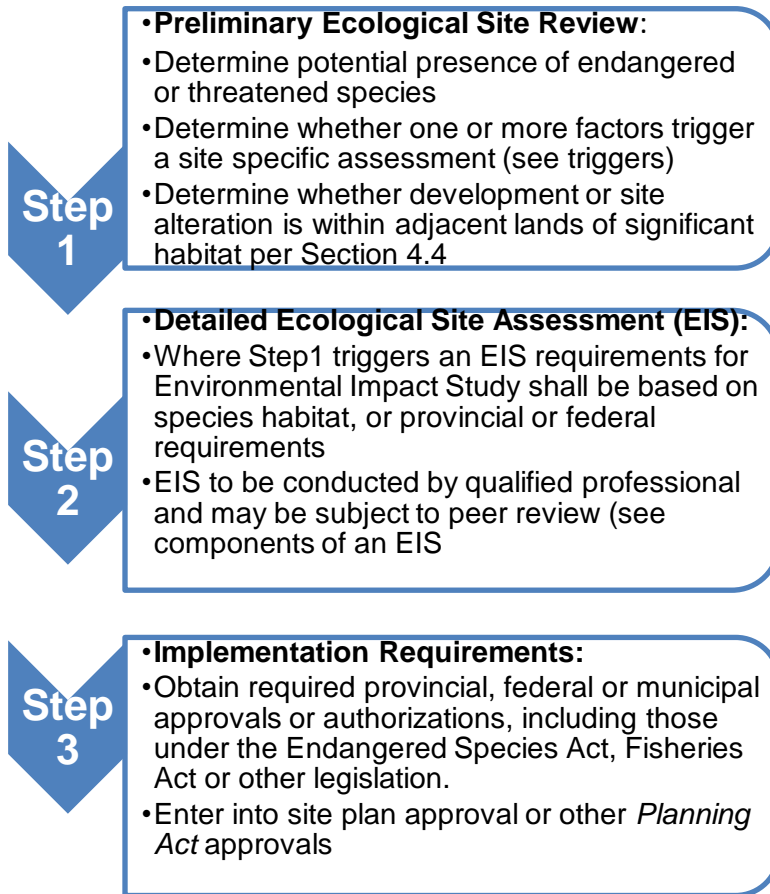
Adjacent lands width may vary depending on the circumstance and may be required to be larger than outlined in Section 4.6 of the plan.



4.7 Evaluation Process

The evaluation process to be followed will be dependent on the type of **natural heritage feature or area** and will be as set out in **Figure 1**. Proponents of development will be required to follow Steps 1 through 3 of the diagram Evaluation Process having reference to the triggers and components of an Environmental Impact Study (EIS), where a technical study is required. References shall be made to the technical documents opposite as well as to Table 1, Appendix '3;

**Figure 1: Evaluation Process
(PPS Definitions Apply)**



Triggers

- Known or potential presence of endangered or threatened species and their habitat
- Creation of 4 or more lots
- Change in land use requiring a *Planning Act* approval
- Shoreline consent within adjacent lands per Section 4.6
- construction of recreational use such as golf course, sports field, campground

Components of an EIS

- Detailed description of study area characteristics and key functions and features
- Degree and extent of existing ecological functions or how they are evolving
- Detailed description of proposed development
- Predicted direct and indirect effects of proposed development
- Identification and evaluation of options for avoidance, mitigation, rehabilitation or no development
- Detailed recommendations on preferred approach or strategy
- program for monitoring, where necessary

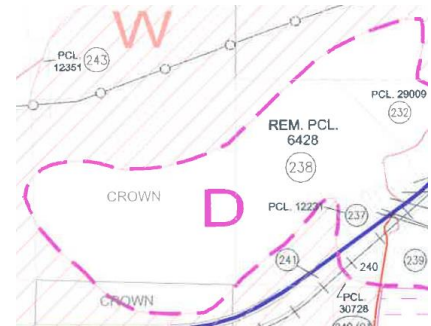
Sources

- MNR or Municipality for sensitive species
- Natural Heritage Reference Manual, 2010
<https://ontario.ca/document/natural-heritage-reference-manual>
- Significant Wildlife Habitat Guide, 2000
<https://ontario.ca/document/guide-significant-wildlife-habitat>

4.8 Deer Yards

In cases where a winter deer habitat (deer yard) is indicated on the Land Use Schedules (see sample diagram) as being on or adjacent to a property that is the subject of a development application, the following standards in addition to Section 4.5 **significant wildlife habitat** will apply:

1. In narrow conifer fringe habitats that occur along lake shorelines, larger frontages will be required due to the restricted nature of this critical habitat feature. Shorelines tend to be the most highly disturbed area during development. A minimum of 120 m frontage for lots will be required; and
2. In areas where critical conifer habitat is distributed in larger patches throughout the landscape and not restricted only to shorelines, a minimum lot width and depth of 90 m will be required.



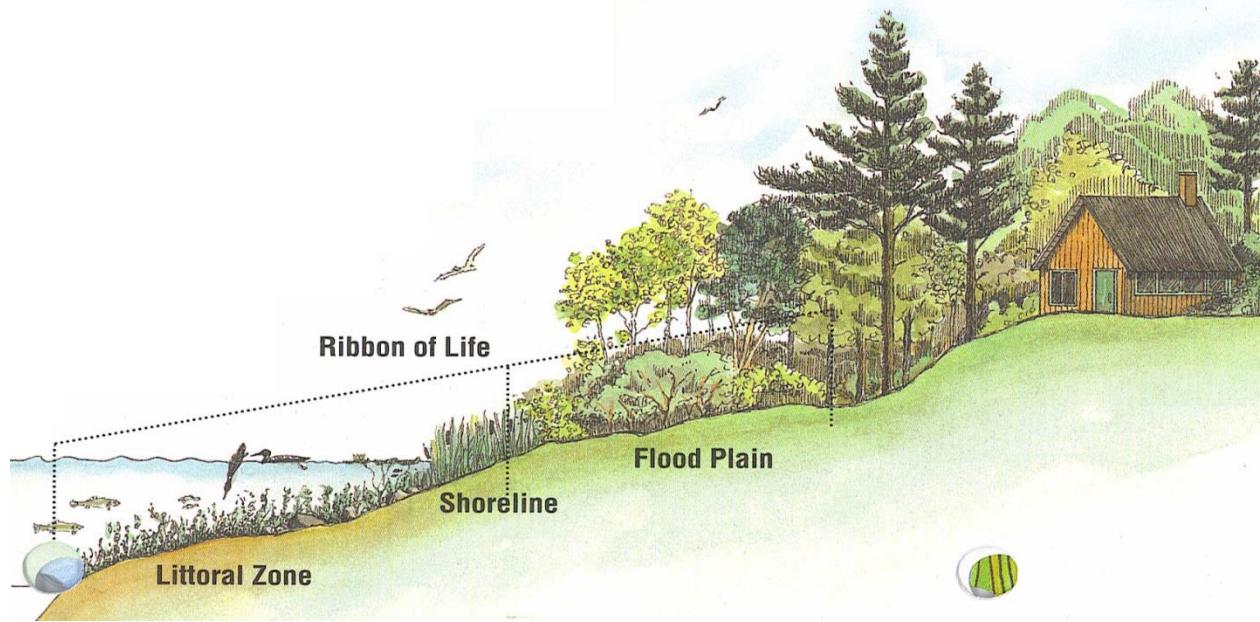
4.9 Shoreline Management

Shorelines are an intricate ecosystem that supports an abundance of terrestrial and aquatic species...often referred to as a 'Ribbon of Life' (see diagram). Their **ecological functions** change through natural and human influences and this may enhance or despoil their health. To sustain shorelines for their ecological value and their development potential requires wise stewardship by planning authorities and the public.

4.9.1 Keynote Shoreline Policy

To maintain, improve or restore shorelines in their naturalized state while providing opportunities for water access and activity areas.



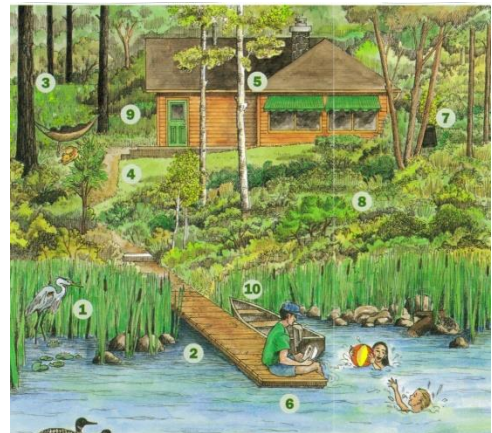


4.9.2 Description of Shoreline Area

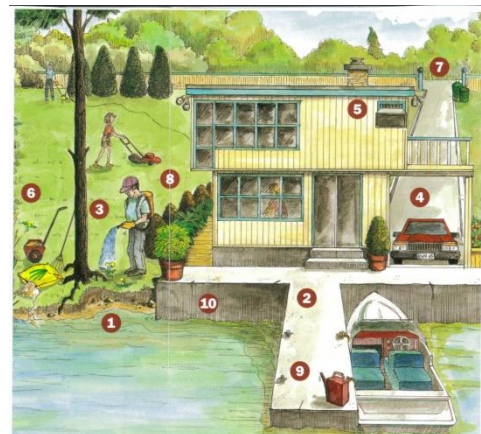
The shoreline area is described as the shore area extending 30 m perpendicularly inland from high water mark of a lake or river or other natural water body. Shoreline areas may be characterized as a vegetated buffer and/or may include a sand or pebbled beach, rock outcrops or any combination thereof.

4.9.3 Purpose of Shoreline Areas

The purpose of shorelines is to provide essential habitat for waterfowl, fish, reptiles, mammals and insects to breed, find protection, move along migration routes or wildlife corridors and feed. A healthy shoreline also helps to stabilize banks, trap and store sediment, filters contaminants from entering the lake, recharges aquifers, prevents soil erosion and maintains the shoreline aesthetics. Protecting the shoreline through the policies of this Plan is intended to maintain the health of the lake ecosystem, sustain



Healthy Shoreline



Unhealthy Shoreline

biodiversity and maintain water quality.

4.9.4 Measures to Conserve Shoreline Areas

1. A development setback shall apply for all buildings, structures and sewage disposal systems of 30 metres (see diagram Setbacks for Shoreline Structures), except for shoreline structures such as a boat house, dock or stairway/pathway access or minor structures such as a pump house, or viewing stand or marine facility. The setback shall be measured as the shortest horizontal distance from the high water mark of the adjacent water body or **wetland** to the main wall of a building or structure or to the edge of the nearest pipe of the subsurface tile field.
2. Where the naturalized shoreline has been altered through human activity, restoration will be required as a condition of the approval of a planning application (e.g. consent, rezoning, minor variance). Restoration, supported by technical studies where required, may include the planting of healthy native vegetation, slope stabilization and drainage controls designed to minimize the discharge of contaminants into the abutting water body, controlling sediment discharges and erosion and recreating a natural riparian habitat.
3. Shoreline alteration through the construction of artificial retaining walls will be discouraged; however, consideration will be given to measures designed by a qualified professional to achieve erosion control using best management practices and designed to incorporate both hard features for erosion protection and vegetation to stabilize soils and slopes and banks.

