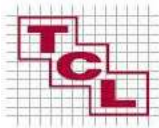




Town of Bruce Mines

Official Plan – October 17, 2019



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GLOSSARY OF TERMS

ADSAB	Algoma District Services Administration Board
MDS I	Minimum Distance Separation Formulae I
MDS II	Minimum Distance Formulae II
MNRF	Ministry of Natural Resources and Forestry
MENDM	Ministry of Energy, Northern Development and Mines
MOECP	Ministry of the Environment, Conservation and Parks
MTO	Ministry of Transportation
PPS	Provincial Policy Statement
RSC	Record of Site Condition
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 (2014)* 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.

Town of Bruce Mines Official Plan

1.0 Introduction

The Official Plan of the Town of Bruce Mines (2016 population 582) is a legal document containing the objectives and policies established primarily to provide guidance for the physical development of the Town of Bruce Mines while having regard to relevant social, economic and environmental matters.

Land use planning decisions shall comply with all applicable provisions and policies of this Plan and the *Planning Act*; shall be consistent with the most recent version of the Provincial Policy Statement in reviewing all types of planning applications (e.g., Official Plan amendments, zoning by-law amendments, subdivisions, consents, and minor variances), and shall conform or not conflict with any applicable provincial plans, notably the *Growth Plan for Northern Ontario*. Sections of the Official Plan are cross referenced where they are to be used in conjunction with each other.

1.1 Authority

The Official Plan of the Town of Bruce Mines was prepared under the authority of Sections 16 and 18 of the *Planning Act* which states that:

"An Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it and such policies and measures as are practicable to ensure the adequate provision of affordable housing" and "may contain a description of the measures and procedures proposed to attain the objectives of the Plan"; "a description of the measures and procedures for informing and obtaining the views of the public in respect of planning matters"; and shall contain policies that authorize the use of a second residential unit. An official plan may also contain policies for inclusionary zoning for affordable housing.

1.2 Title and Components

This policy document shall be known as the "Official Plan for the Town of Bruce Mines" and is hereinafter referenced to as the Official Plan or the Plan.

1. The Official Plan consists of the following text and **Schedule 'A' Land Use Plan**.

2. Background statements, illustrations and appendices included in this document are provided for information purposes only and do not constitute a formal part of the Official Plan.

1.3 Interpretation and Coordination

1. The official plan applies to all lands within the corporate boundaries of the Town of Bruce Mines.
2. It is intended that the boundaries of the land use designations shown on **Schedule 'A' Land Use Plan** be considered as approximate. Boundaries are to be considered absolute only where clearly bounded by existing roads, railways, rivers or streams, transmission lines or other clearly defined geographical features or lot lines. Amendments to the Official Plan will not be required in order to make minor adjustments to the boundaries of land use designations or features provided the general intent of the Plan is preserved.
3. It is intended that all figures and numerical quantities herein shall be considered as approximate unless otherwise stated. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.
4. Amendments to the Plan are not required for spelling, grammar, formatting, renumbering, typographic errors or a consolidation.
5. For the purposes of this Plan, it is interpreted that the existing use refers to the land presently or actually in use and not necessarily the total land area or land holdings of the property owner.
6. It is intended that buildings, structures uses etc. that are normally incidental, accessory or essential to a permitted use will also be allowed even though not specifically stated in the land use policies.
7. Where examples of permitted uses are provided for in the land use policies of this Plan, it is intended to indicate the possible range of uses considered appropriate and not to be interpreted as all-encompassing unless otherwise stated as such. However, all uses shall be in conformity with the general intent and policies of the general land use designations of this Plan.
8. Legal non-conforming uses shall be permitted to continue.
9. Where an *Act*, *Ontario Regulation* or government guideline or a portion thereof is referred to in this Plan, such references will be interpreted to mean the most current version.

10. The Plan utilizes words or terms which are ***italicized bolded*** text in this Plan and defined in the Provincial Policy Statement. These definitions shall apply in the interpretation of the policies of this Plan and their application to development and planning applications. These definitions are set out in Appendix 1. (*Note: Legislative Acts are also shown in italicized script.*)
11. While this Plan sets out a series of community initiatives, such initiatives are not intended to be binding on Council or other organizations and implementation is understood to be based on the financial capabilities of the Town and/or approvals necessary.

1.4 Coordination

1. General

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. Managing Growth and Development

Council, in conjunction with area municipalities will monitor population, employment and housing development having regard to provincial population projections, Statistics Canada data, trends across the District of Algoma and in Northern Ontario with the intent of forecasting growth and planning for current and future needs appropriate to the Town.

3. Economic Development Planning

Council will coordinate land use planning decisions with economic development strategies incorporated in the Town's Strategic Plan, community improvement initiatives and in conjunction with the Growth Plan for Northern Ontario.

4. Natural Heritage, Cultural Heritage, Archaeological Resources, Infrastructure, Public Safety and Land Use Compatibility

Council will engage and coordinate decisions with cross-boundary impacts on other municipalities notably with respect to such matters as land use compatibility (i.e. industrial and waste management sites, resource use); conserving and protecting ***natural heritage features and areas***; source protection and lake capacity assessments; the protection

of cultural heritage and *archaeological resources*; infrastructure planning (i.e. municipal water service); and public safety (i.e. rehabilitation of *mine hazards*).

5. 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 and the Highway 17 by-pass), rail services, electricity generation facilities and transmission systems, gas and oil pipelines, recreational trails (e.g. Voyageur Trail, OFSC trails, TransCanada Trail) and portages with the intent to minimize or avoid *negative impacts* on services from *development* or *redevelopment*. The *municipal water* service provided by the Town to Bruce Station in the adjacent Township of Plummer Additional is an *infrastructure* corridor which shall be protected. Development setbacks may be imposed to protect the integrity of an *infrastructure* corridor.

6. Public Service Facilities

Council in conjunction with area municipalities will collaborate with the City of Sault Ste. Marie, 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. The Town will continue to participate in mutual aid agreements with area municipalities.

7. Ontario Provincial Police

Council will provide for on-going communication with the Ontario Provincial Police regarding public safety, crime, community safety zones and social issues in the Town.

8. Waste Management

Council will coordinate and integrate the planning and maintenance of the shared waste management facility with the Tri-Neighbours Board of Management.

9. Indigenous Interests

Council 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*.

10. Growth Plan for Northern Ontario

Council will ensure that the policies of this Plan are in accord with the Growth Plan for Northern Ontario and associated development activities (see **Section 6.4 - Growth Plan for Northern Ontario**).

12. Council will mutually consult with area 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. *minerals, mineral aggregates, watersheds*, water resources, and energy resources).

1.5 Agency Names and Responsibilities

From time to time, the names of various government departments or other agencies may change. In addition, responsibilities may shift from agency to agency. The names of the various agencies responsible for the many programs, regulations and approvals are given in this Plan as of the adoption date of this Plan. It is not intended that the Plan be amended each time a name or the responsibilities of a government department or agency changes. Rather, this Plan shall be interpreted so as to refer to those agencies named, or to their successors, as conditions dictate.

1.6 Planning Review and Amendments

1. The Planning Period for this Official Plan is intended to be approximately 20 years (2019-2039). Pursuant to Section 26(1) of the *Planning Act*, the Plan will be subject to a review, and not less frequently than every ten years Council shall revise the Plan to ensure that it conforms with provincial plans or does not conflict with them, as the case may be; has regard to the matters of provincial interest listed in the *Planning Act* and is consistent with the Provincial Policy Statement.
2. The review shall not be deemed to prevent any person or applicant from making an application under Section 22 of the *Planning Act* to amend the Plan. Applications for amendments to this Plan by the public or amendments initiated by Council will be considered in accordance with the requirements of *The Planning Act*. Applications submitted by the public must be complete and where required by this Plan and other relevant legislation, include studies, reports and other information required to determine conformity with the Plan and consistency with the Provincial Policy Statement. Applications must also be accompanied, where required, by a public consultation strategy. The Planning Principles set out in various sections of this Plan shall also be considered when an amendment to the Official Plan is proposed. Where deemed appropriate, the Town will require applicants to pre-consult with the

Town prior to filing an application.

(Note: Council may refuse to amend the Plan within the first two years of the anniversary date of approval except by a resolution of Council made in respect of a specific request for an amendment, a class of requests or in respect of such requests generally.)

3. Council will convene public meetings to consider an amendment to the Official Plan prior to adopting an amendment, but may decline to have a meeting if they refuse to adopt the amendment or the application is not deemed to be complete in accordance with Section 22(6) of the *Planning Act*.
4. This Plan may be amended from time-to-time by Council or by application in response to changing circumstances or proposed development.
5. Amendments shall be required for a change in a land use designation shown on the **Schedule 'A' Land Use Plan** or for changes in the policy or text of the Plan except as otherwise set out in **Section 1.3 - Interpretation**.

1.7 Basis of the Official Plan

1. General

The Official Plan is based on merits of good land use planning principles as well as various factors, trends, and circumstances that were identified in the background review.

2. Provincial Planning System

The *Planning Act* sets out the ground rules for land use planning in Ontario. The *Act* provides the basis for the *Provincial Policy Statement* which provides policy direction on land use matters that are of provincial interest. The *Provincial Policy Statement* is a key part Ontario's policy-led planning system. It sets the policy foundation and direction for regulating the development and use of land. The *Provincial Policy Statement* provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The *Provincial Policy Statement* represents minimum standards and the Town as an approval authority may go beyond these minimum standards to address matters of importance to residents and businesses in the Town of Bruce Mines, unless doing so would conflict with any policy of the *Provincial Policy Statement*. The *Provincial Policy Statement* supports improved land use planning and management, which contributes to a more effective and efficient land

use planning system.

This policy statement is the basis for provincial interests reflected in the policies of this Plan as well as the procedures for the review of planning applications set out in the *Planning Act* and various *Ontario Regulations* enacted under the authority of the *Act*.

In addition, this Plan recognizes the responsibilities and opportunities the Province has or may provide for Council in decision-making on land use planning matters. These include but are not limited to land division, regulating and controlling land uses through zoning, site plan control and other planning tools and municipal plan review.

3. Population Growth and Housing Supply

The population has gradually declined from 684 in 1991 to 582 in 2016 although the population increased in the most recent census period (2011-2016). The number of occupied dwellings has increased from 285 to 299 over the last census period. The changes reflect trends that are occurring elsewhere; an aging population, youth out-migration and a restructuring of households with more single and two person households. Despite the change in the population, the community has remained stable and in fact community improvement in the downtown demonstrates the resiliency of the community. The Plan anticipates and provides for continued additions to the housing stock and to growing vitality in the commercial sector. Currently, the land supply for residential development is in excess of 100 lots of which 25-40 lots are serviced. With the addition of 1-3 new housing starts annually, the lot supply is adequate for the planning period.

The basis for the Plan is to offer a wide variety of housing opportunities. The provision for second unit policies in the Plan will further increase the range of housing options for the supply of housing to low and moderate income families and to other sectors of the population. The Town works in conjunction with the Algoma District Social Services Board in the maintenance of existing RGI housing (10 units) in Bruce Mines and facilitating the delivery of additional **affordable** housing units to respond to the changing demographic. The Plan makes provision for a series of options for the delivery of **affordable** housing. **Residential intensification** policies are also options in the Plan designed to provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents of Bruce Mines.

4. Settlement Pattern

Since its origins as a mining community, Bruce Mines has evolved as a compact urban community providing a range of commercial,

educational, social and recreational services to its residents as well as the many visitors that pass through the community on a daily basis. Highway 17 is the spine of the community and its main street. Along its length is a mix of commercial uses including lodging, food & beverage and retail and financial services, intertwined with **public service facilities** such as the Town Hall, post office, and museum. Just a step off main street to the north is a library and seniors housing facility.

Bruce Mines lies on a natural harbour which is accessed by a government dock and marina facility. The harbour area is sheltered by French Island and McKay Island on the west and south sides and by Jack's Island on the east side. Most of the shoreline is residential in character.

Outside of the downtown, Bruce Mines is very much a residential community which was built on a grid pattern typical of many towns across Ontario. The exception is Taylor Street which extends easterly along the waterfront as far as Garden Bay.

The settlement pattern has been influenced by mining which has left a legacy of old mine workings and **mine hazards**. These areas extend diagonally through the community from Garden Bay in the east in a northwesterly pattern dividing the downtown from the Arena complex. Resource activity still plays a predominant role in the Town. Trap rock is extracted from a large quarry on the east side of the Town and shipped through a deep water harbour on Garden Bay to markets on the Great Lakes.

Other significant land uses in the community include an elementary school on Highway 638 just north of its intersection with Highway 17, also a sewage treatment facility and a former waste management facility.

The evolution of the land use pattern has segregated incompatible land uses from the core of the community. The quarry, sewage treatment and former waste management facilities are clustered on the east side of Town in an area which is largely rural in character. Conversely, the west side of Town is a diverse mix of residential and commercial uses; with residential uses being the predominant land use. The west side of Town is also the area with the greatest potential for growth. **Residential intensification** through development on existing vacant lots of record will provide a residential lot supply which will more than suffice to meet the growth needs of the community for the next 20 years.

The urban service area largely coincides with the development pattern. Existing development on the west side of the Town is serviced with both municipal water and sewage services while the shoreline along the bay is serviced by water services only. The water service extends along Highway 638 into the Township of Plummer Additional and services the

Hamlet of Bruce Station.

Bruce Mines initiated a major community improvement program along the Highway 17 corridor. The Town Hall has been replaced, sidewalks have been reconstructed and the access to the harbour from the highway has been upgraded. Further improvements are in the offing which will revitalize the image of the community and stimulate and support the economic health of the community as well.

The role of Bruce Mines is one of a small urban service centre that provides a mature range of services to its resident population as well as to the rural hinterland in the surrounding townships. The land base is more than adequate to provide a land supply for future residential development while infill and **redevelopment** on Highway 17 will meet thy land supply for future commercial development. A large land base to the east also provides an adequate land supply for future industrial land uses. The amenities of open space, shorelines, park areas and **public service facilities** round out the land use pattern in meeting the leisure, recreation and service needs of the community for the foreseeable future. The land base already includes **infrastructure** that services the community and has adequate capacity to service future growth (i.e. municipal water and sewage). The average daily consumption of water uses only 25% of the design capacity of the Town's water supply (i.e. 217.27 m³/day of a capacity of 864 m³/day) with the highest flow being 53.4%. The sewage lagoon operates at 101.8% of the rated capacity although this is within the conditions of the Environmental Compliance Approval (ECA) since the excess flow is less than the 180 days stipulated in the ECA. Regularly schedule sludge removal will increased the rated capacity.

The basis of the future development will be compact and contiguous taking advantage of infill and **residential intensification** through the gradual build-out of the original town grid. The **rural area** of the Town outside of the urban service area will be limited to existing uses and to sustaining the continued operation of the trap rock quarry.

Despite the maturity of the settlement pattern, the municipality is too small to support a transit system; however, **active transportation** is supported through community design principles that provide for linkages that connect neighbourhoods with recreation, public open space, social, educational and commercial services.