Crib Dock



Pile Dock



Cantilever Dock

Floating Dock

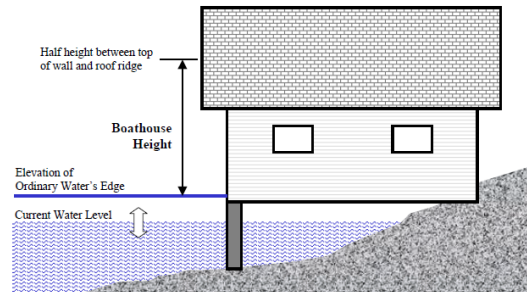


Pipe Dock



- Docks, boat slips will be constructed to minimize environmental impacts through the use of environmentally friendly construction materials and techniques (i.e. installation of cantilever, floating or post docks); dock construction which creates new **fish habitat** is encouraged.

Boathouse Height

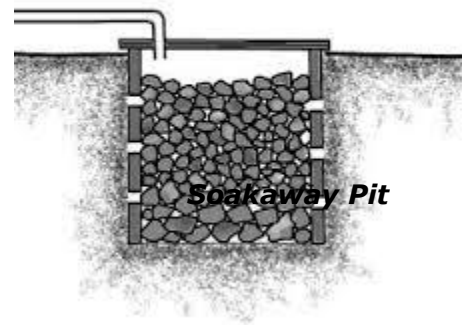


- Boat houses will be limited to one storey and shall be non-habitable.

- Minor variances for reductions in setbacks will only be granted where the effect is to improve the shoreline ecosystem as a condition of approval. In situations where the natural vegetated buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than the area required for the expansion will be required. The location of the replanting area may be anywhere on the lot; however, preference will be given to the riparian shoreline or other natural features (e.g. **wetlands**, watercourses). The planting program will be required whether or not there is vegetation in the area to be occupied by the expansion. Council may require a landscaping plan prepared by a qualified professional in support of any planting or replanting program.

- As a condition of any **development** proposal triggered by a planning application, Council may require buildings or structures to be located or relocated with a greater setback; may require the demolition and removal of buildings and structures; may require the recycling of building materials, may require the reduction of hardened surfaces and may require the removal or replacement/upgrading of sewage disposal systems (see Section 2.7). Other Best Management Practices may include:

- a. Locating **individual on-site sewage systems** where native soils are deepest, and at the furthest distance possible from the shoreline (see Section 2.7).
- b. Reducing lot grading.
- c. Using grassed swales and/or vegetated filter strips on lots that require ditching to control runoff.
- d. Directing roof leaders to rear yard ponding areas, soakaway pits, or to cisterns or rain barrels.
- e. Sump pumping foundation drains to rear yard ponding areas and infiltration trenches.
- f. Revegetating riparian areas.
- g. Measures to improve **fish habitat**.
- h. Increasing the setback of all buildings (except boat houses and docks) to 20 m.
- i. Increasing the setback of a sewage disposal system to 30 m.
- j. Directing the installation of shoreline structures away from **fish habitat** (see Section 4.5).

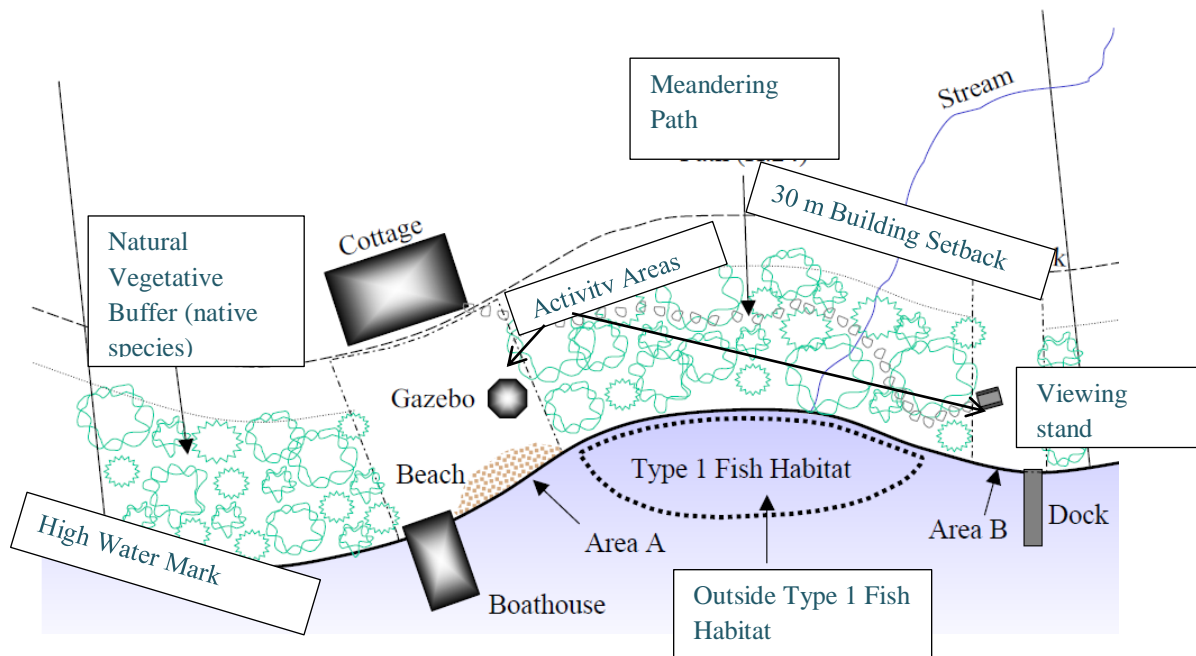


8. In considering applications for waterfront development Council shall ensure that cultural heritage and archaeological resources both on the shore and in the water are conserved (see Section 6.6).
9. Site plan control may be used for the **development** or **redevelopment** of the shoreline. (See also Section 7.17 – Site Plan Control.)

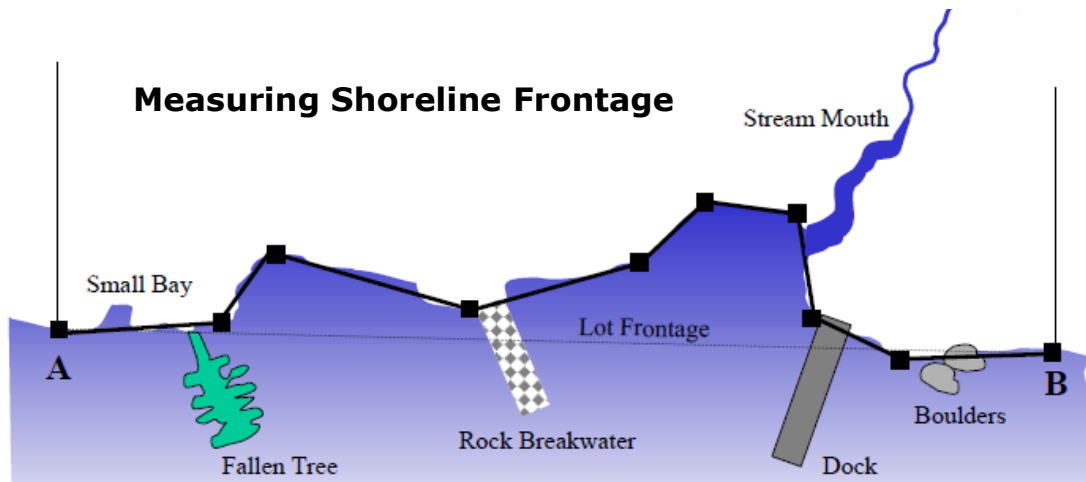
4.9.5 Shoreline Activity Area

A shoreline activity area may be permitted for the purposes of providing water access, a viewscape, constructing a boat house, marine facility or recreational commercial facilities associated with a campground, marina or similar uses. Shoreline activity areas for residential uses shall be limited to 25% of the shoreline frontage of a lot as illustrated in the diagram or 50% for a commercial recreational use. (See diagrams illustrating policy.)

Shoreline Activity Area



Shoreline Activity Area for residential property should not exceed total of 25 % of shoreline frontage to a depth of 30 m from high water mark



Notes:

- Shoreline Activity Area Frontage is the maximum permitted length or percentage of the Lot Frontage
- Shoreline Activity Area Frontage is the distance along the actual shoreline, excepting minor structural or natural variations (sum of line segments shown in the illustration)
- Lot Frontage is usually measured as the closest linear distance between the points at which the side lot lines intersect the ordinary water's edge (distance between A and B)

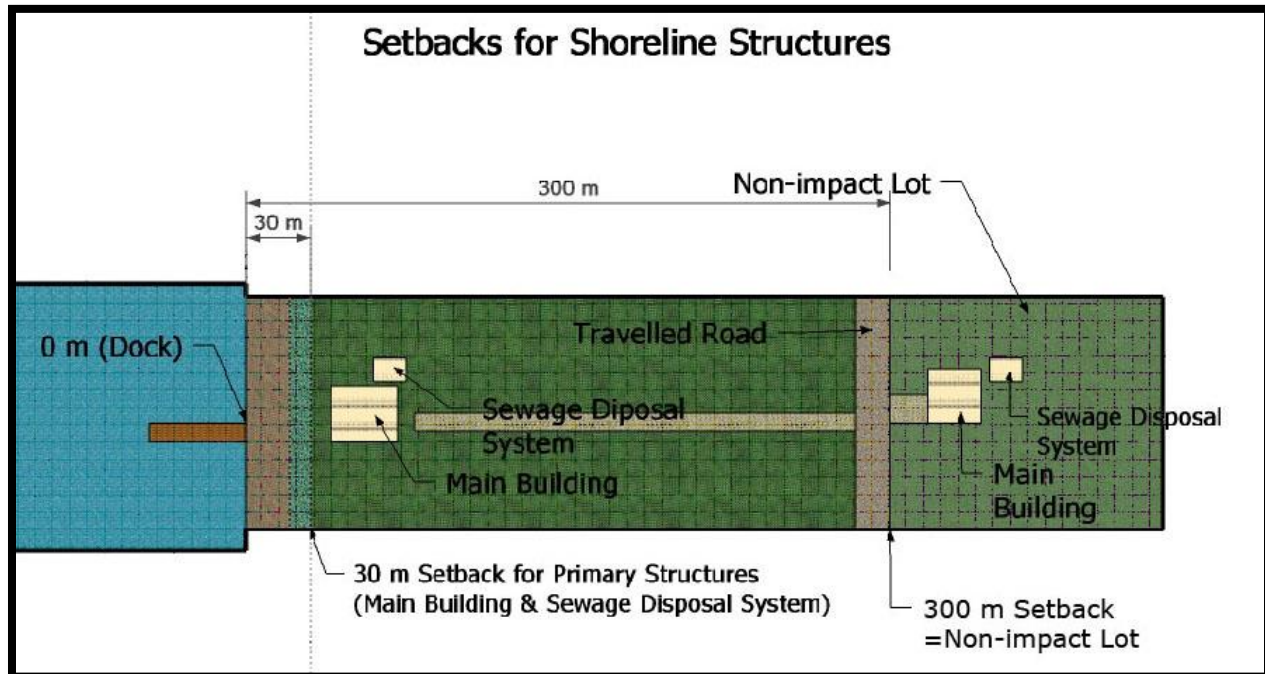
4.9.6 Lake Capacity

No **development** (including new lot creation) shall be permitted on the **adjacent lands** of an at-capacity lake (i.e. lake which has reached its biological capacity) without meeting the criteria established in the Province's Lakeshore Capacity Assessment Handbook TD:

<https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>. A lake capacity assessment study will

be required prior to approving development on lakes where water quality data indicates that the biological capacity has or may be reached. At capacity lakes may include lake trout lakes or other inland lakes which do not support lake trout. New lots may not be created or other planning approvals granted within 300 m of the shores of lakes which have been identified as being at their biological capacity except for the following circumstances:

1. To separate existing habitable dwellings each of which is capable of supporting a Class 4 sewage disposal system provided the land use would not change and there would be no net increase in phosphorus loading; or
2. Where all new septic tile fields are located so that they drain into a drainage basin that is not at capacity; or
3. Where all new tile fields would be set back at least 300 lineal metres from the shoreline (see diagram for non-impact lot); or
4. Where the natural drainage from the tile field would flow at least 300 metres to the lake; or
5. Where there are deep soils native to the site (undisturbed and over 3 metres in depth) meeting a specified chemical composition and hydrologic conditions acceptable to the Ministry of the Environment, Conservation and Parks as outlined in the Lakeshore Capacity Assessment Handbook. This approach requires site-specific soils investigations by a qualified professional and, if implemented, long-term monitoring and use of planning tools and agreements that would ensure long-term maintenance of specified conditions as described in the Lakeshore Capacity Assessment Handbook.



4.10 Climate Change

Climate change is recognized as a global phenomenon characterized by a gradual warming of the planet that has caused severe weather events, the destruction of **infrastructure**, **negative impacts** on agriculture and threatening the biodiversity of our ecosystems. The international community has responded with initiatives to reduce greenhouse gasses or carbon emissions through reduction in the use of fossil fuels. Governments at all levels are engaged in both mitigation efforts and adaptation measures designed to cope with the impacts of climate change.

4.10.1 Climate Change Keynote Policy

To undertake and encourage measures designed to reduce carbon emissions and to plan for the impacts of climate change.

4.10.2 Reducing Carbon Emissions

The Township is committed to reducing carbon emissions through the following measures or initiatives:

1. **Transportation:**

- Promoting carpooling and supporting rural carpooling through establishing car parks at major commuting intersections along Highway 17 and 6.
- Improving opportunities for cycling through the designation and signage of cycling routes through the planning area and by encouraging provincial initiatives to provide cycling lanes on provincial highways.

- Encouraging the development of rural transportation services and shuttle services for multiple occupancy through the use of mini-vans, buses.
2. **Energy Efficient Buildings and Vehicles:**
 - Reducing energy consumption through municipal building retrofits.
 - Promoting zero-emission and green building design.
 - Undertaking replacement of municipal vehicles with alternative fuel vehicles.
 - Supporting establishment of new vehicle electric charging stations.
 3. **Renewable Energy:**
 - Promoting and supporting the development of renewable energy sources on a commercial and individual scale through wind, solar, geothermal, biogas and micro-hydro systems.
 4. **Food Security:**
 - Encouraging local food production through measures such as farmer’s markets, farm stands, waste food recycling, and community gardens.
 5. **Waste Management:**
 - Promoting recycling of non-organic wastes.
 - Reducing waste disposal in landfill sites through waste diversion, recycling and re-use.
 - Reducing waste from construction debris
 6. **Agriculture and Forestry:**
 - Promoting best farm practices by reducing nitrous oxide emissions through improved fertilizer use, crop rotation, modified tillage and residue and manure management
 - Encouraging fuel switching through use of biomass, solar, wind or micro-hydro sources.
 - Provision of alternative fuel production through feedstock from wood pellets, biomass etc.
 7. **Carbon Capture:**
 - Sustaining high level of forest cover for carbon capture.
 8. **Well Built Communities and Infrastructure:**
 - Ensuring that all development is directed away from lands susceptible to flooding and erosion through severe climate events.
 - Designing road **infrastructure** and stormwater management facilities to protect against severe weather events and to facilitate evacuation.

4.10.3 Emergency Preparedness

Council will review emergency preparedness plans on a regular basis giving consideration to:

1. Types of impacts such as floods, forest fires, mud slides

2. Evacuation routes from low lying lands
3. Communication services during emergency events
4. Provision of generators or alternative energy supplies
5. Location and provisioning of evacuation centres

5.0 COMMUNITY HEALTH AND SAFETY

5.1 Keynote Community Health and Safety Policy

To build a strong, sustainable and resilient community that is safe for all.

5.2 Healthy Communities

Land use decisions and the way communities are designed have multiple impacts on people's physical health as well as on their mental health and well-being. The physical form of a community affects the quality of the air they breathe, the types of physical activity choices they make and how they interact with their neighbours. Land use planning defines the character of the community, impacts the cost of providing services, and influences the community's ability to attract business and residents. A healthy community is a successful community when the community is inclusive in the decisions made on behalf of all and are balanced with the protection of the natural environment. The strategy for a healthy community in the Township of Baldwin takes into account the environment, safety, physical activity, food access and social well-being.

5.2.1 A Healthy Environment

Land Use planning decisions shall consider the impacts on community health by:

1. Ensuring that proposed residential development and **sensitive land uses** shall be made compatible with neighbouring land uses through distance separation and the mitigation of industrial and commercial emissions, nuisance noise and odour impacts.
2. Protecting water from sources of contamination.
3. Conserving the natural environment through protection or enhancement of shorelines, forested landscapes/woodlots and fish and **wildlife habitat**.
4. Ensuring that access to green space, provincial and local parks, sports and recreational facilities, trails and conservation areas and reserves will be maintained, restored or expanded to meet the needs of residents and to strengthen the opportunities for destination tourism.
5. Providing for public access to lakes, rivers and shorelines will be provided through preserving current access points and through parkland dedication and the protection of public road access leading to water.
6. Landscaping designed for shading, cooling and wind buffering will be an integral component of land use design decisions.

5.2.2 Community Safety

Township of Baldwin will create a physical environment that is safe for all residents through such measures as:

1. Designing and upgrading roads that support all users including cyclists and pedestrians.
2. Working with the OPP to ensure appropriate traffic enforcement and crime prevention.
3. Designing and maintaining trail systems (i.e. Voyageur Trail, Trans-Canada Trail etc.) that are safe for users.
4. Implementing community accessibility plans and retrofitting buildings to facilitate access by those with disabilities.
5. Ensuring road design for public and private roads meets current safety standards for height, width and travel clearances.
6. Providing adequately lit public spaces (i.e. parks, playgrounds, public use facilities) to increase safety and prevent crime in the community. Within areas intended for nighttime use, security will be upgraded with lighting and improved visibility, wherever possible.
7. Ensuring proper sight distances for new entrances onto roads and at intersections.
8. Maintaining an update emergency preparedness plan.
9. Supporting and promoting fire safety measures for all dwellings such as through the provision of smoke and carbon dioxide detectors.
10. Working with school boards to provide for the safe transport of school children and providing for Community Safety Zones.
11. Directing development away from **hazardous sites** and substances (i.e. flood prone lands, contaminated sites, **mine hazards**).



5.2.3 Physical Activity

Township of Baldwin will encourage a physical environment that provides opportunities for safe daily physical activity for all through such measures as:

1. Providing and maintaining greenspaces, places to play and gather, and recreational facilities and opportunities for all.
2. Providing for natural and built shade features in outdoor public spaces.
3. Promoting active transportation and less dependency on motorized transport (e.g. cycling, walking).



5.2.4 Food Access

The Township of Baldwin will increase the availability of healthy food for all residents through such measures as:

1. Conserving good agricultural land for food production.
2. Promoting local food production as part of a sustainable local food system.
3. Permitting community gardens/plots.
4. Permitting food produce stands.

5. Permitting and encouraging on-farm diversified uses which focus on food production and food processing.
6. Permitting agricultural-related uses in the rural area for food production.
7. Promoting and permitting diversified foodland production such as greenhouses, orchards and market gardens.
8. Permitting food-based home occupations.
9. Encouraging the development of food co-operatives.
10. Permitting backyard and front yard vegetable plots and encouraging localized gardens for growing/production of fruits, vegetables, eggs, honey, seeds, herbs and nuts.
11. Permitting small animal farming on individual residential lots for personal consumption such as the raising of chickens.
12. Facilitating recycling of edible waste foods.

5.2.5 Cannabis

Municipalities may prohibit or regulate the commercial and personal production cannabis and cannabis-related products and services through the zoning by-law and under the *Municipal Act* (i.e. licensing to govern hours of operation, product display, record keeping, signage, limiting exposure to minors etc.). Municipalities may also prohibit or regulate a medical marijuana facility. The following definitions apply.

Cannabis means a cannabis plant, including the phytocannabinoids produced by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

5.2.6 Social Cohesion and Well-Being

The Township of Baldwin will encourage a physical form within the community that encourages social interaction, promotes social capital and sustains the well-being of all residents through such measures as:

1. Providing opportunities for mixed housing and a mix of housing types designed to meet the socio-economic characteristics of the community.
2. Providing for public spaces where people can meet.
3. Creating a forum for dialogue and joint decision-making on community and land use matters with Indigenous people.
4. Celebrating the cultural plurality of the community through community events and festivals.
5. Promoting a diversified economic base that provides a variety of employment opportunities.
6. Working to sustain health care, social and recreational services on a regional basis to meet the needs of residents of The Township of Baldwin.

5.3 Transportation System

The transportation system in the Planning Area is made up of two access control provincial highways, township roads, private roads, resource access roads, snowmobile trails while transportation and **infrastructure** corridors comprise the Rail Line, a hydroelectric power transmission lines. The intent of the Plan is to ensure that the transportation system is safe, energy efficient and facilitates the movement of peoples and goods for current and future needs.

5.3.1 Provincial Highways

In addition to the policies of Sections 2.6 and 2.11.3, the following policies apply:

1. Provincial Highways are administered under the auspices of the *Public Transportation and Highway Improvement Act* by MTO and all proposed development within MTO's permit control area including an intersection/interchange is subject to MTO approval prior to the issuance of entrance, building and land use permits, including signs, and prior to any construction. Provincial highways are illustrated on the Land Use Schedules. The intent of the plan is to protect Provincial Highways 17 and 6 from development that would compromise the future development and use of these transportation corridors.

When development is proposed that may impact an existing or planned transportation corridor, provincial highway or intersection/interchange, early consultation with MTO is required to determine if any applicable permits or approvals are required. A traffic study, illumination study and a stormwater management study may be required by MTO prior to any development approval depending on the scale and type of land use proposed. The Township must be satisfied that any required permits or approvals from MTO can be obtained or issued for the development prior to approving a planning application.

2. Outdoor storage and loading areas adjacent to a provincial highway will be visually buffered from passing traffic in the interest of public safety.
3. Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

4. Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision should be designed such that the lots back onto the provincial highway and front onto a local internal street.
5. Development proposed with indirect access to a provincial highway will not be permitted unless prior approved by MTO.
6. Trail crossings (e.g. for snowmobiles or off-road vehicles) are subject to MTO approval; however, new trails which parallel a highway corridor will not be permitted for public safety reasons.
7. **Wayside pits and quarries, portable asphalt plants and portable concrete plants** used on public authority contracts will be permitted without the need for an official plan or zoning amendment; however, they are subject to the provisions of the *Aggregate Resources Act*.
8. MTO reviews cycling proposals on a case by case basis and will allow changes to take place on provincial highway structure only after an analysis of the impact on safety and traffic operations.