5. Public Health and Safety

Physical constraints to development and issues of public safety will continue to influence where and why development can take place, (e.g. development will be directed away from natural hazards and human-made hazards including the **flooding hazard** of Lake Huron, **hazardous**

sites, mine hazards, and contaminated sites). Policies to ensure safe development are essential ingredients of the Plan. For example, the flood level along the Lake Huron shoreline is known and developments will be protected from potential flood damage. The legacy of past mining activity will require development to be directed away from *mine hazards*. Development will also be directed away from incompatible land uses on the east side of Bruce Mines that constitute public health and safety concerns (i.e. former waste management facility, sewage Hazardous Lands and Hazardous Sites and Section 2.19 - Mine Hazards.)

The Plan is intended to ensure that land use planning decisions take into consideration accessibility needs for people with disabilities.

6. Natural Heritage Features and Areas

Part of the heritage of the area is a respect for the environment and the amenities of *natural heritage features and areas*. Although a study has not been undertaken to assess the natural heritage system in the Town, the basis of the Plan is to ensure that adequate protection and policies are in place to maintain the natural heritage features and areas within the Town. Hay Bay, while not an area for potential development, is nonetheless an area characterized by sensitive *coastal wetlands* warranting conservation for the ecological values of the shoreline ecosystem. Other *wetlands*, although not identified will warrant conservation measures to protect their *ecological functions*. Shoreline development along Lake Huron and Jordan Creek must be sensitive to the protection of *fish habitat* and shoreline setbacks are incorporated into the policies to protect riparian ecosystems. *Rural areas* will be largely left in their pristine state but respected for their habitat function (see Section 2.21 - Natural Heritage Features and Areas).

The Town of Bruce Mines is located within Ecoregion 5E and the policies of the Plan are designed to reflect the requirements of the Provincial Policy Statement applicable to this Ecoregion. An inventory of Species at Risk has been identified for the Sault Ste. Marie District of the Ministry of Natural Resources and Forestry; however, the presence/habitat of any of these species has not been identified within the Town and policies are designed to ensure that an assessment is undertaken prior to a development approval. The MNRF is not aware of any occurrences of recommended *significant wildlife habitat* within the Town of Bruce Mines at this time. However, old mine adits do have the potential to be bat hibernacula. At this time, the Town of Bruce Mines does not contain any confirmed *significant areas of natural and scientific interest* (ANSIs). A *significant ANSI* is an area identified by MNRF using evaluation procedures established by the province, as amended from time to time.

7. Water, Energy and Air Quality

Water is a sustaining element of life. Energy conservation is increasingly important to sustainable lifestyles while the quality of air is important to health safety. The basis of the plan is to protect or enhance the use of water resources, notably the water quality of Lake Huron and Jordan Creek through such measures as stormwater management, erosion controls and the use of site plan control along shoreline areas.

The basis of the Plan is to promote energy conservation practices and the use or introduction of alternative and *renewable energy systems* to create new energy supplies. Air quality will be sustained through environmental approvals. (See **Section 2.26 - Public Service Facilities, Energy and Air Quality.**)

8. 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. Provisions are made in the Plan to combat the effects of climate change. (See **Section 2.6 - Climate Change**)

9. Public Service Facilities and Infrastructure

Public service facilities and *infrastructure* are generally adequate and have residual capacity to support further growth and development for the foreseeable future. The Town of Bruce Mines has completed improvements to its water supply to bring the system into compliance with the *Safe Drinking Water Act, 2002*. The policies of this Plan support the maintenance and development on the Bruce Mines municipal water supply and sewage disposal systems.

Maintenance of the network of publicly-maintained roads is key to the growth and settlement policies of the Plan and will be the basis for approving new development. All development will be required to have access and frontage on public roads or to the existing private roads on French Island and Jack's Island.

The Tri-Neighbours waste management facility has a 32 year life span based on current disposal volumes and is more than adequate for current and projected needs during the planning period of this Plan.

The Town's Asset Management Plan will be used as a tool to ensure the optimization of existing municipal *infrastructure* over the designed lifecycle. Green infrastructure is also encouraged.

See also **Sections 2.26 - Public Service Facilities, Energy and Air**

Quality, Section 2.27 - Sewage Disposal and Water Supply, Section 2.39 - Stormwater Management, Drainage and Erosion Control, and Section 5.0 for Transportation Policies.

10. Cultural Heritage and Archaeological Resources

Conservation of the historical legacy of rural pioneer settlements, historic and prehistoric heritage resources, and consideration for *areas of archaeological potential*, and *cultural heritage landscapes* are addressed through a policy on cultural heritage and *archaeological resources*. The basis of the Plan is to provide for the conservation of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* including marine archeological sites where they are identified and to mitigate the impacts on these resources and on any *protected heritage properties*. (See Section 2.9 - Cultural Heritage and Archaeological Resources.)

11. Planning Tools

Reference is made in this Plan to various planning tools such as zoning, site plan control, holding zones, temporary use by-laws and land division (consents and subdivision control). These tools will be used where they assist the Town to enhance or provide for orderly development and to ensure compatibility with adjacent land uses. (See Section 7.0.)

1.8 Goals of the Official Plan

To achieve a land use pattern that optimizes the use of available or planned *infrastructure* (roads, water, sewage, utilities) and *public service facilities* (schools, health care, parks, recreation and cultural facilities, fire, police and emergency services) and which uses development standards which are compact, provide for an appropriate range and mix of housing types and residential densities, including *affordable* housing, and contiguous and cost effective development within an existing well defined town grid.

To provide for the long-term prosperity of Bruce Mines through policies which encourage new business development, a healthy main street, continued community improvement and which supports activities, programs and measures for sustaining a healthy community.

To manage the community's renewable, non-renewable, water, natural heritage and cultural heritage and archaeology in a responsible manner through the development of policies, tools and practices designed to identify, protect, conserve, enhance or utilize these resources over the short and long-term and which provide for the transition to other land uses where a non-renewable

resource has been depleted.

To safeguard the public and the natural environment from natural and human-made hazards, notably ***flooding hazards*** and ***mine hazards***, other human-made hazards through the development of policies, tools and processes to identify, evaluate, prevent or protect against such hazards.

To safeguard the community from the impacts of climate change.

To make decisions affecting land use planning matters which are consistent with the *Provincial Policy Statement* and conform to Provincial Plans (i.e. Growth Plan for Northern Ontario).

To meet the community development needs of a population ranging from 550 to 650.

1.9 Objectives of the Official Plan

To provide and maintain an adequate supply of land for residential uses, commercial and industrial development, ***institutional uses***, ***public service facilities***, and parks and open space uses to meet projected growth and development demands for the planning period of 20 years (2019-2039).

To provide for a range and mix of housing types and densities designed to meet the demographic and market requirements of current and future residents of Bruce Mines while maintaining at all times, at least a ten-year supply of land designated and available for new residential development and a three-year supply of lots in draft and/or registered plans.

To designate land uses which will accommodate ***development*** and ***redevelopment*** having regard for the health, safety, convenience and needs of the present and future population.

To allow development where it can be adequately serviced within the existing capacity or planned expansion, upgrading or improvement of ***public service facilities*** (municipal administration, fire, police, educational, health care, recreational, cultural and social services) and ***infrastructure*** (roads and municipal water and sewage disposal services), and having regard for the financial viability of the Town's assets over their life cycle.

To protect ***sensitive land uses*** (dwellings, health care and educational facilities) from incompatible land uses and to avoid or resolve existing land use conflicts.

To conserve and protect ***natural heritage features and areas*** and the attributes of the natural landscape in the design, development and maintenance of land

uses and land use activities.

To provide the land use planning framework to sustain existing employment and to encourage and stimulate new economic development and small business development as important sources for employment.

To institute measures for the evaluation of known or potentially contaminated sites including ***brownfield sites*** and their restoration to a condition suitable for reuse, ***development*** or ***redevelopment***.

To ensure that compatibility between major facilities and residential /other sensitive land uses is appropriately addressed so as to minimize risks to public health and safety, prevent or mitigate adverse effects, and ensure the long term viability of major facilities.

To ensure that land use planning decisions consider the needs of people with disabilities.

To improvement the quality of the natural environment through measures to maintain, restore or improve water quality, air quality and ecosystems.

To institute measures to combat and plan against the effects of climate change and to plan for green industries and energy conservation.

To ensure that land use decisions provide for a coordinated, integrated and comprehensive approach in managing growth, the stewardship of resources and the protection of the environment where the decisions involve other stakeholders, Indigenous communities and municipalities.

2.0 General Development Policies

2.1 Introduction

The following policies and associated **Schedule 'A' Land Use Plan** are intended to apply to all *development* in the Town of Bruce Mines and are to be taken into consideration along with the policies that apply to specific land use designations.

2.2 Population

The Plan will provide for a level of community services and a scale of development appropriate for a population of 550 to 650.

2.3 Planning Period

The planning period for this Plan is twenty (20) years (2019-2039).

2.4 Growth and Settlement

New development shall take into consideration the importance of the existing built form of Bruce Mines. The intent of the plan is to promote *residential intensification* notably within the existing town grid of approved lots coupled with the promotion of a healthy commercial corridor along Highway 17. The settlement pattern will build around an existing mature level of *public service facilities* and will take advantage of existing municipal water and sewage *infrastructure* to meet current and future growth needs. The focus of growth and development and regeneration will be within the urban service area of the Town.

Community improvement will continue to be used as a tool to stimulate vitality and regeneration. Bruce Mines will continue to build on its role as an important service centre to the surrounding rural countryside and to the commercial and tourism traffic of Highway 17.

While a large part of the land base of the Town is still rural in character, the rural sector serves to segregate incompatible land uses, largely associated with municipal *infrastructure*, a rock quarry and resource-related transportation facilities (deep-water harbour). Growth in the rural area will be limited essentially to existing uses and to non-residential land uses activities, including resource uses, notably the trap rock quarry (see **Sections 3.8, 3.9**).

2.5 Accessory Uses

Uses which are normally accessory to a principle land use, building or structure

are permitted and are located on the same lot or land holding as the principle use.

2.6 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.

The intent of the plan is to provide for measures designed to reduce carbon emissions and to plan for the impacts of climate change.

Reducing Carbon Emissions

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

1. **Transportation:**
 - a. Promoting carpooling and supporting rural carpooling through providing for one or more car parks along Highway 17.
 - b. Improving opportunities for cycling through the designation and signage of cycling routes through the Town and by encouraging provincial initiatives to provide cycling facilities on provincial highways.
 - c. 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:**
 - a. Reducing energy consumption through municipal building retrofits.
 - b. Promoting zero-emission and green building design.
 - c. Undertaking the replacement of municipal vehicles with alternative fuel vehicles.
 - d. Supporting the establishment of new vehicle electric charging stations.
3. **Renewable Energy:**
 - a. 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:**

- a. Encouraging local food production through measures such as farmer’s markets, farm stands, waste food recycling, and community gardens.
- 5. **Waste Management:**
 - a. Promoting recycling of non-organic wastes.
 - b. Reducing waste disposal in landfill sites through waste diversion, recycling and re-use.
- 6. **Carbon Capture:**
 - a. Sustaining high level of urban forest cover for carbon capture.
 - b. Plant trees
- 7. **Well Built Communities and Infrastructure:**
 - a. Ensuring that all development is directed away from lands susceptible to flooding and erosion through severe climate events.
- 8. **Infrastructure**
 - a. Designing road *infrastructure* and stormwater management facilities to protect against severe weather events and to facilitate evacuation.

2.7 Community Improvement

Community improvement will continue to be used as permitted under Section 28 of the *Planning Act*. It is the intent of this Section of the Official Plan to recognize the entire Town as a Community Improvement Area.

Within the Community Improvement Area, Council will undertake or provide for one or more projects through the preparation of Community Improvement Project Area Plans with the short to mid-term emphasis on the downtown and harbour front. In the preparation of a community improvement plan, Council shall consult community stakeholders and property owners. Council will use the property standards by-law to provide for the upgrading, maintenance or restoration of buildings and properties.

1. Goal of Community Improvement

To revitalize and regenerate the community, with the downtown and marina/harbour area being the initial focus.

2. Objectives for Community Improvement

- a. To upgrade and maintain all essential municipal services and community facilities.
- b. To continue to promote the health, revitalization and well-being

of the downtown as the commercial core of the community and as a service center for the surrounding rural area and tourism and commercial traffic along Highway 17.

- c. To enhance and upgrade the marina and harbour area as an area of tourism and economic activity.
- d. To ensure the maintenance of the existing building stock.
- e. To encourage private sector investment in community improvement.
- f. To enhance and maintain the visual appearance of the Town.
- g. To enhance the opportunities to provide for *affordable* housing.
- h. To encourage the preservation, rehabilitation, renewal and re-use of *built heritage resources*.
- i. To redevelop *brownfield sites* as a means optimize the use of existing *infrastructure* provide an incentive for economic development and improve the image of the community. This may include the repair, restoration or *redevelopment of brownfield sites*, environmental site assessment, environmental remediation, development and *redevelopment*, construction and reconstruction of lands and buildings for rehabilitation purposes or for improving energy efficiency, buildings, structures, works, improvements and facilities.
- j. To undertake measures to mitigate and adapt to the impacts of climate change.

3. Criteria for Designation of Community Improvement Project Areas

Parts of the municipality (e.g., downtown) will be designated from time-to-time as community improvement project areas based on the following criteria:

- a. That there is evidence of a need to improve municipal services such as roads, water supply and sewage disposal, sidewalks, street lighting, storm drainage, parks and recreation and community facilities, to improve accessibility for disabled persons, to improve the harbour front/shoreline areas, and streetscaping. Improvements may apply to some or all of the above services.
- b. That the phasing of improvements corresponds to timing of improvements by senior governments and within the financial

capability of the municipality.

- c. That there is a need to promote and support a sustainable and vital downtown.
- d. That a significant number of buildings in an area require upgrading through property standards.
- e. That the areas of greatest need of improvement are considered first.
- f. That improvement to the visual appearance or aesthetics is required.
- g. That there is a need to retrofit or rehabilitate the housing stock and create opportunities for *affordable* housing.
- h. That there is a need to redevelop a *brownfield site*. This may include the repair, restoration or *redevelopment* of *brownfield sites*, environmental site assessment, environmental remediation, development and *redevelopment*, construction and reconstruction of lands and buildings for rehabilitation purposes or for improving energy efficiency, buildings, and structures.
- i. That the design and/or replacement of *infrastructure* including stormwater facilities include measures to mitigate and adapt to the impacts of climate change.

4. Community Improvement Projects

- a. Council may designate by by-law, any part or any area within the municipality as a Community Improvement Project Area. Priority will be given to the downtown and harbour front areas.
- b. Council may carry out community improvement projects including the upgrading of roads, marina and harbour front areas, storm drainage, water supply and sewage disposal, sidewalks and curbs, street lighting, community facilities, parks and recreation, the needs of persons with disabilities and the provision of *affordable* housing (see **Section 2.16 - Housing**).
- c. Pursuant to Section 28 of the *Planning Act*, community improvement projects will be carried out in consultation with residents and other levels of government and must be within the financial means of the municipality.
- d. Pursuant to Section 28 of the *Planning Act*, community improvement plans may be prepared for any Community

Improvement Project Area with respect to improvements.

- e. Council will incorporate the conservation and/or protection of heritage resources in a community improvement project area.
- f. Pursuant to Section 28 of the *Planning Act*, Council may offer grants and loans to pay for all or part of the cost of rehabilitating lands and buildings in conformity with the Community Improvement Plan. Pursuant to the *Municipal Act*, Council may also offer financial incentives.