5.3.2 Township Roads

1. In addition to the policies of Section 2.6, the primary access for development in the Planning Area will be via the existing Municipal road network. Council may classify roads and restrict or control access for any **development** or a change of land use on the basis of the classification. The classification may include the designation of roads for scenic or cultural resource purposes including measures to govern or conserve a **cultural heritage landscape**. The land use schedules to the official plan set out a municipal road classification system consisting of year-round and seasonally maintained roads.
2. Council may exercise any authority granted by the *Municipal Act* for the design and use of roads as a means to convey people and goods, provide emergency and public services and serve as **infrastructure** corridors. Council may govern the use of road rights-of-way for traffic, sidewalks, crosswalks, boulevards, street signs, private signage, garbage collection, snow plowing, parking and loading, and utilities.
3. Entrance permits may be required for the design and construction of entrances and the installation of culverts. Culverts may be installed by the municipality at the owner's expense or by the owner under municipal supervision.
4. Council may require or undertake a traffic impact study, drainage study or heritage impact study prior to the approval of any road

construction including new roads, road, lane, intersection and entrance improvements, road widening, cycling lanes, car parks for carpooling, and landscaping or right-of-way improvements.

5. Standards, timing and phasing for the maintenance and reconstruction shall be in accordance with the Township of Baldwin Asset Management Plan using the principle of life-cycle costing.
6. Council may require a cost-benefit analysis including lifecycle costing and integration with the Township's Asset Management Plan prior to considering the acquisition of any private or other road proposed for public use or the construction of any new road proposed for dedication and assumption to/by the Township.
7. Council may require land to be conveyed to the appropriate road authority at no cost for the purpose of widening an existing road as a condition of severance, subdivision or site plan approval. Land for widening of a road right-of-way shall generally be sought equally from both sides of the right-of-way but may be exempted or modified to reflect site constraints such as natural heritage or cultural resources, existing physical development or encroachments, placement of buildings, scale of the proposed development and pedestrian safety.
8. Council may establish a road, street or highway under the 5% reserve provision of Section 64 of the *Municipal Act* where there is a 5% reserve in the patent for the original parcel that has not already been used and without compensation to the abutting land owner. Such acquisition may be registered, and may be for the benefit of providing access to landlocked parcels.
9. The design and construction or reconstruction of new municipal roads and bridges shall coincide with the Ontario Provincial Standards for roads & public works (OSP). The level of service for municipal roads shall coincide with the Township's asset management plan and *Ontario Regulation 239/02*, Minimum Maintenance Standards for Municipal Highways.

5.3.3 Unopened Road Allowances

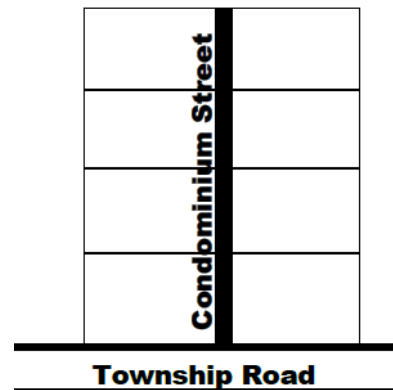
An unopened road allowance means a road, street or lane owned by a municipality which has not been established for general public use by that municipality. Council under Section 35 of the *Municipal Act* may remove or restrict the common law rite of passage and access of an unopened road allowance and are authorized to regulate any improvements, maintenance, access, cross-over, land use or encroachments, cutting of trees, removing obstructions, grading and hosting social or any social, recreational or sporting events/use of an unopened road allowance. Council may govern travel on an unopened road allowance by off-road vehicles, snowmobiles and bicycles.

Council may as a condition of use, require a legal plan of survey, may enter into an agreement, may require liability insurance, may provide that permission for use may be cancelled, that permission is not assignable and may be exclusive, and may require the installation of signage cautioning use or access to the road allowance. Council may also provide for input from neighbours or other users of the road before granting use and may require the right to inspect for compliance with any conditions imposed in the use of the unopened road allowance.

5.3.4 Private Roads

1. A private road is defined as a road or easement under private ownership which serves two or more legally conveyable lots. The location and the rights of use must be sufficiently identifiable including the owner of the land (servient tenement or one over whose land the easement or right-of-way will extend), the user (dominant tenement or the one benefitting from the easement), the location of the route or alignment on the landscape (to excluding the notion of wandering at large), and the rights conferred on the use (e.g. type or traffic permitted, exclusive or shared use), width and height clearances of the road, material use, maintenance, what can be constructed on the easement (i.e. utilities, fences, poles, drains), also how parties are to notify each other, the right of municipal access and level of services which may or may not be offered, tree removal or trimming, signage and speed controls and indemnity of a municipality from any actions.

Note: A driveway provides access to only one property or legally conveyable lot, despite the length of the driveway.



2. The Township has no legal obligation to maintain or repair any private road or otherwise provide services to any development located on a private road, nor is there any responsibility acknowledged for the provision of school bussing.
3. New private roads shall not be permitted except for a condominium where the internal private road has direct access to a public road (see diagram).
4. Council may permit new lot creation or development on an existing lot on an existing private road and may as a condition of approval require the upgrading and maintenance of the private road to an acceptable municipal standard and a standard which meets the access requirements for emergency vehicles in accordance with the *Ontario Building Code*, and may require one or more signs to be installed

indicating that the road is used at the risk of the user (see diagram). The *Municipal Act* may be used for any agreements related to the construction, maintenance and use of a private road.



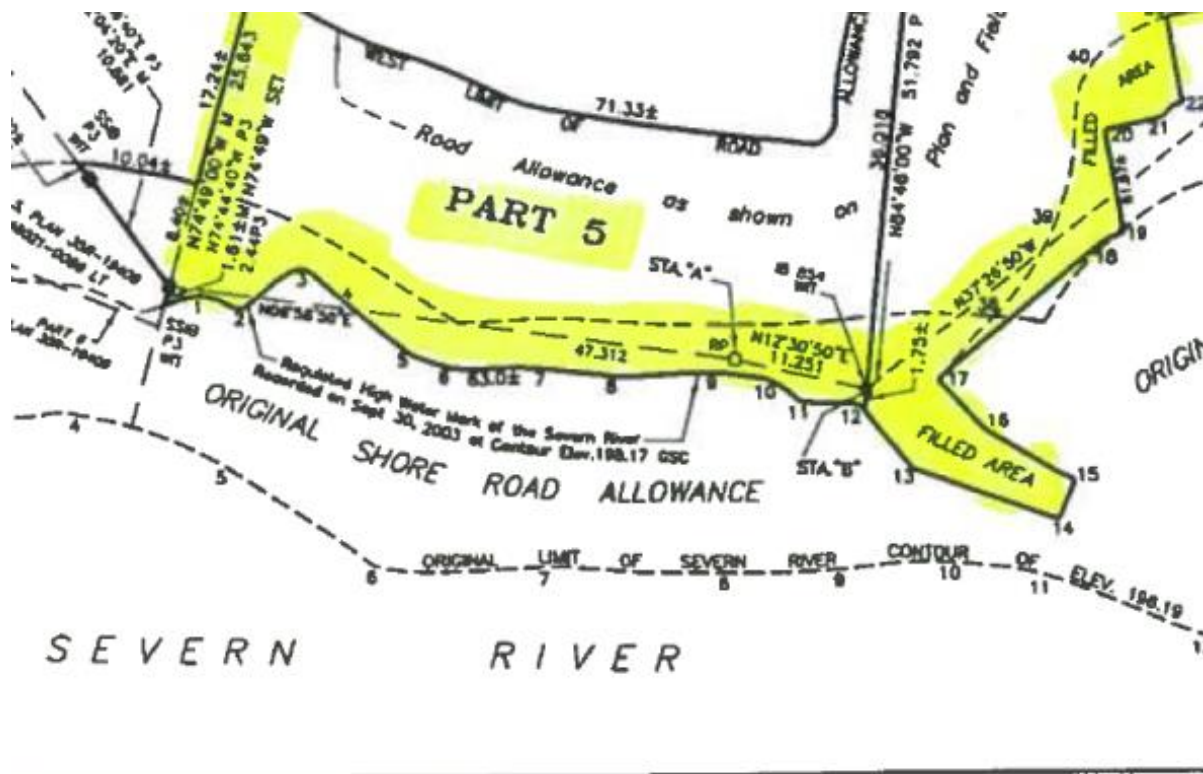
5. A private road may be dedicated and assumed by the municipality subject to Section 5.3.2.6.
6. A lot may be used or developed for a use permitted by this Plan and the zoning by-law which does not have frontage on a public road provided the lot has an existing legal access.
7. The provisions of this section shall not be deemed to prohibit the blockage of an existing road over one person's land which provides the only motor vehicle access to another person's land or boat docking facility where otherwise permitted under the auspices of the *Road Access Act*. The *Road Access Act* does not apply on land not owned by a municipality.

5.3.5 Roads on Crown Land

Roads across Crown Land are intended to provide access to resource-based land uses such as forestry, mineral or mineral aggregate extraction, subject to approval by MNRF, and do not have guaranteed maintenance; consequently Crown Land roads are not considered acceptable access for the purposes of providing or approving access to residential or commercial land uses.

5.3.6 Shoreline Road Allowances

1. Shoreline road allowances are intended to be kept in the public domain, but may be sold to an abutting shoreline property owner to provide riparian rights and access to the abutting water body.
2. This Plan is not deemed to convey any right by a property owner for the construction of any dock, building or structure on a shoreline road allowance without prior permission from a municipality. Council may enter into encroachment agreements for any use of a municipally-owned shoreline road allowance.
3. Shoreline road allowances are intended to be retained in the public domain where they conserve public access to a water body, serve to conserve a **cultural heritage landscape** or are required to protect a **natural heritage feature and area** or a **vulnerable** or sensitive ground water or surface water feature. (See Sections 4.2-4.4 and 6.6.)



6.0 RESOURCE MANAGEMENT

6.1 Keynote Resource Management Policy

To protect agricultural, mineral, mineral aggregate, forestry, water, cultural heritage, and **archaeological resources** for their economic, environmental and social benefits.

6.2 Agriculture

1. The intent of the Plan is to protect the long-term future of agriculture by recognizing the importance of Canada Land Inventory (CLI) Class 2-4 soils and by permitting a full range of on-farm diversified and agricultural-related land uses.

Agricultural uses shall mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the nature and size of the operation requires additional employment. Associated activities to agriculture will be encouraged and promoted including **agriculture-related uses, agri-tourism** and **on-farm diversified uses** (e.g. home base businesses, farm vacation facilities), and uses that produce value-added agricultural products (e.g. cheese production, craft breweries).

2. The intent of the Plan is to also support of sustainable farming practices and research, the



support of the culture of the farming community and by maintaining strong environmental standards. Activities that will be encouraged include:

- The preparation and compliance with nutrient management plans.
 - Preparation and implementation of environmental farm plans.
 - The use of best management and **normal farm practices**.
 - The protection, restoration and management of natural areas such as woodlots, **wetlands**, stream and river valleys.
 - On-farm energy production as an energy source for farming operations.
3. The MDS formulae I and II shall apply (see Section 2.9 and Table 2).
 4. Farm operators will be encouraged to not seek consents which may interfere with agricultural productivity such as lots for non-farm residential uses.
 5. **Development** which is incompatible with normal farm practices will be discouraged in the vicinity of viable farming operations.