2.8 Contaminated Sites

1. Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, and utility or similar uses. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and automotive repair garages have a similar potential.

2. **Site Decommissioning and Clean-up**

It is a policy to ensure the proper decommissioning and clean-up of contaminated sites prior to their *redevelopment* or reuse. Measures to be taken by Council and/or the approval authority and the proponent include the following:

- a. The identification and inventory of sites of where existing and past uses may have contributed to the presence of contaminants.
- b. Mandatory filing of a *Record of Site Condition (RSC)* with the MOECC is required for any change to a more 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 in accordance with the requirements of Ontario Regulation 153/04. A copy of the RSC along with an affidavit from a qualified professional acknowledging that the Municipality or Planning Board may rely on the RSC shall be required before a land use approval is given.
- c. Where a gasoline station site is being redeveloped to a more sensitive land use, the approval authority shall require a clearance letter from the Technical Standards and Safety Authority (TSSA).

- d. Site plan control may be used as a measure to enhance site decommissioning and remediation (see **Section 7.12 - Site Plan Control**).
- e. Contaminated sites may be placed in a holding zone in the municipality's zoning by-law (where the principle of development or land use has already been established). Where a holding zone is used, the "h" may be removed when the site has been acceptably decommissioned or cleaned up to the satisfaction of the municipality and in accordance with a site remediation plan and subject further, to the submission to the municipality of a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition. (See **Section 7.8 - Holding Zones**.)

3. Closed Waste Disposal Sites

Sites previously used for waste disposal are required to comply with section 46 of the *Environmental Protection Act* and more particularly, no use shall be made of any land or land covered by water which has been used for the disposal of waste within a period of 25 years from the year in which such land ceased to be used for waste disposal unless the approval of the Ministry of the Environment, Conservation and Parks has been given for the proposed use.

2.9 Cultural Heritage and Archaeological Resources

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

1. Municipal Register

In accordance with Section 27 of the *Ontario Heritage Act*, the Clerk will maintain a municipal register of cultural heritage resources designated under Part 4 and Part 5 of the *Ontario Heritage Act* of all property designated under the *Act*. The Register may include properties considered by Council to be of cultural heritage value or interest.

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. If established, the Municipal Heritage Advisory Committee will be circulated on notices under regulations of the Planning Act if the subject lands include or adjoin a property or district designated under Part IV or V of the Ontario Heritage Act.

3. Designation

Council may designate identified cultural heritage sites under the *Ontario Heritage Act*.

4. Human Remains

The Ministry of Tourism, Culture and Sport, the Ministry of Government and Consumer Services - Register 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.

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

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)

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.

6. Marine Archaeological Resources

Council shall, prior to approving a development proposal, require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* 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.

7. Protected Heritage Property

Development and **site alteration** may be permitted on **adjacent lands** to a **protected heritage property** where 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.

8. Measures for Implementation

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

- a. Establishing a heritage zone category in the implementing zoning by-law pursuant to Section 34 (1) 3.3 of the *Planning Act* (see **Section 7.7 - Zoning By-law**).
- b. Designating **built heritage resources** and **cultural heritage landscapes** under the applicable components of Part 4 and Part 5 of the *Ontario Heritage Act*.
- c. Creating may be by-law designate the Town or 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.
- d. Applying site plan control to protect built heritage resources and cultural heritage landscapes by ensuring that new development is compatible with and/or does not adversely impact, those resources. Site plan control may include requiring the owner of a property with heritage significance to satisfy conditions as part of the site plan control agreement with the municipality.
 - e. Incorporating heritage conservation through the preparation of a community improvement plan (per Section 28 of the Planning Act. See also **Section 2.7 - Community Improvement**).
 - f. 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.
 - g. 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.
 - h. Approving energy retrofits of heritage buildings without compromising the heritage integrity of the building.
 - i. Ensuring that public works projects and other municipal initiatives comply with the cultural heritage policies of this Plan as a condition of approval.
 - j. Preparing a Cultural Heritage Management Plan which includes but not limited to:
 - comprehensive cultural heritage resource mapping,

- archaeological potential mapping, and inventories;
 - identification & evaluation of cultural heritage resources, cultural facilities, and organizations;
 - strategies for conserving and enhancing these identified resources;
 - programs to foster interpretation and promotion;
 - education and public participation in cultural heritage conservation.
- k. Residential and/or commercial infill in significant areas of historical, architectural or landscape value shall be sensitive to the existing scale, massing, and pattern of those areas; be consistent with existing landscape and streetscape qualities; and shall not result in the loss of any significant built heritage resources or significant cultural heritage landscapes

2.10 Disabled Ontarians

Provision shall be made for barrier free access to public and commercial buildings and designated parking spaces. Development, where applicable, shall comply with the *Ontarians with Disabilities Act, 2001*. The Town's accessibility plan shall apply where affected by a planning application with the intent to improve accessibility for persons with disabilities and older persons.

2.11 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.
6. Maintenance, repair and replacement of emergency services vehicles (i.e. fire trucks and first response vehicles) in concert with the Town's Asset Management Plan.

2.12 Existing Land Uses

Nothing in this Plan shall affect the continuance of legally existing uses established under the provisions of any Zoning By-Law in force on the date of approval of this Plan or other legally established land uses including uses that do not conform with the land use designations as shown on the **Schedule 'A' Land Use Plan**. Nothing in this Plan shall prevent the reconstruction of legal non-conforming uses which are inadvertently destroyed by a natural cause (e.g., fire, flood, earthquake, erosion, land subsidence).

2.13 Natural Hazards

Hazardous lands including **flooding hazards** and/or **erosion hazards** shall be considered as having development constraints. Development shall generally be directed to areas outside of **flooding hazards** and/or **erosion hazards** as described below:

1. The **flooding hazard** includes all lands abutting Lake Huron that are below the 177.7 metre Canadian geodetic datum elevation (see **Schedule 'A' Land Use Plan**). The **flooding hazard** also includes a horizontal flood allowance for wave uprush and other water related hazards of 15 metres for lands abutting Lake Huron that are impacted by wave uprush and other water related hazards.
2. In areas where 1:100 year flood level information is unavailable, a flood line mapping report may be required to determine the **flooding hazard**. In lieu of the setback established in Item 1 above, a technical study may be required to confirm the extent of the flood allowance for wave uprush and other water related hazards on impacted lands.
3. **Hazardous lands** are recognized as a development constraint on lands which are designated for various purposes and takes precedence over the underlying designation. **Hazardous sites** are any lands that could be unsafe for development and site alteration due to naturally occurring hazards such as unstable soils, organic soils or unstable bedrock.
4. Within any **hazardous lands** or **hazardous sites** as defined in this Plan or in a geotechnical study, no development or **site alteration** shall be permitted including buildings or structures or extensions to existing buildings or structures, **institutional uses**, **essential emergency services** or uses associated with the disposal, manufacture, treatment, or storage of **hazardous substances**. (See also **Section 2.19 Mine Hazards**.)
5. Non-habitable water oriented public or private uses of a permanent nature may be permitted such as a marina, docking facility, boat launching facility only where properly flood proofed and designed to avoid adverse impacts to upstream or downstream development.
6. Modification of the **flooding hazard** through filling, excavation or by other means shall not be undertaken without prior consultation with the Ministry of Natural Resources and Forestry.
7. Appropriate setbacks shall be established in the Zoning By-law to govern development in the vicinity of **hazardous lands** and **hazardous sites**.
8. Additional inventories and studies may be undertaken by the

municipality or the development proponents to help identify *hazardous lands* and *hazardous sites* including *flooding hazards* and other development constraint areas. These may be used in determining boundaries of zones in the Zoning By-law.

9. Where appropriate or required, the municipality will consult with the Ministry of Natural Resources and Forestry for technical information related to the review or approval of development applications and determining setbacks and measures to avoid undue risk to life or property (e.g., safe access and egress during a flood, flood proofing, installation of protection works etc.). The Municipality may require the proponent of development to have a natural hazard study completed by a qualified person using accepted engineering principles or the municipality may engage similar services for the same purpose, the cost for either of which would be at the proponent's expense.
10. Where buildings or structures which are located within a *hazardous lands* or *hazardous sites* are destroyed, the Town may require the replacement building or structure to be relocated outside of the *hazardous lands* or *hazardous sites* wherever feasible.
11. A geotechnical study may be required as a condition of a complete application is assessing *hazardous lands* and *hazardous sites*.
12. When reviewing applications for development, Council shall consider the potential impacts of climate change that may increase the risk associated with natural hazards

2.14 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 Bruce Mines takes into account the environment, safety, physical activity, food access and social well-being.

1. A Healthy Environment

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

- a. 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.
- b. Protecting water from sources of contamination.
- c. Conserving the natural environment through protection or enhancement of shorelines, forested landscapes/woodlots and **fish and wildlife habitat** (see also **Section 2.21 - Natural Heritage Features and Areas**).
- d. Ensuring that access to green space, 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.
- e. 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.
- f. Landscaping designed for shading, cooling and wind buffering will be an integral component of land use design decisions.

2. Community Safety

Bruce Mines will create a physical environment that is safe for all residents through such measures as:

- a. Designing and upgrading roads that support all users including cyclists and pedestrians.
- b. Working with the OPP to ensure appropriate traffic enforcement and crime prevention.
- c. Designing and maintaining trail systems (i.e. Voyageur Trail etc.) that are safe for users.
- d. Implementing community accessibility plans and retrofitting buildings to facilitate access by those with disabilities.
- e. Ensuring road design for public and private roads meets current safety standards for height, width and travel clearances.



- f. 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.
- g. Ensuring proper sight distances for new entrances onto roads and at intersections.
- h. Maintaining an update emergency preparedness plan.
- i. Supporting and promoting fire safety measures for all dwellings such as through the provision of smoke and carbon dioxide detectors.
- j. Working with school boards to provide for the safe transport of school children and providing for Community Safety Zones.
- k. Directing development away from *hazardous sites* and substances (i.e. flood prone lands, contaminated sites, *mine hazards*). (See also Section 2.13 - Hazardous Lands and Hazardous Sites.)



3. Physical Activity

Bruce Mines will create a physical environment that provides opportunities for safe daily physical activity for all through such measures as:

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



4. Food Access

Bruce Mines will increase the availability of healthy food for all residents through such measures as:

- a. Promoting local food production as part of a sustainable local food system.

- b. Permitting community gardens/plots.
- c. Permitting food produce stands.
- d. Permitting and encouraging on-farm diversified uses which focus on food production and food processing.
- e. Permitting agricultural-related uses in the rural area of the Town for food production.
- f. Promoting and permitting diversified foodland production such as greenhouses, orchards and market gardens.
- g. Permitting food-based home occupations.
- h. Encouraging the development of food co-operatives.
- i. Permitting backyard and front yard vegetable plots and encouraging localized gardens for growing/production of fruits, vegetables, eggs, honey, seeds, herbs and nuts.
- j. Permitting small animal farming on individual residential lots for personal consumption such as the raising of chickens.
- k. Facilitating recycling of edible waste foods.

5. Social Cohesion and Well-Being

Bruce Mines will create 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:

- a. Providing opportunities for mixed housing and a mix of housing types designed to meet the socio-economic characteristics of the community.
- b. Providing for public spaces where people can meet.
- c. Creating a forum for dialogue and joint decision-making on community and land use matters with Indigenous people.
- d. Celebrating the cultural plurality of the community through community events and festivals.
- e. Promoting a diversified economic base that provides a variety of employment opportunities.

- f. Working to sustain health care, social and recreational services on a regional basis to meet the needs of residents of Bruce Mines.

6. Cannabis and Medical Marijuana

Council may prohibit or regulate the commercial and personal production and retail sale or dispensing of 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.). Council may also prohibit or regulate a medical marijuana facility. The following definitions apply.

Cannabis means a cannabis plant, including the phytocannabinoids produce 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.

Cannabis Retail Store or Dispensary means any use of land, building, structure or part thereof used for the retail sale of cannabis or any product or substance produced in whole or part from cannabis, and shall be deemed to include a licensed Ontario Cannabis Retailer under the *Ontario Cannabis Retail Corporation Act, 2017*.

2.15 Home Based Businesses

Home based businesses providing professional or personal services may be permitted as accessory uses to any permitted permanent residential use provided the home based business is legal, is located within the dwelling and/or suitable accessory building provided such uses are clearly secondary to the residential use, are non-obtrusive, nor unsightly, do not generate undue noise or create health or safety hazards and are be compatible with surrounding land uses. Parking, signage, location, size of the home based business and other on-site matters will be governed through the zoning by-law. Home based businesses on a provincial highway will not be permitted a commercial entrance nor will the business be permitted a land severance to separate the home based business from the residential use.

Where contamination is suspected, the reuse of a former home business site for alternative land uses shall be considered in accordance with the provisions of Section 2.8 of this Plan, regarding potential contaminated sites

2.16 Housing

1. Keynote Housing Policy

To provide an adequate and sustainable supply of housing to meet current and projected needs over the 20 year planning period.

2. Housing Types

The range of permitted housing types includes:

- a. A full range of low, medium and high density dwelling types.
- b. Innovative housing types which meet *Ontario Building Code* standards (e.g. mobile homes and innovative housing types (i.e. tiny houses) may be permitted on individual lots where the lot is proportionately sized to accommodate the unit, where a full foundation is constructed under the unit and where the unit will be adequately landscaped).
- c. An appropriate mix of densities designed to provide a variety of housing options in meeting current and future housing needs, for example, densities for low density housing (singles and two-unit) will be based on the character and sizes of the existing lot fabric while higher density housing (townhouses and apartments) should be planned on the basis of 20 - 30 units per net hectare. Housing should be planned to take advantage of the existing lot fabric for singles and two-unit dwellings. Higher density housing such as townhousing and small block apartments may occur through the consolidation of existing lots or development on larger blocks provided the development is designed to meet the required setbacks and density standards set out in the zoning by-law.
- d. Permitting two residential units in primary dwellings (i.e. single detached, semi-detached, or rowhouse) and the use of a residential dwelling in an ancillary building or structure except on lots lacking sustainable sewage systems or on ***hazardous lands***.
- e. Portable housing such as garden suites. Garden suites are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable (i.e. can be transported from one site to another). A mobile home may be used as a garden suite where the unit complies with the zoning by-law. 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 will provide opportunities for garden suites on a site specific basis or through a temporary use by-law (see also **Section 7.11 - Temporary Use By-law**) provided the lot is of a sufficient size and the unit can be adequately serviced with sewage and water services (see **Section 2.27 Sewage Disposal and Water Supply**).

- f. Group Homes provided they are provincially licensed and/or approved for funding. A group home is defined as a single housekeeping unit in a residential dwelling for persons excluding supervisory staff or receiving household live as a unit under responsible supervision consistent with the particular needs of its residents.

3. Housing Targets and Supply

- a. Given the available vacant lot supply for residential development, over 90% of new housing starts will be created through infill and **intensification**; hence the existing vacant lot supply of serviced lots will be the primary source for new housing.
- b. The Town will work conjunctively with the Algoma District Social Services Administrative Board Housing Services (ADSAB) in addressing the target for affordable housing for **affordable** rental and **affordable** home ownership based on the **regional market area** (see definition in Appendix 1). Both levels of government will take advantage of provincial and federal funding sources in providing for affordable housing. The target for affordable housing is 20% for Bruce Mines.
- c. Council concurs with the objectives and will actively support the actions set out in the District of Algoma's Housing and Homeless Plan such as working to maintain families, tenants and homeowners from losing their housing dues to economic eviction, providing support for victims of domestic violence, topping up rental subsidies where needed.