6.3 Forestry

1. The intent of the Plan is to recognize the importance of forests as a renewable and sustainable resource within the Planning Area. This includes recognition of timber harvesting and silviculture activities of commercial timber operators licensed by the Ministry of Natural Resources and Forestry, and private property owners operating under the *Forestry Act, 1990*.
2. On land falling under *The Crown Forest Sustainability Act, 1994* agreements, forestry management and wood production activities shall be permitted and encouraged using best practices such including the conservation or restoration of shorelines and the protection of the **natural heritage features and areas**.



Council recognizes that other land uses may co-exist with timber operations and such uses including outdoor recreation, eco-tourism, trapping, traditional native land use activities, shall be permitted as complementary activities.

3. In recognizing the importance of the forest resource within the Planning Area, it is a policy to both support and help co-ordinate the application of forest resource management techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and **fish habitat**.
4. Tree planting and increasing forest cover will be promoted wherever feasible as part of land use planning decisions (e.g. in association with the restoration of shoreline areas, erosion measures and increasing the tree cover on rural lots). Clearing of natural environment areas is not permitted.
5. A tree retention/planting plan may be required for subdivisions and site plans and will include measures for protection during construction.
6. Existing tree lines along property boundaries will be maintained for wind buffering and to reinforce the aesthetic amenities of the rural area.

6.4 Mineral Aggregates

1. The intent of the Plan is to recognize and protect **mineral aggregate resources** and existing extraction operations from **development** and land uses that could interfere with the current or future development of these resources. **Mineral aggregate resources** refer to gravel, sand and various types of bedrock that are suitable for construction, industrial, manufacturing and maintenance purposes. The geographic area comprising **mineral aggregate resources** and licensed pit and quarry operations is illustrated on the Land Use Schedules to the Plan and represents the lands to be protected as the long-term supply for The Township of Baldwin. Additional areas may be designated by amendment to the Plan.
2. Incompatible land uses will not be permitted within the influence or separation distances set out in Section 2.9 and Table 2 of the Plan including development and activities which would preclude or hinder the establishment of new operations or access to **mineral aggregate resources** except where:
 - The resource use would not be feasible; or
 - The proposed land use or development serves a greater long-term public interest; and
 - Issues of public health, public safety and environmental impact are addressed.

The matters set out in sub-clause 2 shall be addressed through a technical study (Mineral Aggregate Resource Assessment) conducted by a qualified professional. The influence area applies on a reciprocal basis such that proposed mineral aggregate operations may only be established where compatible with existing sensitive and other land uses. Mineral aggregate operations will not be permitted which compromise or are incompatible with the development or redevelopment of the hamlet of McKerrow and the highway commercial corridor along Highways 17 and 6.

3. Lands used for extractive operations shall be licensed under the *Aggregate Resources Act*. The Township, where authorized by the *Municipal Act*, may impose requirements including technical studies to address off-site impacts such as the designation of haulage routes, and the mitigation of noise, dust, blast impact or other nuisance impacts. Conditions may be determined through a technical study for land use compatibility (see Section 2.9).
4. Council recognizes that permits may be issued for extractive operations on Crown Land. Council may require agreements or other measures and mitigation for private lands affected by a **mineral aggregate operation** on Crown Land.
5. All lands identified as **mineral aggregate resources** including extractive operations shall be appropriately zoned including lands proposed for any expansion or where new resources may be identified.
6. Mineral aggregate resource extraction is considered an interim land use and the intent of the Plan is that all extractive operations will be progressively and finally rehabilitated to accommodate subsequent and/or approved land uses in the rural area as a means to ensure land use compatibility, and to mitigate **negative impacts** which may change through phasing or other characteristics of the operation. **Comprehensive rehabilitation** is encouraged where there is a concentration of several extractive operations in an area. Lands which are rehabilitated may be redesignated and rezoned for other permitted land uses in the rural area. A Mineral Aggregate Operation Rehabilitation Plan may be required.
7. From an environmental standpoint, the intent of the Plan is to encourage conservation of mineral aggregate resources through recycling, wherever feasible (e.g. asphalt recycling in resurfacing highways).

Sand and Gravel
Resources of the
Espanola Area, Open File
Report 5484, Ontario
Geological Survey

<http://www.geologyontario.mn.dmf.gov.on.ca/mndmfiles/pub/data/imaging/OFR5484/OFR54>

8. **Wayside pits and quarries** and **portable asphalt plants** and **portable concrete plants** used on a public authority contract are permitted without the need for an official plan amendment or a rezoning except in a sensitive habitat or on lands identified as having archaeological potential or a cultural heritage resource.
9. Council shall conserve cultural heritage resources when considering the establishment of new areas for **mineral aggregate resources** extraction or when considering the establishment of new operations or the expansion of existing operations. When necessary, Council will require satisfactory measures to mitigate any negative impacts on cultural heritage resources (see Section 6.6).

6.5 Minerals

1. The intent of the Plan is to recognize and protect mineral resources for long-term use against development and land uses that would preclude or interfere with the potential development of the resources, their expansion or continued use or where **mineral mining operations** would be incompatible for reasons of public health, public safety or environmental impact.
2. The Township of Baldwin is underlain by volcanic rocks including quartz feldspar sandstone, conglomerate, sandstone of the Elliot Lake Group; Matinenda Formation and quartz-feldspar sandstone, argillite and conglomerate Hough Lake Group; Mississauga Formation; mafic and ultramafic related intrusive rocks and mafic dikes, including Nipissing mafic sills, the Nipissing diabase is a source of high quality crushed stone aggregate.
3. The surficial deposits (e.g. loose, unconsolidated) in the Baldwin area consists of a thin veneer of till that was deposited on the bedrock surface as the last major advance and withdrawal of a continental ice sheet during the late stage glaciation, approximately 10,000 years ago.
4. Data shown on the Township of Baldwin Official Plan Metallic Mineral Potential Estimation Tool (MMPET) Index map is based on GIS-based application that provides a high-level, regional scale illustration of the likelihood of any given parcel of land to be prospective for a metallic mineral resource. The estimate values are a score out of 100. The estimated MMPET score for the Township of Baldwin is very high throughout most of the township with estimate scores ranging from 64.8 in the northwest portion and 100 throughout approximately half of the township. The MENDM has also recorded some 21 Mineral Deposit Inventory (MDI) occurrences in the Planning Area which indicate past exploration and/or mining activity.

5. Given the MMPET scores are high throughout the township, the areas of mineral resources have not been identified on Schedule 'A' to the Plan; however, new development may have a potential impact of access to mineral resources. Development which would preclude or hinder the establishment of new operations or access to mineral resources shall only be permitted if:
- The resource use would not be feasible; or
 - The proposed land use or development serves a greater long-term public interest; and
 - Issues of public health, public safety and environmental impact are addressed.

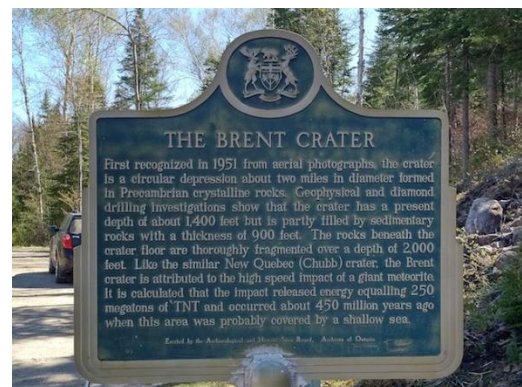
A technical study (Mineral Resource Assessment) conducted by a qualified professional may be required to assess the criteria listed above. Planning applications will be reviewed in consultation with the Ministry of Energy, Northern Development and Mines to determine the need for a technical study.

6. All lands identified for a **mineral mining operation** including extractive operations, storage of waste rock and tailings, processing and smelting operations and administrative and ancillary activities or uses shall be appropriately designated through an amendment to the Official Plan and zoned through an amendment to the zoning by-law as a condition of approval and the provisions of Section 2.9 shall apply.
7. **Mineral mining operations** are considered an interim land use and the intent of the Plan is that all mineral operations will be progressively and finally rehabilitated to accommodate subsequent and/or approved land uses in the rural area as a means to ensure land use compatibility, and to mitigate **negative impacts**. Technical studies or approvals may be required (i.e. Mineral Operations Rehabilitation Plan).

6.6 Cultural Heritage

Cultural heritage resources will be identified and **conserved** through the development review process and under the *Ontario Heritage Act*. Cultural heritage resources include **built heritage resources, cultural heritage landscapes, archaeological resources** and marine **archaeological resources** or sites.

6.6.1 Municipal Register



In accordance with Section 27 of the Ontario Heritage Act, the municipal clerk shall maintain a register of all property designated under Part IV and Part V of the Ontario Heritage Act. This register may also contain properties that have heritage conservation easements placed upon them and properties that are not designated, but which are considered by Council to be of cultural heritage value or interest.

6.6.2 Municipal Heritage Advisory Committee

Council may appoint and vest the Municipal Heritage Advisory Committee with responsibility for developing criteria for the potential identification and designation of **significant built heritage resources, significant cultural heritage landscapes** and the establishment of one or more heritage conservation districts under the *Ontario Heritage Act*. The Committee will contribute to the establishment of management policies for the long-term protection and conservation of cultural heritage resources, particularly any **heritage attributes** that have been identified during the creation of a heritage resource inventory. This may include the preparation of a heritage master plan and an archaeological management plan. Council will consult with Indigenous people in the preparation of such plans.

6.6.3 Designation

Municipalities may designate identified cultural heritage sites and/or properties under the *Ontario Heritage Act*.

6.6.4 Human Remains

The Ministry of Tourism, Culture and Sport, the Ministry of Government and

Provincial Criteria for determining archaeological potential:

- Known archaeological sites within 300 m
- Water source (primary, secondary, ancient) within 300 m
- Elevated topography (e.g. knolls, drumlins, eskers, plateaux)
- Unusual land formations (e.g. mounds, caverns, waterfalls)
- Resource-rich area (concentrations of animal, vegetable or mineral resources)
- Non-aboriginal settlement (monuments, cemeteries)
- Historic transportation (e.g. road, rail, portage)
- Property protected under the *Ontario Heritage Act*
- Local knowledge
- Recent disturbance (extensive and intensive)

Consumer Services – Registrar of Cemeteries, the OPP and Indigenous Community will be contacted where human remains or an unmarked burial site or cemetery is discovered. Provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

Criteria for Evaluating Marine Archaeological Potential available here:

[http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/021-0503E~1/\\$File/0503E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/021-0503E~1/$File/0503E.pdf)

6.6.5 Archaeological Resources

Archaeological resources will be **conserved** by preservation *in-situ* wherever possible and where preserved on site the integrity of the site will be maintained where **development** or **site alteration** is permitted. Where approved and the resources are removed, appropriate documentation shall be required. An archaeological assessment undertaken by a licensed archaeologist will be required for development or **site alteration** in **areas of archaeological potential** based on provincial criteria and when a known archaeological site or suspected cemetery or burial site is affected by development. An archaeological assessment may be required in accordance with the provincial criteria for determining archaeological potential illustrated in the text box opposite. Where a development or change of use proposal is determined to have a potential impact on a known cultural or **archaeological resource**, it must be demonstrated that the impact will be mitigated. Council shall require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront developments (e.g. Agnew Lake). (See technical reference in text box.)

6.6.6 Protected Heritage Property

Development and **site alteration** may be permitted on **adjacent lands** to a **protected heritage property** or whenever a **development** has the potential to affect a protected heritage property or cultural heritage resource provided a heritage impact assessment prepared by a qualified professional has evaluated the impacts and demonstrates that the **heritage attributes** of the **protected heritage property** will be protected.

6.6.7 Measures for Implementation

Measures to implement the cultural heritage policies of this Plan include:

1. Establishing a heritage zone category in the implementing zoning by-law pursuant to Section 34 (1) 3.3 of the *Planning Act*.
2. Designating **built heritage resources** and **cultural heritage landscapes** under the applicable components of Part 4 and Part 5 of the *Ontario Heritage Act*.
3. Creating one or more heritage conservation districts based on the following criteria:
 - Any collection or grouping of buildings, properties, streets or open spaces that as a result of their location, landscape setting, historic use, **archaeological resources**, or architecture are collectively **significant** to the community and/or are of cultural heritage value. Such buildings may or may not be designated under Part 4 of the *Ontario Heritage Act*;
 - An area with a special character with an integrity of its own that distinguishes the area from other areas of the community and represents a certain aspect of, or era in the development of the Municipality which is worthy of being maintained and protected such as a town centre, waterfront or lakeshore area or original residential area or neighbourhood;
 - A defined boundary identifying a portion of the Municipality within which all properties are protected from inappropriate changes impacting their recognized cultural, historic or architectural values through the use of policies, by-laws and design guidelines.
 - An area that has been identified or defined for its **heritage attributes** by the Municipal Heritage Advisory Committee;
4. Applying site plan control.
5. Incorporating heritage conservation through the preparation of a community improvement plan (per Section 28 of the *Planning Act*. See also Section 7.11).
6. Partnering with organizations and senior levels of government in identifying, protecting and conserving heritage resources. Examples could include grants or loans for repairs or restoration of heritage properties.

7. Supporting the reduction of waste construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive re-use of older and existing building stock.
8. Approving energy retrofits of heritage buildings without compromising the heritage integrity of the building.
9. Ensuring that public works projects and other municipal initiatives comply with the cultural heritage policies of this Plan as a condition of approval.
10. Ensuring that consideration is given to the conservation of cultural heritage resources when establishing new areas for mineral or mineral aggregate extraction or when existing operations are being expanded, as well as ensuring that satisfactory measures are taken to mitigate any negative impacts on cultural heritage resources.
11. Obtaining available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Tourism, Culture and Sport under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.

6.7 Energy Conservation

Forward looking communities are developing strategies for energy conservation through a reduction on the dependence on fossil fuels and becoming energy resilient. Rural communities will play a role through measures to encourage, promote and lead by example in reducing energy consumption. The strategy for energy conservation in The Township of Baldwin includes the following measures:

1. Council will optimize the use of existing **infrastructure** by avoiding the unnecessary construction or extension of the existing road network. The focus of development will be on rural infill along the existing road network.
2. Council may develop a fleet replacement strategy through the timely replacement of existing vehicles and equipment with more fuel efficient vehicles and by sharing equipment with other municipalities wherever possible.

3. Council will encourage and facilitate the development of rural transportation services designed to replace or reduce the use of individual cars, and increase commuter car-pooling and car-sharing.
4. Council will encourage and support provincial initiatives to build **alternative and renewable energy systems** using wind, biomass, solar, geothermal and hydro sources. Municipalities will promote the use of micro-alternate energy sources and micro-generation technologies which do not require provincial approval such as roof-mounted solar panels, micro-wind turbines, geothermal and other non-fossil fuel systems.
5. Council may examine by-laws and processes to identify and address possible barriers to renewable energy and energy conservation.
6. Council may use municipal websites to advise citizens of funding programs and incentives for energy-related home renovation and energy conservation measures.
7. Council may establish an energy budget and targets to reduce energy consumption and to reduce the use of fossil fuels.
8. Council will encourage the use of energy saving technologies in building construction for new non-residential buildings with the objective of creating net zero buildings. This will be in addition to net zero objectives of the *Ontario Building Code* for residential buildings.

Zero Energy Buildings

A zero-energy building, also known as a zero net energy (ZNE) building, net-zero energy building (NZEB), or net zero building, is a building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site

Ontario Building Code

SB-12 energy efficiency requirements for houses apply to all new residential development effective Jan 1, 2017. Requirement for 200 amp panel for electric charging stations in houses will take effect January 2018

6.8 Water Resources

Water resource management is recognized as an essential component of building resilient communities. The intent of the Plan is to protect, improve and restore the quality and quantity of water through wise stewardship practices including but not limited to:



1. Implementing shoreline management policies of Section 4.9 of this plan, and notably to sustain and improve the water quality of inland lakes and rivers through lake capacity and lake management planning.
2. Implementing the stormwater management policies of Section 2.7 of this Plan.
3. Encouraging, promoting and practicing water conservation through such measures as:
 - Harvesting and recycling rainwater
 - Recycling wastewater
 - Installing water saving fixtures in home and business retrofits
 - Undertaking leak detection and loss prevention programs for homes, and businesses, buildings and equipment
 - Conservation tillage to reduce run-off
 - Reducing or minimizing hard surfaces
 - Conducting water use audits and preparing water budgets
 - Using water saving technologies in food processing and industrial operations

Water conservation practices may be imposed as a condition of approval where authorized under the *Planning Act*.

4. Protecting **vulnerable** surface and ground water features where they are identified as part of a development application review. Restrictions on development and **site alteration** will be required to protect, improve or restore such features. **Sensitive** features may include but are not limited to spring water sources, sensitive aquifers, water recharge areas and municipal wellhead and water supply zones.
5. Rehabilitating **brownfield sites** and contaminated sites.
6. Facilitating or requiring septic tank re-inspection and replacement including increasing the setback of replacement tile and septic fields a minimum of 30 m from any water body.
7. Protecting development from **flooding hazards** and **erosion hazards** through implementing the policies of Section 2.8.1 of this Plan.

7.0 PLANNING TOOLS AND RESOURCES

7.1 Keynote Policy for Public Engagement

Public engagement will be a way of thinking and acting by governments, planning authorities, stakeholders, communities and ordinary citizens in making informed land use planning decisions in The Township of Baldwin.

7.2 Inputs to Planning Decisions

Inputs are recognized as multi-faceted and will depend on a variety of sources as shown in the diagram. Planning decisions must reflect the vision, values and standards reflected in the technical documents as well as the public interest determined through a public engagement process.



7.3 How the Public Engagement Process Will Work

Planning authorities are legally required and will consult with the public when a planning application is received or where Council chooses to initiate an amendment to the official plan or zoning by-law.

7.3.1 Public Engagement Under the Planning Act

Council intends to use the prescribed procedures set out in the *Planning Act* and associated Ontario Regulations for public consultation for official plan amendments, zoning by-law amendments, holding by-laws, temporary use by-laws and minor variances. Council will also use the prescribed procedures under the *Planning Act* for the review and update of the official plan and zoning by-law and for the processing of applications for consents, plans of subdivision and condominiums, and for validation of title.

7.3.2 Private Consultation Strategies

Where an application is filed for an official plan amendment, a zoning by-law amendment or a plan of subdivision under Ontario Regulations 543/06, 544/06, 545/06 respectively, the applicant shall submit a proposed strategy for consulting with the public with respect to the request.

The proposed consultation strategy shall be a requirement of submitting a complete application (see Section 7.4).

The strategy shall be undertaken and completed prior to any required public meeting or hearing required by the *Planning Act* for an official plan amendment, a zoning amendment or a plan of subdivision. The applicant shall submit a report or letter to the Clerk which shall provide the following information:

1. The method(s) of consultation was/were used.
2. Who was consulted?
3. The result of the consultation.

Applicants may use one or more of the methods of consultation in the following diagram or other method acceptable to the Municipality.



7.4 Planning Applications

The types of planning applications include:
[Section of the *Planning Act* shown in
(parenthesis)]

1. Official Plan Amendment (22)
2. Zoning By-law Amendment (34)
3. Holding By-law/removal of Holding symbol (36)
4. Temporary Use By-law (39)
5. Site Plan Control (41)
6. Minor Variance/Permission of extension/expansion, change of non-conforming use (45)
7. Consent (53)
8. Plan of Subdivision (51)

Application Forms

- Application forms for a consent, plan of subdivision or condominium may be obtained from the Township of Baldwin.

Prior to filing an application, applicants will be required to meet with the Municipality where the application is proposed to ascertain the requirements for the submission of applications (e.g. required studies and information, fees, peer review, agency and public consultation etc.)

Studies or information which may be required in support of an application will depend on the type of application and the circumstances. Studies or information may include, but is not limited to (Sections of the official plan shown in brackets []):

Studies and Reports

- | | | |
|-----|--|---------------------|
| 1. | Air Quality Study | [2.9.2, Table 2] |
| 2. | Archaeological Assessment | [6.6.5] |
| 3. | Blast Impact Study | [6.4.3] |
| 4. | Construction Mitigation Plan | [2.7] |
| 5. | Cost-benefit Analysis | [5.3.2.6] |
| 6. | Drainage/Stormwater Report 5.3.1.1, 5.3.4.2] | [2.6, 4.9.4.2] |
| 7. | Environmental Impact Study | [4.5.1, 4.7] |
| 8. | Flood Line Mapping/Erosion Control study | [2.8.1] |
| 9. | Geotechnical Report | [2.8.2] |
| 10. | Hydrogeological Study | [2.5, 2.7] |
| 11. | Hydrological | [2.7] |
| 12. | Heritage Impact Assessment | [5.3.2.4, 6.6.6] |
| 13. | Illumination Study | [5.3.1.1] |
| 14. | Landscaping/Planting Design Study | [4.9.4.2] |
| 15. | Lake Capacity Assessment | [4.9.6] |
| 16. | Land Use Compatibility/Influence Area Study 6.4.3, 6.5.7] | [2.9.2, Table 2, |
| 17. | Marine Archaeological Assessment | [6.6.6] |
| 18. | Mine Hazard Rehabilitation/remediation Study | [6.5.7] |
| 19. | Mineral Resource Assessment | [6.5.5] |
| 20. | Mineral Aggregate Resource Assessment | [6.4.2] |
| 21. | Minimum Distance Separation 6.2.2] | [2.9, Table 2, |
| 22. | Noise and Vibration Study | [2.9.3.1, 2.9.3.2] |
| 23. | Public Consultation Strategy | [7.3.2] |
| 24. | Septage Haulage | [2.7] |
| 25. | Servicing Options Report | [2.7] |
| 26. | Traffic Study | [2.6, 5.3.1, 5.3.4] |

Information, Permits, Approvals

- | | | |
|----|--|--------------|
| 1. | Endangered Species Act Authorization | [4.3] |
| 2. | Erosion hazard survey | [2.8.1] |
| 3. | Flooding: establish flood elevation/development Setback | [2.8.1] |
| 4. | Mineral Operations Rehabilitation Plan | [6.5.7] |
| 5. | Mineral Aggregate Operation Rehabilitation Plan | [6.4.6] |
| 6. | MTO entrance/land use approval or permit | [2.6, 5.3.1] |
| 7. | Municipal Entrance Permit | [5.3.2.3] |
| 8. | Record of Site Condition (RSC) | [2.8.6] |
| 9. | Sewage System Approval | [2.7, 7.20] |

- | | | |
|-----|--|---------|
| 10. | Technical Standards and Safety Authority (TSSA): clearance letter | [2.8.6] |
| 11. | Water System Approval | [7.20] |
| 12. | Wildfire Assessment and Mitigation Plan | [2.8.4] |

7.5 Building Code Act

All construction shall comply with the relevant provisions of the *Building Code Act*, 1992, S.O. 1992, c.23. Despite the provisions of Section 8 of the *Act*, sewage disposal systems shall be set back from the shoreline of a lake or water body the required distance set out in the zoning by-law.