4. Affordable Housing

Council will provide for **affordable** housing by monitoring the need for social assisted housing for families and seniors through periodic surveys and in consultation with the ADSAB. **Affordable** housing (as defined in Appendix 1) shall be determined based on the **regional market area** for the District of Algoma. Council will seek opportunities to participate in Federal and Provincial **affordable** housing programs for low to moderate income households and will engage with the ADSAB on matters related to planning for **affordable** housing.

Council will maintain an appropriate supply of residential land, facilitate *residential intensification* and *redevelopment* and permit all types of housing to help implement their *affordable* housing targets. In particular, Council will encourage housing types that will facilitate the delivery of *affordable* housing such as multiple residential units, second units in a house, garden suites, conversions of non-residential buildings to residential uses, and innovative housing types such as tiny houses, mixed use buildings with loft apartments, conversion of places of worship to include residential units, etc. Council will also encourage and work with the public, private and not-for-profit sectors to deliver *affordable* housing. Progress towards this target will be monitored on an annual basis and assessed when this Plan is reviewed in accordance with the *Planning Act*. Council may use financial incentives to provide for *affordable* housing including but not limited to grants or loans through community improvement, waiving municipal fees or parkland dedication requirements.

5. Implementation Strategy

Measures to implement housing policies will include:

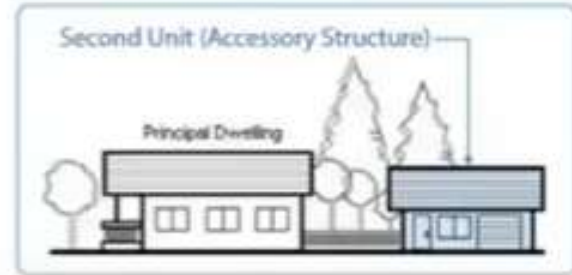
- a. Monitoring the residential land supply to provide for 5-7 housing starts annually.
- b. Updating the zoning by-law to permit additional residential units in single detached, semi-detached and row housing, and by introducing standards for rezoning for multiple units and innovative housing types while conserving existing lot area and frontage standards (see diagrams for second units).
- c. Ensure sufficient lands are suitably zoned to meet the long-term housing supply needs of Bruce Mines.
- d. Working with ADSAB to obtain funding and implementing programs for *affordable* housing and for meeting unique housing needs.
- e. Applying site plan control for multiple unit residential buildings with five (5) or more dwelling units (see **Section 7.12 - Site Plan Control**).
- f. Facilitating the conversion of *brownfield sites* for housing (see **Section 2.7 - Community Improvement** and **Section 2.8 - Contaminated Sites**).
- g. Respecting community development and urban design criteria and policies of this Plan for all residential development activity (see **Section 2.30 - Urban Design**).

h. Conserving a built form consistent with the current rural settlement pattern.

i. Conserving the integrity of **built heritage resources** and **cultural heritage landscapes** in approving housing development(s).



j. Directing **development** where it optimizes the use of existing roads, **infrastructure** and **public service facilities**.



k. Encouraging cost-efficient, energy efficient and compact housing types.

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

2.17



2.17 Land Locked Lands

New development will not be permitted which land locks access to abutting parcels. Where necessary and principally for existing development, the frontage of lots may be reduced to provide access to lands which may potentially be land locked. A minimum width may be established in the zoning by-law.

2.18 Lots of Record

Except for lots which are associated with natural or human-made hazards, lots of record which are vacant may generally be used for building purposes provided they front on a publicly maintained road and can be adequately serviced, satisfactory to the servicing standards of **Section 2.27 - Sewage Disposal and Water Supply** of this Plan. An absolute minimum lot size may be established in the zoning by-law for lots of record.

2.19 Mine Hazards

Mine hazards are any feature of a mine defined in the *Mining Act* or any related disturbance of the ground that has not been rehabilitated. These ***mine hazards*** may pose a threat of injury or loss to the structures on the land and by people who use the land if they are not appropriately rehabilitated or mitigated in accordance with the *Mining Act*. It is recognized that the severity of the hazard varies, depending on past mining activity ranging from minor exploratory sampling to large mining operations (i.e., shafts, drifts, raises, open pits). As such, the risk of reuse of the property may range from negligible or to so severe that the property cannot be rehabilitated. There may also be circumstances where rehabilitation or remediation of a site is required subsequent to the closure and ***development/redevelopment*** of the property by a non-mining owner. Ongoing chemical and/or geo-technical monitoring of rehabilitated mining hazards is also important since deterioration may continue to occur. Examples include settling of sand used in filling a shaft or raise, subsidence, and mine tailings. Consequently, development on, abutting or adjacent to lands affected by ***mine hazards*** or former ***mineral mining operations*** will only be permitted if rehabilitation measures to address and mitigate known or suspected hazards are underway or complete, such that that no risk to public health and safety exists.

Mine hazards are regulated under the *Mining Act* as administered by the Ministry of Energy, Northern Development and Mines. The Ministry of Energy, Northern Development and Mines (MENDM) has conducted an evaluation (not interpreted to be a risk management assessment) of the hazard features associated with several sites located within the Town and found in the

Ministry's Abandoned Mines Information System (AMIS) database (which may not include other unknown or undocumented sites). The AMIS sites are classified as *mine hazards* and are illustrated on the **Schedule 'A' Land Use Plan**. Any proposed development within an area classified as a *mine hazard* or within close proximity will require review to determine the need for a detailed geo-technical evaluation. A technical review carried out by a duly qualified individual, typically a qualified professional engineer (although some risks may not be covered by an engineering discipline (i.e., chemical contamination) may be required to determine the risk to public health and safety posed by each location and also the degree to which recent or historic rehabilitation activity impacts upon that risk. The Town will consult with MNM to determine when a technical study related to a *mine hazard* is required prior to approving any development, the requirements and scope for undertaking the study and the required qualifications of any professional required to undertake a study. Any required technical report will be at the cost of a mineral rights holder and/or the proponent of development and may be subject to a peer review. For lands and lots within existing approved plans of subdivision in the Town, a technical study will not generally be required. Council may however, undertake a study to determine more precisely the lands within the Town that will not require a study prior to *development* or *redevelopment*.

The recommendations of any technical study or report required above may be in addition to other requirements that may need to be addressed before development can proceed. Reference shall be made to **Schedule 'A' Land Use Plan** with respect to the location of *mine hazards*. The Town will require that the procedures for site rehabilitation and mitigation of public health and safety hazards be underway or completed prior to approval of the development application.

Through studies and in consultation with MNM and mining companies, the Town may refine the boundaries of sites. Proponents of development may be exempted from technical studies where prior studies have served to define the limits, rehabilitation, remedial and/or mitigation characteristics or requirements for a particular area or location. Studies may be required for a single development or for a major development such as a plan of subdivision.

Mine hazards which have been rehabilitated under the provisions of the *Mining Act* may not be disturbed without written approval from the Ministry of Northern Development and Mine's Director of Mine Rehabilitation.

2.20 Minimum Separation Distances and Influence Areas

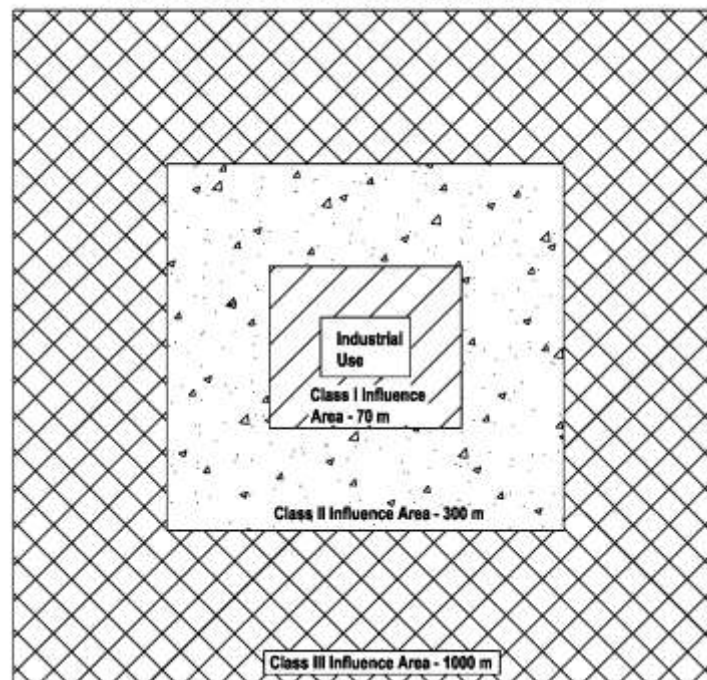
1. Industrial Sites

An *influence area* as set out by the Ministry of the Environment, Conservation and Parks for Class I, II and III industrial uses shall apply between industrial uses and *sensitive land uses* (reciprocally) and shall be incorporated into the implementing zoning by-law. The potential

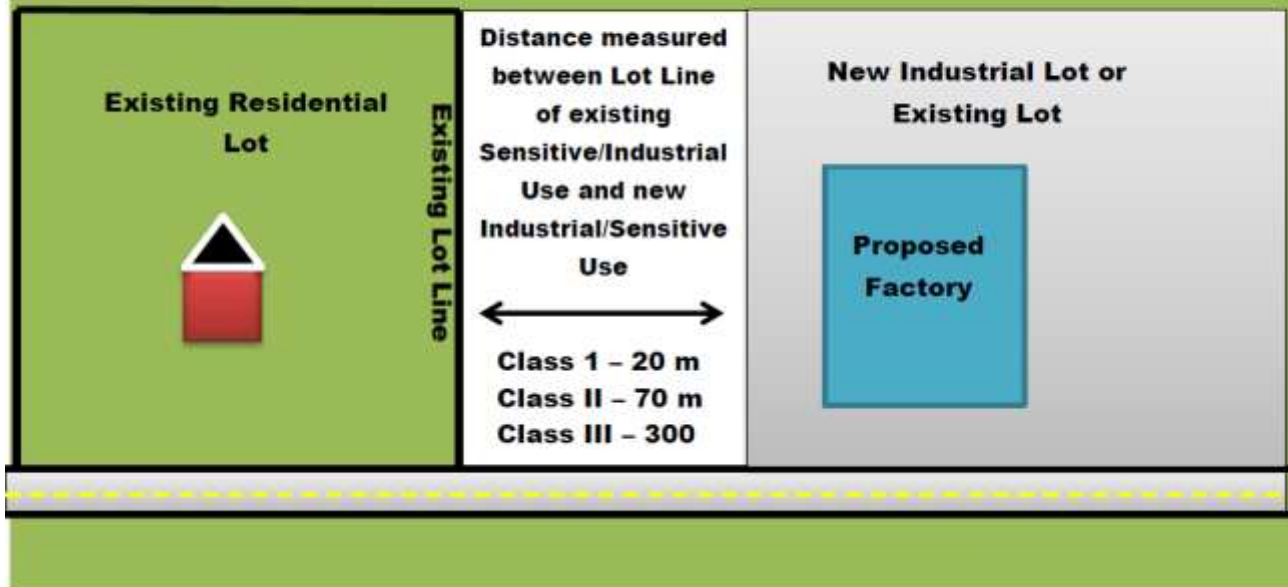
influence area shall be measured from the nearest point of the property line of an industrial use and the nearest point of the property boundary of the **sensitive land use**. The influence area for a Class I Industry shall be 70 m (230 ft.) and for a Class II Industry 300 m (984 ft.) and for Class III be 1,000 m (3,280 ft.) and may be further determined through a technical study using Guideline D-6 (see below). **Sensitive land uses** shall not be permitted within the influence area unless it is clearly demonstrated, through technical studies, that any **adverse effects** are clearly and fully mitigated to the satisfaction of the Municipality and, where applicable, environmental approvals have been obtained from the Ministry of the Environment, Conservation and Parks. Recommended separation distances for various classes of industry will be reflected in the zoning by-law (i.e. Class I - 20 m (66 ft.); Class II - 70 m (230 ft.) and Class III - 300 m (984 ft.) industries) (see diagrams).

(Reference should be made to the Ministry of the Environment, Conservation and Parks's Guideline D-6 on Compatibility between Industrial Facilities and **Sensitive Land Uses**.)

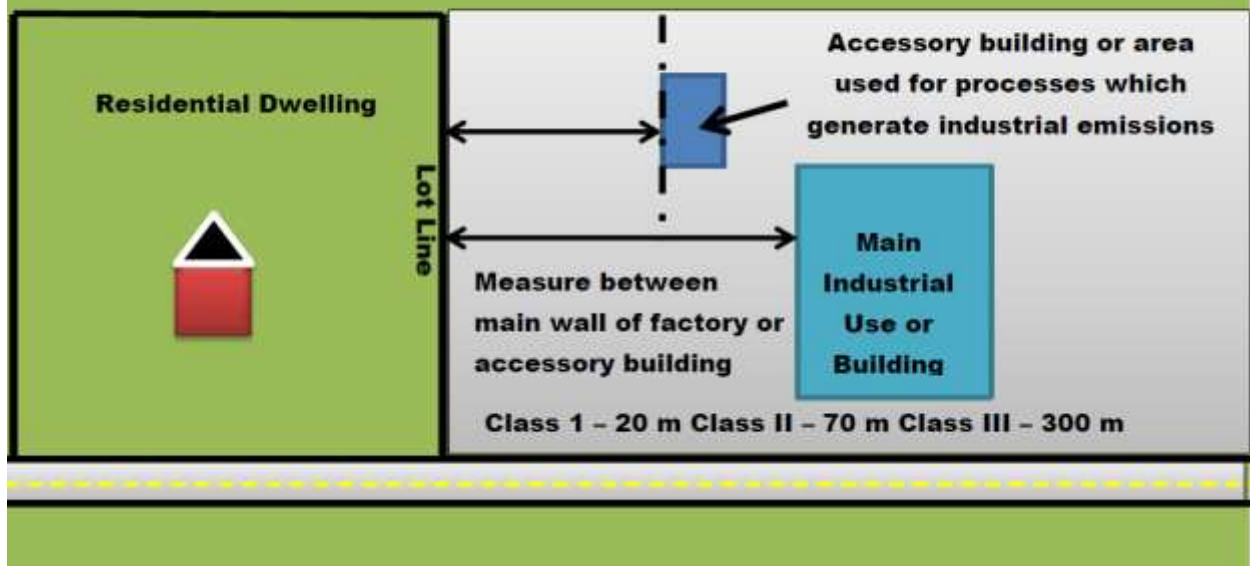
Influence Area Surrounding Industrial Uses



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



2. Quarries

It is a policy to recognize an *influence area* as a means of protecting against incompatible land uses in the vicinity of the existing rock quarry from encroachment from other incompatible land uses. It is the intent of Council to protect existing and future *mineral aggregate operations* from development and activities that would preclude or hinder their expansion or continued use or access to the resource. *Development* or *site alteration* in the quarry and areas adjacent to the quarry which would preclude or hinder the establishment or access to the resources shall only be permitted if:

- a. The resource use would not be feasible;
- b. The proposed land use or development serves a greater long-term public interest; and
- c. Issues of public health, public safety and environmental impact are addressed.