Fire Access routes shall comply with the requirements of the *Ontario Building Code. Building Code Act*: <https://www.ontario.ca/laws/statute/92b23>

7.6 Municipal Property Standards

Council may enact and enforce a property standards by-law to ensure a high standard of development, maintenance, improvement and occupancy of residential and non-residential properties in the Township of Baldwin Planning Area. The provisions and procedures of Section 15 of the *Ontario Building Code Act* shall apply. *Building Code Act*: <https://www.ontario.ca/laws/statute/92b23>

7.7 Development Charges Act

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works which may be subject to a development charge. A development charges by-law may apply to part or all of any Municipality and one or more development charges by-laws may be enacted in any given Municipality as permitted in the Development Charges Act, 1997, S.O. 1997, c. 27. <https://www.ontario.ca/laws/statute/97d27>

7.8 Amendments to the Official Plan (Section 17 and 22, Planning Act)

Amendments to this Plan may be initiated by application or by the Municipality in compliance with the requirements of the *Planning Act* for changes to the substance of the policies of the Plan or for a change in a land use designation. No person or public body shall request an amendment to this Plan before the second anniversary of the first day any part of the Plan comes into effect, unless council has declared by resolution that such a request is permitted, which resolution may be made in respect of a specific request, a class of requests or in respect of such requests generally.

Amendments to the text or schedules to this Plan are not required for spelling, grammar, formatting, renumbering, typographic errors, minor, a consolidation or minor adjustments to the approximate land use boundaries or to the location of roads provided the general intent of the Plan is maintained.

7.9 Public Works (Section 24, Planning Act)

Public works may only be undertaken where they comply with this Plan. Public works which do not comply shall be governed by Section 24 (3) of the *Planning Act*.

7.10 Acquisition of Land (Section 25, Planning Act)

Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

7.11 Community Improvement (Section 28, Planning Act)

The entire Township of Baldwin Planning Area comprising all lands other than Crown Land within the corporate limits of the Municipality shall be considered a community improvement area.

Council may designate by by-law the whole or any part of the Municipality as a community improvement project area for the purposes of undertaking community improvement (e.g. repair, replacement, upgrading **infrastructure** and **public service facilities**, improving waterfront areas, repairing, retrofitting, rehabilitating, and constructing buildings, facilitating the delivery of **affordable** housing, rehabilitating **brownfield sites**, improving or rehabilitating **built heritage resources**).

Community improvement will provide measures for barrier-free design and for improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society. The focus will be on public buildings.

Council may provide financial incentives under the *Planning Act* and/or *Municipal Act* to encourage and facilitate community improvement (e.g. loans, grants) and the **redevelopment** of **brownfield sites**.

Council may acquire, hold, lease, clear, or grade land for community improvement purposes, and may sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.

Council may construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto.

Community improvement may be used to implement the maintenance and or replacement of **infrastructure** and community facilities set out in any municipal asset management plan.

Community improvement may be used to facilitate the provision of **affordable** housing (see Section 3.0 – Housing Policies).

7.12 Zoning By-law (Section 34, Planning Act)

Council will pass a zoning by-law amendment within three years of the effective (approval) date of this plan to update the comprehensive zoning by-law in order to regulate the use of land, buildings and structures throughout the Township of Baldwin Planning Area.

Where Council carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the Municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the Council repeals and replaces them except where the Council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. This shall not be deemed to limit the authority of a Council to initiate an amendment to the zoning by-law.

7.13 Holding By-law (Section 36, Planning Act)

A holding symbol (i.e. 'h') may be used in the zoning by-law in connection with any land use zone, in accordance with Section 36 of the *Planning Act*. The zoning by-law will allow existing uses to continue in areas covered by the holding symbol and will specify the uses to be permitted, where the principle of development or land use has been established, at such time as the holding symbol is removed by amendment to the by-law. A holding zone may be used to defer development until specified conditions have been met (e.g. to provide adequate **infrastructure** and **public service facilities**, to remediate or rehabilitate contaminated or **hazardous sites**, to limit the use of land in order to achieve the phasing or timing of development, to complete required studies, to ensure that conditions of development or other agreements have been met and to secure financial requirements).

7.14 Community Benefits Charges (Section 37, Planning Act)

Council may enact a community benefits charge by-law for the purpose of funding or providing in-kind support for facilities and services other than those prescribed in a development charges by-law. The scope of facilities shall be set out in a community benefits charge strategy and the municipality shall consult with such persons and public bodies as the municipality feels appropriate in developing the strategy.

7.15 Interim Control (Section 38, Planning Act)

Where Council determines that the policies of this Plan do not provide adequate direction for potential development, an interim control by-law may be passed in accordance with Section 38 of the *Planning Act*, provided that a resolution setting out the terms of reference for a study or review has been previously adopted.

7.16 Temporary Use By-laws (Section 39, Planning Act)

An amendment to the zoning by-law may be passed permitting a temporary use of land or buildings that is otherwise prohibited by the zoning by-law, in accordance with Section 39 of the *Planning Act*.

7.17 Site Plan Control (Section 41, Planning Act)

For the purposes of Section 41 of the *Planning Act*, the entire land area within the corporate boundaries of the Township of Baldwin Planning Area, as illustrated on Schedules to the Land Use Plan is designated as a site plan control area. Council shall pass or review existing by-laws for the purposes of designating the Municipality or part thereof as a site plan control area by reference to one or more land use designations. Site plan control shall be used and agreements entered into for the construction and/or maintenance of all of the matters set out in Section 41(7) of the *Planning Act* for land uses or conservation including:

1. Any industrial, commercial or institutional use and including campgrounds and golf courses.
2. Any **intensification** projects.
3. Facilities designed and intended to have regard for persons with disabilities.
4. The protection of cultural heritage and **archaeological resources** projects.
5. Any lands abutting a lake or water body.
6. The protection of **natural heritage features and areas**.
7. The implementation of a Wildland Fire Mitigation Plan.

Site plan control will not apply to development on Crown Land or to **mineral aggregate operations** licensed under the *Aggregate Resources Act*.

Agreements may include the requirements for the provision of sustainable design elements for development or **redevelopment** on any lands adjacent to a street or road under the Municipality's jurisdiction including such elements as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle facilities.

The requirements for site plan control where applied to **affordable** housing shall comply with Section 41 (2) (d.1) of the *Planning Act*.

Council may secure the dedication of land for a road widening or intersection improvement provided that the conveyance requested does not exceed one-

half of the deficiency of the width. The conveyance shall apply to the full frontage of the property wherever the deficiency exists. This policy shall apply to Bayline Drive, Finn Road, Firehall Road, Hardwood Road, Higgins Road, Levert Road, Maple Ridge Road, Miron Road, Springer Road, Sunrise Shores Road, and Val Alstine Road

A Council will consider barrier-free design in site plan control agreements.

7.18 Parkland Dedication (Section 42, Planning Act)

As a condition of development or **redevelopment**, Council may, subject to passing a by-law, require the conveyance of 2 per cent of the land proposed for commercial or industrial development or 5 per cent for residential development or the cash-in-lieu equivalent and the conveyance shall be for park or other public recreational purposes. Land conveyed to a municipality under Section 42 of the *Planning Act* shall be used for park or other public recreational purposes, but may be sold at any time.

Council may reduce the cash-in-lieu payment where Council deems that the applicable criteria for sustainability in this plan have been or will be met through development or **redevelopment** of the lands. *Examples include but are not limited to the installation of **renewable or alternate energy source** projects, installation of facilities to improve accessibility for disabled persons, provision of **affordable** housing, facilities that provide for **active transportation**, use of advanced technologies for the removal or reduction of phosphorus loading in sewage disposal systems.*

7.19 Non-Conforming Uses (Sections 44 and 45, Planning Act)

7.19.1 Non-Conforming Uses

A non-conforming use is a use of land that lawfully existed on the date of adoption of any zoning by-law passed under the *Planning Act*; has continued uninterrupted (or where interrupted, there has been a reasonable attempt to continue the use during the period of discontinuance) and does not conform with the uses permitted in the zone(s) which apply to the subject lands. A non-conforming use may be extended, enlarged or changed to a similar or more compatible use under Section 34(10) or 45(2) of the *Planning Act*, provided that:

1. It is not reasonable or feasible to cease or relocate the use.
2. Any incompatibility with surrounding uses is not aggravated.
3. Surrounding uses are protected by appropriate buffers and other measures to improve the compatibility of the use.
4. Adequate **infrastructure**, access and parking are provided.
5. Natural and human-made hazards are addressed.

6. Development details may be regulated by a development agreement.

Nothing in this Plan shall prevent the reconstruction of a legal non-conforming use which is inadvertently destroyed by a natural cause (e.g. fire, flood, earthquake, subsidence), provided the building is reconstructed on the same building footprint. Council will, however, encourage buildings to be relocated outside of a **flooding hazard** area.

7.19.2 Non-Complying Uses

Land uses are considered non-complying where the use does not comply with one or more of the zone regulations in the comprehensive zoning by-law (e.g. lot area, building setbacks, height, parking etc.). The zoning by-law of the Municipality may recognize or permit exemptions to a lot area or frontage or other standard for an existing non-complying use and/or other zone regulation provided the general intent of the policies of the official plan are upheld. Rectifying non-compliances will be encouraged through such measures as **redevelopment** to relocate or reconstruct buildings and structures to comply with zoning standards, particularly setbacks from water bodies; through lot additions or consolidation of lots to increase the lot area or frontage; through demolition or through the use of technologies which mitigate the impact of the non-compliance.

Reconstruction on an existing footprint may be permitted where a building has been destroyed by a natural cause or fire; or where specific measures are undertaken to improve, enhance, protect or conserve environmental features such as: implementing the shoreline management policies of this plan (see Section 4.9), mitigating the impacts of climate change (see Section 4.10) and/or conserving wildlife and fish habitat (see Section 2.12).

7.19.3 Minor Variances

Minor variances may be granted which meet the four tests set out in Section 45(2) of the *Planning Act*. Council, as authorized by Section 45 (1.0.1) may prescribe additional criteria to the four tests by passing a by-law under Section 34 of the *Planning Act*. Additional criteria may include measures to implement Section 4.9.1 to 4.9.5, shoreline management policies of this Plan, particularly with respect to renaturalizing shorelines through vegetative replanting and erosion control programs.

Minor variances may be granted where Council empowers the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements the Township of Baldwin Official Plan or from such by-laws of the Municipality as are specified and that implement the Township of Baldwin Official Plan.