For the purposes of this plan, the influence area and minimum separation distance shall be considered to be:

A 1000 m (3,281 ft.) potential influence area for quarries with a minimum separation distance of 300 m (984.2 ft.). Technical studies in compliance with MECP Guideline D-6 shall be required in evaluating the required separation distance and any associated mitigation requirements for new or expanding quarries or reciprocally for new or expanding surrounding land uses.

(Note: for the purposes of this Plan, the existing quarry shall be classified as a Class III industrial use and the Ministry of the Environment, Conservation and Parks D-6 Guideline, Compatibility between Industrial Facilities and *Sensitive Land Uses* and Council may require a technical study to evaluate the impacts on new non-resource related development as a condition of approval.)

The distances for the influence area or separation distance shall be measured from the boundary of the Mineral Aggregate Area land use designation shown on **Schedule 'A' Land Use Plan** or the limit of the licensed excavation area where licenses under the *Aggregate Resources Act*. The extent of the influence area may be modified in consultation with the public body having jurisdiction without amendment to this plan.

Within the potential *influence area*, and outside of the minimum separation distance (of 300 m for a quarry), non-resource related development may be permitted when the proponent of the development clearly demonstrates (through a Mineral Resource Assessment Report)

that impacts such as noise, dust, vibration can be mitigated and the **quality and quantity of water** on adjacent properties will not be compromised where excavation activities are below the water table.

All aggregate processing equipment must have a valid Environmental Compliance Approval under the *Environmental Protection Act*.

The above policies will also apply in a reciprocal fashion in establishing or redesignating a quarry near an existing **sensitive land use**.

3. Portable Asphalt/Concrete Plants

All portable asphalt/concrete plants must meet the applicable requirements of the Ministry of the Environment, Conservation and Parks for their operation.

4. Sewage Disposal Facilities

A technical study using Guideline D-2, Compatibility between Sewage Treatment and **Sensitive Land Uses** shall be required prior to permitting the development of any sensitive land use closer to a waste stabilization pond than the prescribed distance separation. The study shall indicate that the proposed development will not be negatively impacted by the facility prior to approving such development.

5. Waste Disposal Facilities

No development shall be permitted on or within 30 m (98.4 ft.) of the perimeter of a fill area of an active waste management facility or area. An **influence area** of 500 m [1,640 ft.] surrounding an active or closed waste management facility recognizes the potential for **adverse effects** between a waste management facility and any **sensitive land uses**. Development proposed beyond the 30 m (98.4 ft.) but within the **influence area** of 500 m (1,640 ft.) of the perimeter of a fill area of an active or closed waste management facility or area shall be accompanied by a technical study that demonstrates that the proposed development will not be negatively impacted by the waste management facility (e.g. due to leachate, methane gas, rodents, vermin, odours, fire etc.). Where recommended by technical studies, measures to mitigate any adverse impacts will be required as a condition of development. Reference will be made to MOE Guideline D-4 Land Use On or Near Landfills and Dumps in conducting any technical study and may not preclude impacts beyond 500 m. The influence area does not apply to existing lots of record in either an approved plan of subdivision or which were created by consent.

The influence area may be reduced where studies have been undertaken and the public authority having jurisdiction is satisfied that there will be

no *adverse effects* on adjacent land uses.

6. Minimum Distance Separation Formulae I and II

New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

2.21 Natural Heritage Features and Areas

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 Town of Bruce Mines.

1. General Roles and Responsibilities

Council will provide for habitat protection through the review of development applications and with the technical assistance of MNRF. MNRF will provide assistance by identifying what is known *significant* habitat and by issuing permits or entering into agreements under the *Endangered Species Act, 2007* and the associated regulation (O. Reg. 242/08.). Appendix 2 sets out a list of the Species at Risk in the Sault Ste. Marie MNRF District including the Town of Bruce Mines. Any technical studies required in **Section 7.3** shall be conducted by a qualified professional and are subject to a peer review.

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 the *natural*

Stewardship and Incentive Opportunities

- Voluntary stewardship
- Species at Risk Stewardship Fund
- Species at Risk Farm Incentive Program
- Conservation Land Tax Incentive Program
- Community Fisheries and Wildlife Involvement Program
- Managed Forest Tax Incentive Program
- Conservation trusts and easements

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

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

Species at Risk: O. Regulation 230/08

<https://www.ontario.ca/law/regulation/080230>

heritage system in Bruce Mines.

2. **Scope of Natural Heritage Features and Areas**

Features and areas to be protected include:

- a. ***Significant wetlands***
- b. ***Significant coastal wetlands***
- c. ***Habitat of endangered species, threatened species***, species at risk ranked as endangered by MNRF
- d. ***Significant wildlife habitat***
- e. ***Fish habitat***
- f. ***Significant areas of natural and scientific interest***

3. **Prescribed Requirements**

a. **Wetlands**

Development and *site alteration* shall not be permitted in ***significant wetlands*** in Ecoregion 5E or significant ***coastal wetlands***. Wetlands which have not been evaluated should undergo a wetland evaluation in accordance with Ontario Wetland Evaluation System prior to any development and site alteration occurring.

b. **Wildlife Habitat, ANSI's, Coastal Wetlands**

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

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

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

Natural Heritage Information Centre (NHIC)
<https://ontario.ca/page/natural-heritage-information-centre>



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



c. Fish Habitat

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

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

d. 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*.

e. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.21.4 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 Section 2.21.5) Site plan control measures may also be used to mitigate vegetation removal within significant wildlife habitat in accordance with Section 7.12 of this plan.

f. 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 7.0 to provide for the protection and



ON

BLANDING'S TURTLE

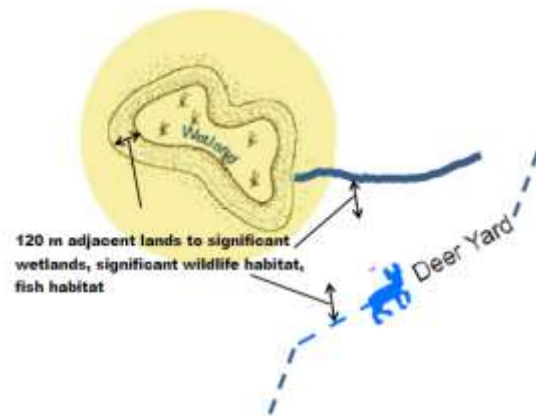
greyish brown to black shell with yellowish flecks; bright yellow chin & throat; bulging eyes; 12 – 18 cm long

THREATENED

conservation of these features.

g. Agricultural Lands

Nothing in policy 2.21 is intended to limit the ability of *agricultural uses* to continue.



4. Adjacent Lands

Adjacent lands for the purposes of Section 2.21.3 e. above are within:

1. 120 m of a **significant wetland or coastal wetlands including significant coastal wetlands.**
2. 120 m of **significant wildlife habitat.**
3. 120 m of **fish habitat.**
4. 120 m of **coastal wetlands** not deemed significant.
5. 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.**

6. 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 the Evaluation Process diagrams (which constitute part of the policies of this Plan). Proponents of development will be required to follow Steps 1 through 3 of the Evaluation Process diagram 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 listed in the reference box above and to Appendix 2;

Measuring Adjacent Lands – Lakes and Large Rivers

Lakes (Including Lake Trout Lakes) and Large Rivers

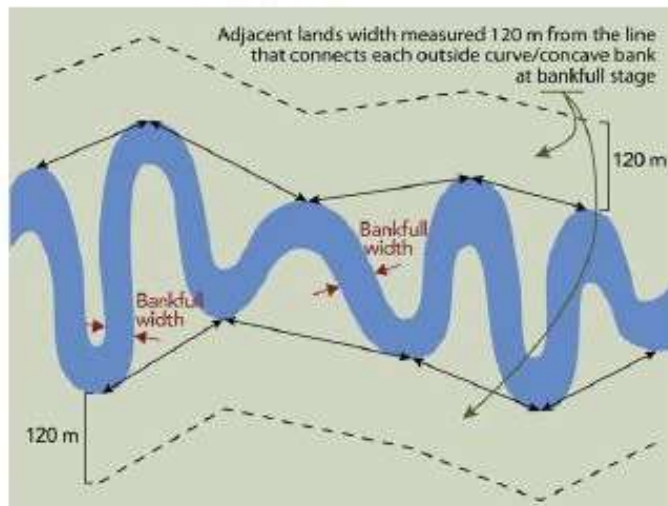


Measuring Adjacent Lands – Non-meandering Stream with Defined Bed and Banks

Non-meandering Stream with Defined Bed and Banks



Measuring Adjacent Lands – Meandering Stream with Defined Bed and Banks



Evaluation Process (PPS Definitions Apply)

Step 1

- **Preliminary Ecological Site Review:**
- Determine potential presence of **endangered** or **threatened species** per Section 5.3.1 of the Natural Heritage Reference Manual
- Determine whether one or more factors trigger a site specific assessment (see triggers)
- Determine whether development or site alteration is within **adjacent lands** of **significant** habitat per Section 4.4 of the Natural Heritage Reference Manual

Step 2

- **Detailed Ecological Site Assessment (EIS):**
- Where Step 1 triggers an EIS requirements for Environmental Impact Study shall be based on species habitat, or provincial or federal requirements
- EIS to be conducted by qualified professional and may be subject to peer review (see components of an EIS)

Step 3

- **Implementation Requirements:**
- Obtain required provincial, federal or municipal approvals or authorizations, including those under the Endangered Species Act, Fisheries Act or other legislation
- Enter into site plan approval or other *Planning Act* approvals

Triggers

- Known presence **endangered** or **threatened species**
- 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 that require large-scale modification of terrain, vegetation or both

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

- MNRF or Council 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>

2.22 Noise and Vibration

1. 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 the Highway 17 right-of-way or within the potential influence area (as per the Ministry of the Environment, Conservation and Parks *Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses*) of an industrial or other stationary noise source should be accompanied by a noise feasibility study prepared by a qualified consultant and to the satisfaction of the municipality. The study shall demonstrate whether noise and vibrations levels can be reduced to meet provincial standards in accordance with the *Ministry of the Environment, Conservation and Parks Publication NPC-300, Environmental Noise Assessment Guideline - Stationary and Transportation Sources*.
2. All applications for development of a *sensitive land use* (e.g., residential use, daycare, education or health care facility) within 250 m [820 ft.] of the Highway 17 right-of-way or within a 100 m [328 ft.] influence area of a stationary noise source or the right-of-way of other roads should be accompanied by an acoustical study (detailed noise 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 *Ministry of the Environment, Conservation and Parks Publication NPC-300, Environmental Noise Assessment Guideline - Stationary and Transportation Sources*. The conclusions and recommendations of this study shall be implemented through conditions of the development approval.

Failure to demonstrate that noise can be mitigated to within acceptable levels will require relocation of the proposed sensitive land use to provide a greater separation distance.

3. These policies shall not apply to infill on Lots of Record; however, Council may require noise attenuation measures as a condition of approval (i.e. site plan approval).

2.23 Official Plan Schedule

Schedule 'A' Land Use Plan, constitutes part of the Official Plan and is to be interpreted in conjunction with the written text (see **Section 1.3 - Interpretation and Coordination**).

2.24 Portable Asphalt and Concrete Plants

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

Portable asphalt/concrete plants, used by a public road authority or their agent or contractor, shall be permitted without the need for an Official Plan Amendment or rezoning under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities. (See also **Section 2.20 - Minimum Distance Separation and Influence Areas.**)

Portable asphalt/concrete plants are subject to the following provisions:

Portable asphalt/concrete plants will be removed from the site upon completion of the project.

All portable asphalt/concrete plants must have an Environmental Compliance Approval from the Ministry of the Environment, Conservation and Parks and shall comply with the relevant provincial standards under the *Aggregate Resources Act*. Sites used for portable asphalt/concrete plants within lands used for an agricultural use shall be rehabilitated as per legislative requirements.

(See also Section 2.31 - Wayside Pits and Quarries)

2.25 Public Engagement

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 Bruce Mines.

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.



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.

4. 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, consents, plans of subdivision and condominiums, validation of title and minor variances. Council will also use the prescribed procedures under the *Planning Act* for the review and update of a zoning by-law.

5. 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 the request. The proposed consultation strategy shall be a requirement of submitting a complete application (see **Section 7.3 - Planning Applications**). 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 and the consultation report shall provide the following information:

- a. The method(s) of consultation was/were used.
- b. Who was consulted?
- c. The result of the consultation.

Methods of consultation may include one or more of the following techniques or other method acceptable to the Municipality:

- Telephone survey of potential persons affected
- On-line survey
- Social media with provision for input and feedback
- Meeting with neighbours
- On-site open house
- Radio interview to explain project
- On-site bill board with plan and contact information
- Meeting with Band Council

2.26 Public Service Facilities, Energy and Air Quality

Public Service Facilities such as schools, places of worship and community facilities are an integral part of the land use pattern. These will be permitted throughout the Town. The intent of the Plan in making land use planning decisions is to ensure that there is adequate capacity and the co-ordinated efficient and cost effective delivery of such facilities to accommodate current and projected needs over the 20 year planning period. The intent of the Plan is to ensure that land use planning decisions provide for the integration of **infrastructure, public service facilities** and the delivery of effective and efficient emergency management services and to ensure that **public service facilities** are financially viable over their life cycle as set out in



the Town's Asset Management Plan.

Utility installations (hydro, telephone, telecommunication, gas) are permitted throughout the Town. All such uses except electric power generation and distribution facilities, poles, lines and towers will be subject to site plan control.

Council will promote **green infrastructure** to complement **infrastructure**.

If the development of electric power facilities should occur, it shall occur in an orderly manner. As such it is a policy that electric power generation and distribution facilities are permitted in all land use designations without an amendment to the plan provided that the planning of all such facilities and activities are carried out having regard to other policies of the Plan.

Council recognizes the importance of energy conservation and energy efficiency in land use planning. Consequently, Council's will encourage the siting and design of development that reduces energy consumption (i.e. buildings which optimize solar gain, retention of tree cover, shelter belts and similar measures). Council recognizes that certain energy systems are exempt from the provisions of the *Planning Act* except as set out in subsection 62.0.2 of the *Act*; however, Council will encourage a consultative process in the installation of **renewable energy systems**. Development of **alternative energy systems** and **renewable energy systems** will be encouraged to have regard to safe access to a lot, setbacks that are consistent with zoning standards, adequate lot size, access to and conservation of other natural resources (e.g. agricultural land, **minerals**, mineral aggregates, and **natural heritage features and areas**) and visual compatibility with the surrounding land uses.

The intent of this Plan is to also make land use planning decisions that incorporate measures to improve air quality and studies will be required where necessary as part of a complete application.

2.27 Sewage Disposal and Water Supply

1. Sewage and Water

Development requiring sewage and water services shall be consistent with the *Provincial Policy Statement* by accommodating expected growth through systems that are sustainable, financially viable over their life cycle, which protect human health and the natural environment, promote water conservation and integrate servicing with land use considerations. Servicing shall be based on a servicing hierarchy of **Municipal sewage and water services, partial services, communal services** and **individual on-site water and sewage services** as set out in the following policies.