No person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the zoning by-law was amended (see Section 7.12) except if Council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally.

7.20 Land Division, Part-Lot Control and Deeming (Sections 50-53, Planning Act)

The creation of all new lots by plan of subdivision or consent shall comply with the following general requirements and the specific requirements of the applicable land use designation of this Plan (see Sections 2.3 - 2.7):

1. Development shall conform to the land use policies for the land use designations shown on the Land Use Schedules.
2. All proposals that have the effect of creating more than three new lots shall be processed as applications for a Plan of Subdivision unless, in the opinion of the Township of Baldwin, a Plan of Subdivision is not necessary for the proper development of the area.
3. Development shall comply with the provisions of the zoning by-law. Where a zoning by-law amendment is required, such amendment shall be in force before the consent/subdivision receives final approval.
4. Lots shall have frontage on and direct access to a year-round maintained public road, except for islands or water access only lots and where applicable to a provincial highway or as otherwise provided by Section 2.6 of this Plan.
5. Development shall not result in traffic hazards from limited site lines on curves, grades or near intersections.
6. Adequate **infrastructure** shall be available (see Sections 2.7 and 5.3) including proof of available and adequate sewage and water systems.
7. Adequate **public service facilities** shall be available to service the development (see Section 2.10).
8. All studies and other information required by the Township of Baldwin to determine compliance with this Plan shall be provided in support of the application.
9. **Development** will not be permitted which compromises the opportunity to develop **adjacent lands**.

10. Subdivision development will take into consideration barrier-free design.
11. Consideration shall be given as to whether the subdivision is premature, and in the public interest and whether all other criteria of Section 51 (24) of the *Planning Act* have been met.
12. Consents may be granted for the following purposes:
 - To correct lot boundaries
 - To convey land for a lot addition
 - To clarify title to the land
 - To permit an easement
 - For municipal or other government purposes

Part-lot control may be used for existing plans of subdivision where it is necessary to re-align lot boundaries, to clarify or grant title, to provide a service easement, to resolve building encroachments or widen a road.

A deeming by-law may be passed by Council under Section 50(4) of the *Planning Act* for a plan of subdivision or part thereof that has been registered for eight years or more and where Council deems it appropriate to apply subdivision control to the lands under Section 50(3) of the *Planning Act*.

A deeming by-law may be used to consolidate undersized lots to create a more suitable larger land holding.

7.21 Accessory Uses

Accessory uses to any permitted main use shall be permitted subject to meeting the relevant policies of the land use designation in which they are proposed. The scope of accessory uses is set out in Section 2.3, Table 1 but is not intended to limit other accessory uses which are deemed appropriate by the Municipality. In general, an accessory use should not be constructed on a lot prior to the primary use except for a building or structure designed to expedite the construction of the principle use such as a storage building for building materials, construction field office or a recreational vehicle required for temporary accommodation. The scope of accessory uses shall be set out for each of the zones in an implementing zoning by-law.

7.22 Lots of Record

Lots of record are legally created parcels or tracts of land that can legally be conveyed. For the purposes of this Plan, lots of record are deemed to include lots or blocks on a registered plan of subdivision and parcels created by consent. Lots of record which are vacant and which existed on the date of adoption of this Plan may be used for building purposes provided that the lot fronts on a public road, or an existing private road, and provided that the lot complies with the policies of the underlying land use designation, the lot complies with the zoning by-law and the lot is or can be adequately serviced.

Development may be prohibited or restricted on lots which are significantly undersized for the proposed use.

7.23 Interpretation

1. Boundaries of land use designations and other features on the Land Use Plan are considered approximate except where specifically bounded by a road, rail line, Municipal boundary or other distinctive boundary and an amendment to the plan will not be required for minor adjustments where the intent of the Plan is upheld.
2. Permitted land uses are not intended to be limited to those prescribed where a range of uses is anticipated.
3. Legal non-conforming uses are permitted to continue.
4. Appendices 1, 2 and 3 to this Plan do not constitute part of the formal policies but may be utilized to assist with the interpretation of the policies, words and terms used in this Plan in order that the document is consistent with the Provincial Policy Statement.
5. It is intended that all figures and quantities contained in the Plan be considered in the metric form. Amendments will not be required for any reasonable variation from these figures and quantities, provided such variations meet the intent of this Plan.
6. In some instances, overlapping resource areas has resulted in properties that are designated for more than one resource use, such as mining, aggregate extraction, and agriculture. In these cases, existing uses should not preclude sequential land uses that are compatible with the area and whose development complies with the intent of this Plan.

APPENDIX 1 – DEFINITIONS

Active Transportation:

means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;

b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature* or area where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and

d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or otherwise defined in the municipal official plan.

Adverse effects:

as defined in the *Environmental Protection Act*, means one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;

b) injury or damage to property or plant or animal life;

c) harm or material discomfort to any person;

d) an adverse effect on the health of any person;

e) impairment of the safety of any person;

f) rendering any property or plant or animal life unfit for human use;

g) loss of enjoyment of normal use of property; and

i) interference with normal conduct of business.

Affordable:

means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural uses:

means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-Tourism uses:

means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses:

means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Alternative energy system:

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

Archaeological resources:

includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential:

means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

Areas of mineral potential:

means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest (ANSI):

means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites:

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource:

means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

Coastal wetland: means

a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation:

means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Cultural heritage landscape:

means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Development:

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;

b) works subject to the *Drainage Act*; or

c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Ecological function:

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Endangered species:

means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Erosion hazard:

means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service:

means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish:

means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat:

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

Flooding hazard:

means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;

b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

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

Floodproofing standard:

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

Habitat of endangered species and threatened species: means

a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, the area prescribed by that regulation as the habitat of the species;

b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and

places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazardous forest types for wildland fire:

means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous lands:

means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites:

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

Hazardous substances:

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

Heritage attributes:

means means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

Hydrologic function:

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

Individual on-site sewage services:

means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services:

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure:

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

Institutional use:

for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification:

means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities:

means facilities which may require separation from *sensitive land uses*, including but not limited to airports, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Mine hazard:

means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals:

means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

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

Mineral aggregate resources:

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

Mineral deposits:

means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation:

means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae:

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

Natural heritage system:

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

Negative impacts:

means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Normal farm practices:

means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or

makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

On-farm diversified uses:

means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Partial services: means

a) *municipal sewage services* or *private communal sewage services* and *individual on-site water services*; or

b) *municipal water services* or *private communal water services* and *individual on-site sewage services*.

Portable asphalt plant: means a facility

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Protected heritage property:

means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Prime agricultural area:

means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Private communal sewage services:

means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services:

means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Provincial and federal requirements: means

a) in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;

b) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish and fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

c) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their

Public service facilities:

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.
habitat.

Redevelopment:

means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area:

refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source:

means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system:

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

Rural areas:

means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas.

Rural lands:

means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive:

in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses:

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas:

means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:
a) built up areas where development is concentrated and which have a mix of land uses; and

b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Significant: means

a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration:

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs:

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Threatened species:

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

Vulnerable:

means surface and/or groundwater that can be easily changed or impacted.

Waste management system:

means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Wayside pits and quarries:

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands:

means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

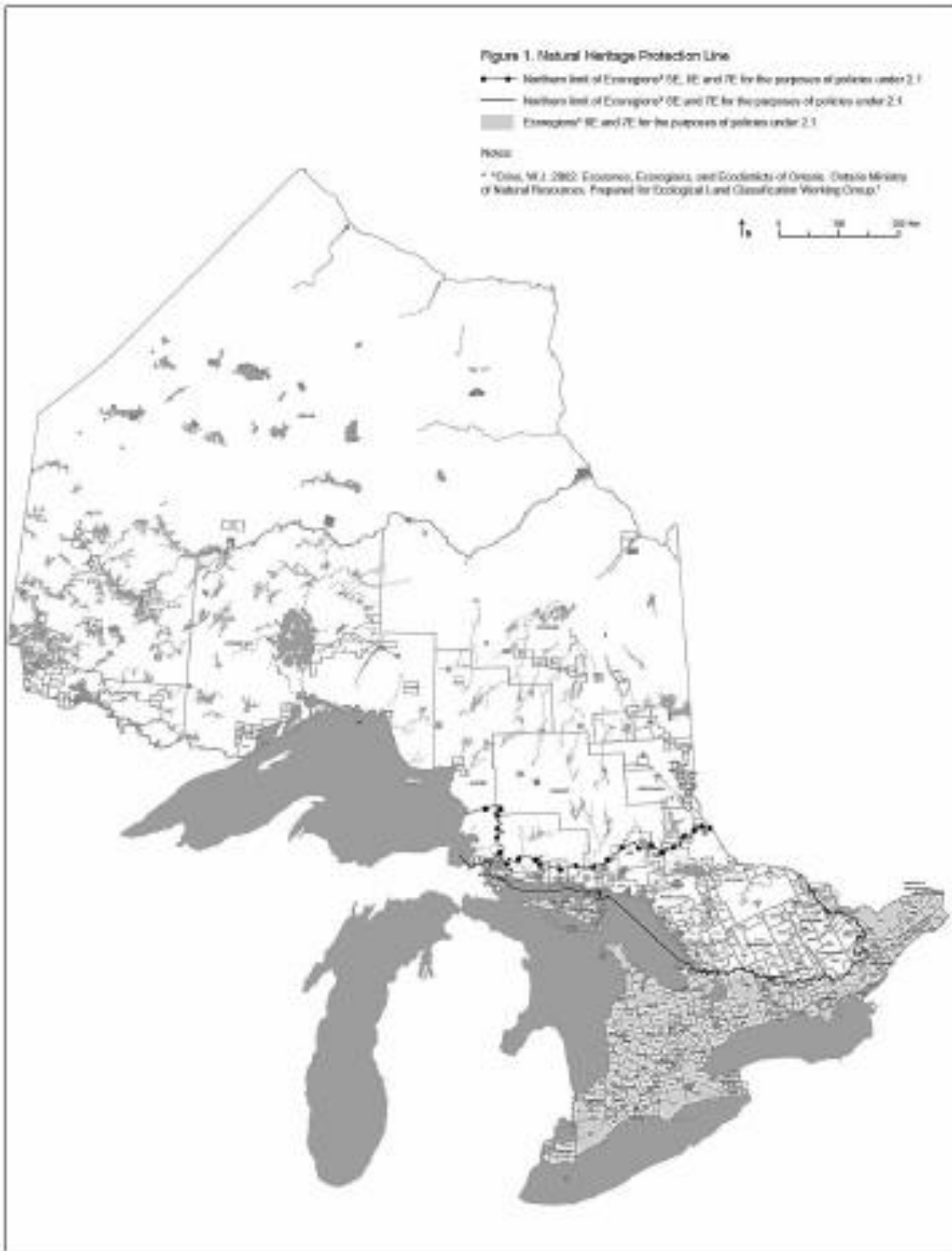
Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife fire assessment and mitigation standards:

means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat:

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.



APPENDIX 2 – POTENTIAL FOREST HAZARD CLASSIFICATION

Appendix 2 provides generalized maps of hazardous forest types from broad MNRF data accessed in 2017. These maps should be used as a general indicator only; site-specific review of wildland fire hazard may be required.

APPENDIX 3 – SPECIES AT RISK