2. Municipal Services and Partial Services

Within the Urban Service limit shown on **Schedule 'A' Land Use Plan**, development shall only be permitted on municipal (piped) water and sewage services except along Taylor Street in the area currently serviced with a partial piped water service. Within the area on ***partial services*** development may take the form of minor infilling and rounding out provided that site conditions are suitable for the long-term provision of such services with no ***negative impacts***. Within the Urban Service Area development will only be permitted where there is confirmation of sufficient reserve sewage system capacity and sufficient water service capacity. Development on partial services shall not be permitted outside of the urban service limit.

3. Communal Services

Council will consider communal services for multiple lot/unit development (five or more lots/units) where full municipal services are unavailable and where a servicing options statement and hydrogeological report, prepared in compliance with the *MOECP D-Series Guideline D-5-3 Servicing Options Statement*, and *MECP D-Series Guideline D-5-5 Private Wells: Water Supply Assessment* demonstrates that it is suitable over the long term. Where such a system is approved, the municipality will assume responsibility after the issuance of an Environmental Compliance Approval. Council will assume responsibility for the communal system should the system fail or should the operator fail to operate or maintain the system according to the agreement. A trust fund or other financial security may be required by a municipality as a measure to offset the costs of improvements or restoration of a communal system. (*Reference should be made to MOECC Guideline D-5-2, Application of Municipal Responsibility for Communal Water and Sewage Services, 1995*).

For the purposes of this Plan, Communal Services means sewage works and water works that provide for the distribution, collection or treatment of sewage or water, but which are not connected to full ***municipal sewage and water services***; are for the common use of five or more residential or non-residential lots or units (excluding a recreational vehicle park); and are owned, operated, and managed by the municipality, another public body, a condominium corporation or single owner under an agreement pursuant to the *Planning Act*.

4. Individual On-Site Water and Sewage Disposal Systems

Lands outside of the Urban Service Area limit may only be serviced by ***individual on-site*** (private) ***water and sewage services*** where a servicing options report is submitted that includes a cost-benefit analysis indicating that municipal piped services and communal services are not

viable. Planning applications for new development on **individual on-site services** shall also be supported by information required to satisfy the requirements of the *Building Code Act* or *Ontario Water Resources Act* respectively:

- a. Where the total effluent discharged by a sewage system is 10,000 litres/day (2,200 gallons/day) or less, and the system will be entirely within the bounds of the lot, the approvals will be governed by the *Building Code Act* and the Algoma Public Health Unit;
- b. Where the total effluent discharged by a sewage system is greater than 10,000 litres/day (2,200 gallons/day), an Environmental Compliance Approval will be required from the Ministry of the Environment, Conservation and Parks under the *Ontario Water Resources Act*. A hydrogeological study and terrain analysis shall demonstrate soil suitability, that there is a sufficient area for effluent treatment, and the site suitability for the disposal system;
- c. A water supply assessment report may be required for development using a groundwater source (i.e., well) to demonstrate that there is an adequate supply (quantity and quality) and that there will be no interference from sewage disposal or draw down of the water table. (Reference should be made in this regard to the *Ministry of the Environment, Conservation and Parks's Guideline D-5-4, Technical Guideline for Individual On-Site Sewage Systems*.) Consideration shall be given to the cumulative impact of development on the available water supply. A water budget for users may be required in this regard; and
- d. Site conditions shall be suitable for the long-term provision of such services and sufficient reserve sewage system capacity for hauled sewage is available. The determination of sufficient reserve sewage system capacity for **individual on-site sewage services** shall include treatment capacity for hauled sewage from **private communal sewage services** and **individual on-site sewage services**. It is the intent of the Council to investigate the options for the determination of treatment capacity from private services in the implementation of this policy;
5. Applications for lot creation of five or more lots on privately owned and operated individual or communal systems generating more than 4,500 litres of effluent per day as a result of the development shall require the submission of a servicing options report and a hydrogeological report (reference shall be made to the requirements of *O. Reg. 544/06, Schedule 1* of the *Planning*

Act).;

6. Well construction standards will be required to meet *Ontario Regulation 903* for lands serviced with an on-site (private) water supply (i.e. well).

2.28 Shoreline Management and Docking Facilities

The intent of this Plan is to only approve development along shorelines which has the effect of conserving or enhancing the natural environment and reflects best practices where site alteration or development is permitted.

The construction of any dock, wharf, pier, retaining wall or other structure or works along the shoreline of Lake Huron shall be subject to prior approval by the Ministry of Natural Resources and Forestry, if applicable or the public authority having jurisdiction.

It is the intent of Council to require the conservation, retention or enhancement of a natural vegetation buffer on lands within 30 m [98.4 ft.] of the shoreline of Lake Huron or a tributary (e.g. Jordan Creek) except to provide for a corridor for access to the water body. In situations where the natural vegetation 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 policies of this section shall apply to development abutting Lake Huron or a tributary thereto:

1. With the exception of docks all shoreline structures shall be constructed within the confines of the property boundaries of a lot
2. The location, size and height of shoreline structures shall be regulated - by the zoning by-law. Boat houses shall not be permitted.
3. Construction of a second storey addition for any shoreline structure shall not be permitted.
4. Floating structures, cribs and docks [of less than 15 m² (161.5 ft.²)] in area shall be subject to municipal review and approval while the supporting crib area exceeding this area shall require approval by the Ministry of Natural Resources and Forestry.

2.29 Stormwater Management, Drainage and Erosion Control

Ensuring adequate grade, **drainage** and erosion control: stormwater management shall be required for all development as a preventative approach (rather than relying solely on end-of-pipe quality control) to protecting water

resources (*quality and quantity of water*) and outside of urban *settlement areas* where deemed appropriate.

The principles which Council intends to utilize in its approach to stormwater management are enumerated as follows:

1. That natural hydrological characteristics are maintained, and where possible, enhanced as the means to protecting the base flow of watercourses and minimizes changes in water balance.
2. That the natural infiltration of water on lands which are developed is maximized (i.e. use of pervious surfaces).
3. That proposed development will not result in increased downstream flooding or erosion or cause *adverse effects* on receiving waters. Consideration shall be given to stormwater volumes and contaminant loading.
4. To ensure that alterations to natural drainage systems are prohibited or at least minimized by maximizing the retention of natural vegetation, by using or retaining pervious surfaces and by leaving stream channels in their natural form.
5. That *fish habitat* and *wildlife habitat* is protected, enhanced or restored including habitat linkages where affected by the discharge or outlet of drainage facilities.
6. That a sustainable environmental approach is utilized in protecting water resources, by promoting the attenuation and re-use of stormwater and by not increasing the risk to human health and safety and property damage.
7. That water quality will be monitored on an ongoing basis as the means to evaluating the effectiveness of storm water management practices.

It is the intent of Council to incorporate storm water management controls into the development review and approval process. Proponents of development will be required to plan for and undertake storm water management which complies with the above principles and promotes low-impact development. This may require a sub-watershed management plan for large tracts of land or a storm water site management plan. Proponents should utilize best management practices. Depending on the size and scope of a particular development, Council may require the preparation of a master drainage plan. Council will consult with MOECC, if applicable, in the review of these plans.

In the interim (prior to the development of a master drainage plan), proponents will be expected to assess the impact of the development on the receiving water body and to utilize a mix of site level, conveyance and end-of-

pipe best management practices for the development.

The preparation of drainage and stormwater management studies and reports shall be based on best practices and the application of the Ministry of the Environment, Conservation and Parks Stormwater Management Planning and Design Guideline, 2003.

A drainage and/or stormwater management report and/or hydrological report may be required as part of a complete application for any development.

2.30 Urban Design

The Town may adopt standards for urban design based on the following principles and land use activities:

1. Lighting of streets and parking areas to enhance streetscaping and to provide for security, public safety and conservation;
2. Landscaping for aesthetics, reducing the visual impact of hard surfaces, drainage control, wind sheltering and ecology;
3. Control of signs for public safety and aesthetics;
4. Planning of fire routes;
5. Providing measures for accessibility and services for the disabled;
6. Planning for the functionality of parking areas, parking aisles and points of ingress/egress, loading areas and stacking lanes and daylighting triangles;
7. Ensuring compatibility of the built form, architectural character and compatibility in the massing and siting of buildings as they relate to adjacent streets and abutting properties;
8. Providing for mixed use buildings;
9. Integrating site development with municipal *infrastructure*;
10. Conserving cultural heritage and built-heritage resources;
11. Regulating site services such as the location of temporary waste collection vaults, utility services, snow storage, stormwater management facilities;
12. Ensuring the compatibility of land uses;
13. Despite the above, Council will ensure that drive-through facilities are

designed to minimize the impact on adjacent or nearby residential uses by regulating the location of order boards, stacking lanes and building setbacks and signage.

14. Promoting built form that is well-designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

2.31 Wayside Pits and Quarries

A wayside pit or wayside quarry means a temporary pit or quarry located outside the limits of the road allowance which is opened and used by or for a public authority for the purpose of a project or contract of road construction or maintenance. Portable asphalt and concrete plants are permitted as part of a wayside pit operation. (See also **Section 2.24 - Portable Asphalt and Concrete Plants.**)

Polluted water from washing or screening operations shall not be discharged into any creek or water course. The operation of a wayside pit or quarry will be conducted in accordance with the latest standards of the Ministry of Natural Resources and Forestry.

Wayside pits will be rehabilitated as per legislative requirements. **Wayside pits and quarries** (and **portable asphalt plants**) used on public authority contracts will be permitted, without the need for an Official Plan Amendment or rezoning under the *Planning Act* in the rock quarry only.

2.32 Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for **development** due to the presence of **hazardous forest types for wildland fires** 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.

Prior to development, a wildland fire site assessment may be required. This wildland fire site assessment should include:

- Level 1 Site Assessment: Screening the site for the presence of forest cover in the area. If forest cover is determined to be within the general area (100 meters) then a more detailed site assessment should be required (level 2).
- Level 2 Site Assessment: Evaluation of the forest characteristics that may make a site unsafe for development from wildland fire. A level 2 site assessment, if necessary, should consider and document the following factors for subject lands and lands in the vicinity and/or

- within 100 meters of the proposed building locations, if possible:
- Forest composition and predominant vegetation (fuel types), particularly those that are associated with the risk of high to extreme wildland fire.
 - Forest condition (e.g., presence of disease, storm or insect damage);
 - Forest arrangement and density (i.e. trees close to each other); and
 - Presence of ladder fuels (e.g. conifer species with branches within 2 m of the ground) and ground fuel accumulation.

3.0 Bruce Mines Community Development Policies

3.1 *Development Concept*

Bruce Mines is a vital centre for residential, commercial and **public service facilities**. Although the pattern of land uses is well established, the Plan envisions a further gradual build-out of a mix of land uses characteristic of a small urban community in northern Ontario. The majority of new growth will occur through **residential intensification** in established residential neighbourhoods, and through **redevelopment** in the commercial district along the Highway 17 corridor. The relief in the built form will remain the same with low rise buildings and compact development. Community Improvement will be a key planning tool in regenerating a vital and economically healthy community. Development will occur on municipal piped water and sewage services although exceptions may be made in the eastern part of the urban area where justification is provided for infill or rounding out of development on existing **partial services**, or on **individual on-site sewage and water services**.

The east end of Bruce Mines will be conserved for the operation of a rock quarry and municipal **infrastructure** facilities, notably the sewage treatment plant and former waste management facility. Lands have also been set aside for other industrial uses. Such uses are well segregated from residential areas given the potential for land use conflicts.

The predominant land use will continue to be residential. A mix of dwelling types and densities will be designed to meet a broad range of housing needs and incomes. Within the commercial district a range of retail and service commercial uses will be permitted along with ancillary residential uses. Industrial uses will be permitted in the east side of Town in a designated industrial area.

The waterfront or harbour area has intrinsic scenic qualities that will be retained through the application of shoreline management practices that conserve the natural amenities and scenic vistas of the area and the benefits of a natural harbour. The government dock and marina continue to enhance the economic viability of the port to boaters in the North Channel of Lake Huron and access to lodging, food and beverage services in the downtown.

The urban settlement pattern is rounded out with an array of **public service facilities** that meet the needs of local residents and the surrounding rural townships.

The Plan supports both the mix and variety of land uses commensurate with the built-form of a small urban area and promotes the evolution of compact,

contiguous and cost-effective expansion. The land base will suffice to meet the land supply requirements for a 20 year plan without the need for an adjustment to the **settlement area** boundaries of Bruce Mines which is co-terminus with the urban service limit shown on the Land Use Plan Schedule 'A'; however, any proposed expansion of the **settlement area** will require a **comprehensive review**. The level of detail of the assessment of the need for a change to the **settlement area** boundary should correspond with the complexity and scale of the change.

3.2 Residential District

1. Permitted Residential Uses

Within the Residential District land use designation shown on **Schedule 'A' Land Use Plan**, a variety of housing types and densities will be permitted including a predominance of low density single and two-unit dwellings. Medium density row housing and small block multiples are also permitted where the land is sufficient to support such development and servicing is sustainable over the long term. Second units or additional residential units shall be permitted in singles, semi-detached and row housing and in ancillary buildings or structures to a single detached dwelling, semi-detached dwelling and a row house dwelling where the lot areas, parking and water and sewage services are deemed to be adequate. Innovative housing types or concepts will be permitted in meeting **affordable** shelter needs. Group homes and Garden Suites will also be permitted in the Residential District (see **Sections 2.16.2 - Housing Types**).



2. Permitted Local Commercial Uses and Home Based Businesses

Within the Residential District convenience commercial uses will be permitted which serve the day-to-day needs of residents or which cater to the tourist industry. Examples include a convenience store, antique store, craft shop, bed and breakfast establishment. Home based businesses will also be encouraged as a means of providing services to the community or as an incubator for new businesses provided they do not create a nuisance to neighbouring residences.

3. Public Service Facilities and Open Space

Within the Residential District, permitted uses shall include parks, playgrounds, schools, places of worship and government



services.

3.3 Planning Principles

Land use planning principles which shall apply to development within the Residential District include:

1. Ensuring that the lot size is adequate for the proposed use including building setbacks, parking, safe access, and accessory uses. Where the use is a local commercial, home based business or public service use, the lot size shall also be adequate for landscaping or buffering, signage, temporary waste storage and utility easements.
2. Servicing new or existing development in the Residential District will be on the basis of ***municipal sewage and water services*** provided there is sufficient reserve capacity. (See **Section 2.29 - Sewage Disposal and Water Supply**).
3. Frontage on and direct access to a public road shall be the means of access. The exception shall be for development on Jack's Island, French Island and McKay Island where access shall be permitted from existing private roads.
4. Requiring ***residential intensification*** and ***redevelopment*** (i.e., ***redevelopment of brownfield sites***, development of vacant or underutilised lots, in-fill development and the conversion or expansion of non-residential building stock for residential uses) as the primary method for new development. ***Intensification*** and ***redevelopment*** will be directed to lands serviced by existing ***infrastructure***, before consideration is given to extending services. Development on Jack's Island will be limited to existing lots of record. Consideration may be given to further development on French Island and McKay Island, but only where the road access to and on the islands is improved and upgraded to a municipal standard.
5. Plans of subdivision and consents may be used as a method of development for larger lots and blocks, where appropriate and to ***redevelopment*** where necessary.
6. Development will be planned to be a built form characterized by low-rise compact, contiguous and cost-effective and built on existing ***infrastructure*** or through the planned expansion or extension of ***infrastructure*** such as roads and piped services.
7. Reviewing the land use planning merits of development applications, to ensure consideration should be given to housing design which promotes

energy and water conservation, and promotes walkable living to parks, commercial and other services. Higher density housing shall be designed to be compatible with surrounding lower density housing forms.

8. Requiring for local commercial uses, that preference is given to locations on a major street where traffic flows are more easily accommodated and where it is possible to cluster such uses in one location. An existing residential property may be converted to a local commercial or may be a mixed commercial/residential building where the use can be made compatible with surrounding residential uses, where the lot size is adequate for parking and landscaping and where the location does not create undue traffic.
9. Planning to ensure that new **public service facilities** are directed to larger lots with direct access onto a major street, and where feasible to co-locate **public service facilities** in a cluster or mixed use building.
10. Recognizing existing parks and playgrounds, sports facilities and open space areas as integral components to residential neighbourhoods provided they are designed and developed to be easily accessible to user groups for leisure and recreational activities. (See **Section 2.7 Parkland and Cash-in-lieu of Parkland.**) This may include provision for community garden plots.
11. Storage containers will not be permitted in a residential area except for exterior storage to an apartment building and only where the unit(s) meets the requirements of the *Ontario Building Code*.
12. Providing for the introduction and application of urban design to enhance the quality and functionality of the urban environment (see **Section 2.30 Urban Design**).
13. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, motorized and non-motorized parking etc.). Where commercial uses are proposed adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts (see **Section 7.7 - Zoning**).
14. Applying site plan control to all local commercial uses, **public service facilities** and multiple residential developments of five or more units (see **Section 7.12 - Site Plan Control**).



3.4 Commercial District

Permitted Uses

Within the Commercial District land use designation shown on **Schedule 'A' Land Use Plan**, permitted uses shall include retail



stores, personal service uses (examples including but not limited to: hair care, pet care, repair shops, computer services), business offices, financial service, uses which are dependent on the travelling public or substantial traffic flows or which are important to tourism. Examples include but are not limited to automotive uses auto and recreational vehicle sales and services), accommodation, eateries, convenience stores, gift shops, antique stores tourist outfitting, and tourist commercial uses including a commercial dock and marina. Residential uses may be permitted as existing uses and ancillary uses to commercial uses. **Public service facilities** are also permitted.

3.5 Planning Principles

Land use planning principles which shall apply to development within the Commercial District include:

1. Ensuring that the lot size is adequate for the proposed use (e.g. accessory uses, motorized and non-motorized parking, loading, stacking lanes, access, storage, signage, landscaping and buffering) and potential expansion.
2. Ensuring that the lot/use of land is or can be serviced with sewage and water services (see **Section 2.27 - Sewage Disposal and Water Supply**).
3. Frontage on and direct access to a public road shall be the means of access. A traffic study may be required to determine traffic impacts and the requirements and approvals for entrances and other improvements. Access onto Highway 17 is restricted and governed by the Ministry of Transportation and applies to entrances, land uses, signs and drainage controls (see **Section 5.1 - Transportation System**).
4. Landscaping, buffering and screening which may be required to mitigate impacts on adjacent residential properties and enhance the aesthetics and visual appeal of the commercial district.
5. Requiring that development of the waterfront or harbour area within the Commercial District and any associated commercial or open space uses

comply with policies for public health and safety (see **Section 2.13 - Hazardous Lands and Hazardous Sites**) and the conservation of *Natural Heritage Features and Areas* (see **Section 2.21 - Natural Heritage Features and Areas**), notably *fish habitat* (see also **Section 2.28 - Shoreline Management and Docking Facilities**).

6. Utilizing community improvement to enhance the visual image of the Commercial District, to upgrade *infrastructure* and to improve private properties (see **Section 2.8 - Community Improvement**).
7. Providing for the introduction and application of urban design to enhance the quality and functionality of the urban environment (see **Section 2.30 Urban Design**).
8. Storage containers may be permitted provided they are appropriately integrated with the design and layout of the commercial use, are not used for commercial advertising, and meet the requirements of the *Ontario Building Code*.
9. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking etc.). Where commercial uses are proposed adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses (see **Section 7.7 - Zoning**).
10. Applying site plan control to all land uses (see **Section 7.12 - Site Plan Control**).

3.6 Industrial District

Permitted Uses

Within the Industrial District land use designation shown on **Schedule 'A' Land Use Plan**, permitted uses shall include light and medium industrial uses classified as Class I and II by the Ministry of the Environment, Conservation and Parks. Such uses generally include office buildings, manufacturing and processing or assembly, resource industry-related services, value-added industries, warehousing and storage, lumber and building materials and storage, transportation industries and services, equipment sales, rentals and repairs, and accessory uses (including commercially-related uses and retail outlets, but excluding *sensitive land uses*). *Public service facilities* may only be permitted which are not classified as *sensitive land uses*. Any proposed industrial use which may qualify as a Class III industry shall require an official plan amendment (see **Section 2.20.1 - Industrial Sites**).

3.7 Planning Principles

Land use planning principles which shall apply to development within the Industrial District include:

1. Ensuring that the lot size is adequate for the proposed use (e.g. accessory uses, parking, loading, on-site traffic circulation, access, storage, signage, landscaping and buffering) and potential expansion.
2. Ensuring that the lot/use of land is or can be serviced with sewage and water services (see **Section 2.27 - Sewage Disposal and Water Supply**).
3. Frontage on and direct access to a public road shall be the means of access. A traffic assessment may be required to determine traffic impacts and the requirements and approvals for entrances and other improvements. Access onto Highway 17 is restricted and governed by the Ministry of Transportation and applies to entrances, land uses, signs and drainage controls (see **Section 5.1 - Transportation System**). .
4. Landscaping, buffering and screening may be required to mitigate impacts on any nearby *sensitive land uses*.
5. Requiring that new uses or expansion of existing uses meet the land use compatibility requirements of **Section 2.20.1 - Minimum Separation Distances and Influence Areas** of this Plan.
6. Providing for the introduction and application of urban design to enhance the quality and functionality of the urban environment (see **Section 2.30 Urban Design**).
7. Storage containers may be permitted where they are appropriately integrated into the design and layout of the industrial site, are not used for commercial advertising, and meet the requirements of the *Ontario Building Code*.
8. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking etc.). Where Industrial District uses are proposed adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses (see **Section 2.36 - Zoning**).
9. Applying site plan control to all land uses (see **Section 2.31 - Site Plan Control**).

3.8 Rural District

Permitted Uses

Within the Rural District land use designation shown on **Schedule 'A' Land Use Plan**, the scope of land uses shall include municipal *infrastructure* facilities (i.e. sewage treatment facility, former waste management facility); existing land uses, resource-based recreational uses, activities related to the management of resources and limited residential development.

3.8.1 Planning Principles

Land use planning principles which shall apply to development within the Rural District include:

1. New residential uses may be permitted on a limited basis only where they are contiguous to an existing residential use and only on lots of record.
2. New resource-based recreational uses or the expansion of existing uses shall comply with the Planning Principles of this section of the Plan.
3. Land use activities associated with the operation of the deep-water harbour are permitted where they comply with **Section 2.20.1 - Minimum Separation Distances and Influence Areas** of this Plan.
4. The former waste management facility shall be subject to the requirements of the *Environmental Protection Act* (i.e. no buildings or other use shall be made of the land occupied by the former waste management facility within a period of 25 years from the year in which the site was closed without the prior approval of the Minister of the Ministry of the Environment, Conservation and Parks (see also **Section 2.8.3 - Closed Waste Disposal Sites**).
5. The intent of the Plan is to recognize the sewage treatment facility and to operate the facility in compliance with the applicable environmental legislation; also to require that any new development in the vicinity of the facility comply with **Section 2.20.4 - Minimum Separation Distances and Influence Areas** of this Plan.
6. Ensuring that the lot size is adequate for the proposed use (e.g. accessory uses, parking, loading, stacking lanes, on-site traffic circulation, access, storage, signage, landscaping and buffering) and potential expansion.
7. Ensuring that the lot/use of land is or can be serviced with sewage and

water services (see **Section 2.27 - Sewage Disposal and Water Supply**).

8. Frontage on and direct access to a public road shall be the means of access. A traffic assessment may be required to determine traffic impacts and the requirements and approvals for entrances and other improvements. Access onto Highway 17 is restricted and governed by the Ministry of Transportation and applies to entrances, land uses, signs and drainage controls.
9. Landscaping, buffering and screening for non-residential uses may be required to mitigate impacts on any nearby *sensitive land uses*.
10. Requiring that new non-residential uses or expansion of existing uses meet the land use compatibility requirements of **Section 2.20 - Minimum Separation Distances and Influence Areas** of this Plan.
11. Providing for the introduction and application of urban design to enhance the quality and functionality of the urban environment (see **Section 2.30 Urban Design**).
12. Providing that the implementing zoning by-law classify individual types of land use and sets out the zone requirements for development (e.g. lot size, frontage, setbacks, height, parking etc.). Where Rural District non-residential uses are proposed adjacent to residential uses, provisions may be made for increased setbacks, buffering or screening to avoid land use conflicts with adjacent or nearby residential uses (see **Section 7.7 - Zoning**).
13. Applying site plan control to land uses as set out in **Section 7.12 - Site Plan Control**.

4.0 Mineral Aggregate Resource Area, Minerals

4.1 Permitted Uses

Permitted uses within areas designated as part of the Mineral Aggregate Resource Area include the following:

1. Pits and quarries.

Wayside pits and quarries (see also Section 2.24 - Portable Asphalt and Concrete Plans and Section 2.31 - Wayside Pits and Quarries)

2. Uses associated with pit and quarry operations such as crushing facilities, stock piles, screening operations, asphalt plants, concrete plants and aggregate transfer or recycling operations provided they do not prevent the opening of a pit, quarry, wayside pit or quarry.
3. Crushers, screeners, asphalt plants, concrete plants and recycling operations are permitted where they have an Environmental Compliance Approval from Ministry of the Environment, Conservation and Parks.

4.2 Planning Principles

Council recognizes that the *Aggregate Resources Act* is the governing authority with respect to the control and regulation of *mineral aggregate operations* in the Town.

Land use planning principles which shall apply to development within the Mineral Aggregates Resource Area includes the following:

1. **Resource Value**

As much of the mineral aggregate resource base as is realistically possible to designate close to markets is protected for its resource value and the provision for the recovery of these resources. For the purposes of this Plan, this policy applies to the rock quarry in the east end of the community which is considered to be an important resource use and economic generator for the community.

The rock quarry lands are subject to phasing of the extraction and shall be rehabilitated for subsequent use and rendered safe e.g. shaving slopes etc. Progressive and final rehabilitation shall be required and shall take surrounding land use and approved land use designations into consideration. In the interim *mineral aggregate operations* of the

quarry shall be designed to ensure land use compatibility with adjacent land uses.

2. Site Development of Pits and Quarries

The rock quarry will be required to comply with the requirements of the *Aggregate Resources Act*. Studies will be required where an amendment to the official plan and/or zoning by-law are required for the expansion of an existing or development of a new pit or quarry such as:

- a. Land use compatibility
- b. Heritage Impact Assessment
- c. Archaeological Assessment
- d. Natural Environment Level Study
- e. Noise and Vibration Study
- f. Blast Impact Study
- g. Air quality and dust control
- h. Traffic Impact
- i. Hydrogeological
- j. Drainage and Stormwater Management Study
- k. Haulage Routes
- l. Adaptive mitigation, contingency and rehabilitation plan

3. Separation Distances and Influence Area

The rock quarry and new *sensitive land uses* adjacent to the quarry shall be subject to **Section 2.20.2 - Minimum Separation Distances and Influence Areas for Sensitive Land Uses** as a measure to ensure compatibility between current and future aggregate resource activities and *sensitive land uses*.

4. Resource Identification or Depletion

It is a policy that an amendment is required to this Plan to redesignate the existing rock quarry where the resource has been depleted. In any re-designation, consideration shall be given to the following criteria:

- a. Evidence, provided by the applicant, indicating that the aggregate extraction is unfeasible due to quality, quantity, other development constraints or that the resource has been depleted;
- b. The necessity of the land use change in comparison to the necessity of conserving the aggregate resource (e.g. development of the land will not sterilize the use of resources on **adjacent**

lands, the lands are not natural heritage features such as *wetlands* or habitat areas);

- c. The reason for the choice of location and the consideration given to alternate locations on non-aggregate land;
- d. The consideration given to the option of sequential land use, in which the aggregate is removed prior to the development of the land for the proposed use; and

Progressive and final rehabilitation of the rock quarry shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration. Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

5. Recycling

Council will promote the conservation of *mineral aggregate resources* by making provision for the recovery and reuse of these resources, wherever feasible (e.g. recycling of asphalt).

6. Minerals

Council recognizes that the Town is underlain by geological formations having a high mineral potential and while the prospects for mineral exploration and development may be limited, the *Mining Act* affords rights to mineral holders. Any potential mineral development shall be subject to the requirements of the *Mining Act* and other applicable legislation. An official plan and corresponding zoning by-law amendment shall be required for any proposed *mineral mining operation*. In considering any application for such amendments, a mine shall be considered as a Class III industry under the Ministry of the Environment, Conservation and Parks guidelines; consequently the provisions the Ministry of the Environment, Conservation and Parks's Guideline D-6 on Compatibility between Industrial Facilities and *Sensitive Land Uses* shall apply in assessing land use compatibility with surrounding land uses. Should a *mineral mining operation* be considered for approval, other technical studies will be required including but not limited to those set out in **Section 4.2.2** above. The proponent shall obtain all necessary permits and shall enter into any required development agreements designed to mitigate development impacts and which provide for rehabilitation to accommodate subsequent land uses after extraction. Progressive rehabilitation will be required, if feasible during the operational life of a *mineral mining operation*.

Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral mining 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 built heritage resources, cultural heritage landscapes, and archaeological resources.

5.0 Transportation Policies

5.1 Transportation System

Transportation *infrastructure* is made up of a provincial highway, municipal roads, private roads and *infrastructure* corridors such as gas lines and hydro-electric power transmission lines.

5.2 Policies

1. Classification of Roads

The road system in the municipality consists of Provincial, municipal and private roads as shown on **Land Use Plan Schedule 'A'**.

2. Frontage

New development, including subdivisions, shall front on an improved public road maintained year-round. Frontage on a public road may be exempted for an approved condominium development with an internal road system which intersects with a public road or for the infill of residential dwellings on existing lots of record on existing private roads as set out in **Section 3.3.3 and 3.3.4** of this Plan.

3. Safe Access

It is the intent of this Plan to minimize traffic hazards by avoiding access to properties on curves, hills or in any other situations where sight lines are limited.

4. Provincial Highways

Highways 17 and 638 (with the exception of the first 1.2 km ± of Highway 638, north of its intersection with Highway 17) are recognized as being subject to provincial highway access controls. Provincial Highways are classified according to their function by the Ministry of Transportation. All provincial highways, as shown on **Schedule 'A' Land Use Plan**, are under the jurisdiction of the Province and as such, the requirements of the Ministry of Transportation will apply. This includes the protection of corridors (i.e. along Highway 17) which are intended for a future by-pass.

The intent of this Plan is to maintain the function of provincial highways and/or interchange areas through land use decisions which support the

controls exercised by the Ministry of Transportation with respect to access, adjacent land uses and structures. These controls include highway safety and geometrics (e.g. right-of-way widths, number of lanes, etc.) and also extend to stormwater (drainage) *infrastructure* and the buffering or screening outdoor storage and parking areas related to development adjacent to provincial highways and intersecting local roads. Outdoor storage and loading areas shall be visually screened or appropriately located in such a way as to not detract the traveling public.

Access to provincial highways is restricted and is subject to MTO review and approval prior to the issuance of entrance, building and land use permits and development shall only be permitted where the applicable approvals/permits have been obtained prior to any construction being undertaken within MTO's permit control area. This may include a traffic study. Development will be encouraged to use local roads and service roads wherever possible. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Noise and vibration studies may be required prior to considering whether development should be approved adjacent to a provincial highway.

5. Municipal Roads

All new roads, maintenance activities and alterations to existing roads will be planned and implemented in accordance with the Municipal Class Environmental Assessment under the *Environmental Assessment Act*.

The primary function of Municipal roads will be to provide access to abutting properties.

Standards for new road construction will include a minimum of 20 m (66 ft.) right-of-way and engineered design, layout, drainage and construction. A municipality may require paving of new roads. Where new roads are constructed as part of the development of a plan of subdivision, the developer will be responsible for the cost of new road construction. Traffic studies may be required by a municipality as a pre-requisite to the approval of any new access or change to an existing access or intersection or intersection spacing with a municipal road. A traffic study does not a guarantee an approval. Where approvals are granted, design and development standards governed by the municipality shall apply.

The municipality may require the conveyance of land for a road widening, daylighting triangle, or intersection improvement as a condition of approval where a road allowance or intersection is deficient in width or enlargement is a requirement (see also **Section 7.12 - Site**

Plan Control).

Existing roads in the municipality having substandard widths or engineering standards will be constructed to current standards where feasible.

A properly installed culvert or entrance may be required as a condition of approval for access to a municipal road. The municipality may regulate the spacing of driveways and entrances.

Construction or maintenance on existing municipal roads will continue to be based on a regular program of capital works expenditures.

A municipality may enter into agreements with adjacent municipalities for the maintenance of boundary roads.

6. Private Roads

A Private Road is defined as a road under private ownership which serves two or more legally conveyable lots and may include a right-of-way registered on title. (A driveway, by contrast, provides access to or is located on only one property or legally conveyable lot, despite the length of the driveway. A driveway includes a shared driveway between two abutting properties.)

Except for condominium developments, new private roads shall not be permitted.

Existing private roads as shown on **Schedule 'A' Land Use Plan** may be assumed by By-law by the municipality where they are first improved by private property owners to acceptable municipal standards.

An existing lot may be used or developed for a permitted use which does not have frontage on a public road provided that the existing lot has a legal registered right of access.

7. Transportation and Infrastructure Corridors

The Ministry of Transportation has proposed a by-pass route for Highway 17, which is shown on **Schedule 'A' Land Use Plan**. It is the intent of this Plan that this corridor be protected from land use activities which may interfere with its proposed function and purpose.

It is the intent of this Plan that existing **infrastructure** corridors for utilities be protected from land use activities which may interfere with the function and safe operation of these corridors.

6.0 Economic Development

6.1 Goal

To sustain the economic base and encourage economic development activities which strengthen the base.

6.2 Objectives

To promote economic development activities consistent with the current economic base and environmental amenities of the Town.

To work in association with the province, other municipalities and associations or agencies in undertaking economic development.

To enhance the opportunities for tourism and boating in the Town and along the north channel of Lake Huron.

To undertake and/or support economic development initiatives that conforms to the Growth Plan for Northern Ontario.

6.3 Policies

1. Council recognizes that the economic base of the Town is dependent on resource related activities (mineral aggregates, mining) and to service oriented commercial activities catering to tourism, highway commercial trade and the local commercial function of the urban centre of Bruce Mines.
2. Council will undertake several measures to sustain or strengthen the economic base including:
 - a. Continued participation in area economic development organizations in the formulation of economic strategies and the implementation of economic initiatives and programs.
 - b. Supporting and encouraging resource related activities such as mineral aggregate production and mining.
 - c. Expediting development approvals.
 - d. Developing public-private sector partnerships as a mechanism for attracting investment and business development.
 - e. Encouraging the development of home based businesses including

bed and breakfast operations.

- f. Encouraging the maintenance of existing tourist related services and attractions and supporting sustainable new water oriented commercial development.
- g. Actively promoting and participating in community improvement;
- h. Facilitating the delivery of **affordable** housing and promoting the retrofit and upgrading of the existing housing stock.
- i. Allocating funds from the municipal budget to implement economic measures.
- j. Ensuring that there is an adequate supply of land for new development (residential, commercial, and industrial).
- k. Long term economic prosperity should be supported 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.

6.4 Growth Plan for Northern Ontario

1. The municipality has undertaken the preparation of an economic development strategy which builds in provisions which in conjunction with other policies of this Plan support the goals and objectives and policies of the Growth Plan for Northern Ontario in making the municipality compliant with the plan and include:
 - a. Providing of an adequate supply of land to meet current and future growth and development needs of the community over the next 20 years;
 - b. Optimizing the use of existing **infrastructure**, notably the municipal water supply and sewage disposal systems for Bruce Mines and utilizing the network of existing municipal roads and waste disposal systems;
 - c. Providing for the economic sustainability of the Town through the protection of **mineral aggregate resources** (trap rock quarry) for long-term use, by encouraging small business development through provisions for home occupations, by protecting water resources and the features of the natural environment; by ensuring that the corporate structure and policies of the Plan

provide for an ‘investment ready’ environment, and by ensuring compatible land use development;

- d. Providing for an organizational structure that facilitates and expedites initiatives for economic development;
- e. Attracting people to attract tourism;
- f. Undertaking a program of community improvement and beautification that focuses on *infrastructure* and aesthetic improvements to the downtown and the harbour. The community improvement program is designed to make the community a vibrant, welcoming and inclusive community that builds on the Town’s mining heritage, the scenic and safe character of the harbour and marina, and the service commercial elements of the downtown area which cater to the travelling public. Community improvement will also serve as a means to conserve the existing building stock in the municipality; and
- g. Expediting and facilitating development approvals.

7.0 Planning Tools and Resources

7.1 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>

7.2 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 as permitted in the Development Charges Act, 1997, S.O. 1997, c. 27. <https://www.ontario.ca/laws/statute/97d27>

7.3 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)

Prior to filing an application, applicants will be required to meet with the Municipality 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 | [2.26, 4.2.2] |
| 2. | Archaeological Assessment | [2.9.5, 4.2] |
| 3. | Blast Impact Study | [4.2.2, 4.2.6] |
| 4. | Cost-benefit Analysis | [2.27.4] |
| 5. | Drainage/Stormwater Report | [2.29] |
| 6. | Environmental Impact Study | [2.21.5] |
| 7. | Flood Line Mapping | [2.13.2] |
| 8. | Geotechnical Report | [2.13.11] |
| 9. | Hydrogeological Study | [2.27.4] |
| 10. | Hydrological | [2.29] |
| 11. | Heritage Impact Assessment | [2.9.7, 4.2] |
| 12. | Land Use Compatibility/Influence Area Study | [3.7, 3.9, 4.2] |
| 13. | Marine Archaeological Assessment | [2.9.6] |
| 14. | Mine Hazard Rehabilitation/remediation Study | [2.19] |
| 15. | Mineral Resource Assessment | [4.2] |
| 16. | Mineral Aggregate Resource Assessment | [4.2] |
| 17. | Minimum Distance Separation | [2.20] |
| 18. | Noise and Vibration Study | [2.22] |
| 19. | Public Consultation Strategy | [2.25] |
| 20. | Septage Haulage | [2.27] |
| 21. | Servicing Options Report | [2.27] |
| 22. | Sewage and/or water capacity assessment | [2.27] |
| 23. | Traffic Study | [5.2] |

Information, Permits, Approvals

- | | | |
|-----|--|--------|
| 1. | Endangered Species Act Agreement | [2.21] |
| 2. | Erosion hazard survey | [2.13] |
| 3. | Flooding: establish flood elevation/development
Setback | [2.13] |
| 4. | Mineral Operations Rehabilitation Plan | [4.2] |
| 5. | Mineral Aggregate Operation Rehabilitation Plan | [4.2] |
| 6. | MTO entrance/land use approval or permit | [5.2] |
| 7. | Municipal Entrance Permit | [5.2] |
| 8. | Record of Site Condition (RSC) | [2.8] |
| 9. | Technical Standards and Safety Authority (TSSA):
clearance letter | [2.8] |
| 10. | Wildfire Assessment and Mitigation Plan | [2.32] |

7.4 Property Standards

The maintenance and upgrading of residential, commercial, industrial and other buildings will be encouraged through such measures as subsidized programs of home renewal and through the enforcement of a Municipal

Property Standards By-law. The by-law will be administered with the emphasis on fire, structural, energy efficiency and the health safety of the occupants or users of the building. The by-law will be used to help implement measures for community improvement and where feasible, the delivery of **affordable** housing.

The by-law may also be used to regulate unsightly yards or properties. Particular regard will be had for buildings which are deserted or abandoned within the municipality.

Council may also assist from time-to-time through such measures as arranging for removal of derelict vehicles, spring clean-up, weed control and beautification of municipal properties.

The provisions and procedures of Section 15 of the *Ontario Building Code Act* shall apply in the administration of the property standards by-law. *Building Code Act*: <https://www.ontario.ca/laws/statute/92b23>

7.5 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*.

7.6 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.

7.7 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 place in order to regulate the use of land, buildings and structures throughout the Town of Bruce Mines 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 Council to initiate an amendment to the zoning by-law.

7.8 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).

7.9 Community Benefits Charges (Section 37, Planning Act)

The Council of any Municipality 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.

7.10 Interim Control (Section 38, Planning Act)

Where a 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.

7.11 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*. A temporary use by-law shall be deemed to conform to this Plan, and an amendment to this Plan is not required for a temporary use.

7.12 Site Plan Control (Section 41, Planning Act)

Where the use of site plan control is provided for in this Plan, this shall enable the municipality to require any person or corporation to enter into an agreement to provide for any of the matters set out in Section 41 (7) of the *Planning Act* regarding site plan control.

1. Application Requirements

When an application is received for the development or *redevelopment*

of a lot or parcel of record, or for the disposition of a shoreline road allowance within the Site Plan Control Area, the application shall be complete and shall be accompanied by a site plan which shows:

- a. The location of all existing and/or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from all lot lines and from an abutting watercourse or lake; and
- b. The approximate location of all natural and artificial features on the subject land (e.g. roads, drainage ditches, wells, watercourses, banks, slopes, **wetlands**, wooded areas etc.) including the location of wells and septic tanks on adjacent properties.

2. Site Plan Control Measures

For the purposes of this Plan, the following land use designations and land uses shall be subject to Site Plan Control:

- a. Any industrial, commercial or ***institutional use***;
- b. Any multiple residential use consisting of five (5) or more dwelling units;
- c. Any development on lands abutting a lake, water body or natural heritage feature;
- d. Communications towers and facilities; and
- e. Small-scale wind and solar power generating facilities that are not otherwise regulated by the *Green Energy and Green Economy Act*

3. Area and Scope of Application

Council will by by-law designate one or more areas of the Town as Site Plan Control Areas. Council shall require the submission of plans and drawings for all development proposals within the Site Plan Control area and may require such information as is necessary for the purpose of the approval of an application and the entering into of an agreement under Section 41(7) of the *Planning Act*.

4. Land Conveyance for Widening

The Town may, as a condition of site plan approval, require the dedication of land for the widening of any street to the width set out as a municipal standard. The conveyance to the municipality shall not

exceed more than one-half of the deficiency of the width or 5 m [16.4 ft.] whichever is the lesser. The conveyance shall apply to the full frontage of the property wherever the deficiency exists. This policy shall apply to the section of the Bruce Bay Road providing access to French Island and McKay Island

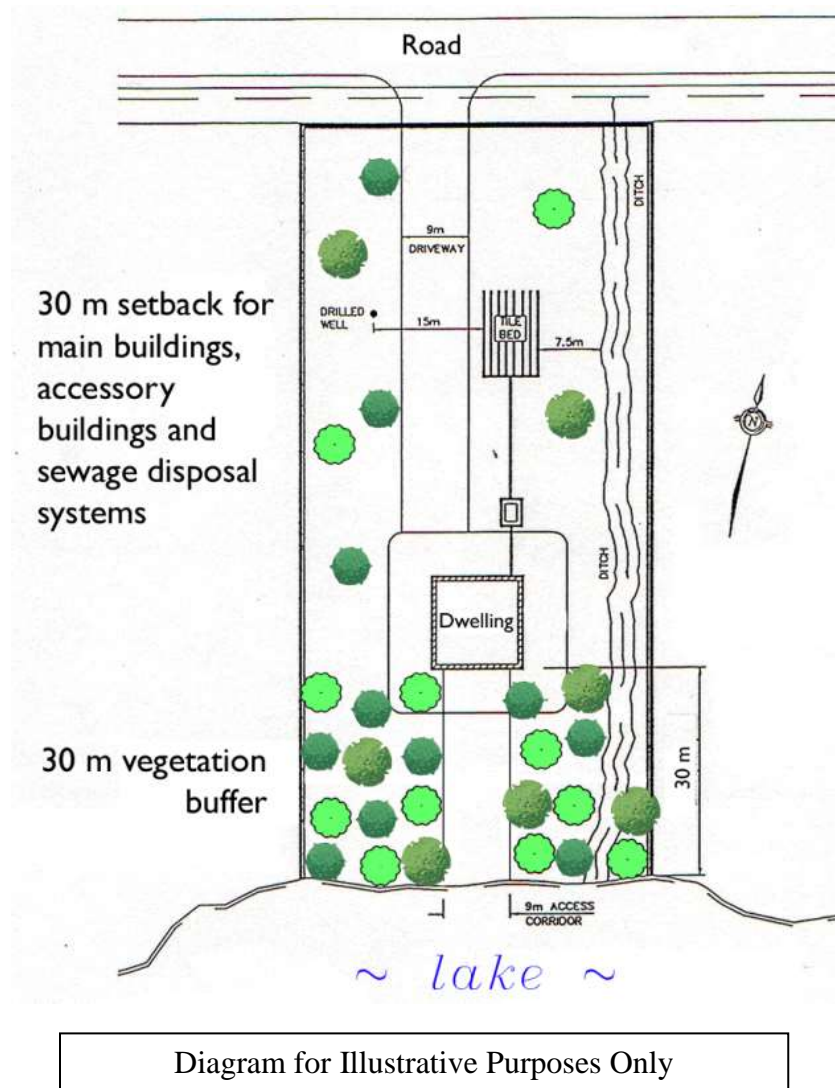
5. Natural Vegetation Buffer

When a Site Plan Control Agreement is required for development or *redevelopment* on lands which front on a lake or on a major tributary, a natural vegetation buffer of not less than 30 m [98.4 ft.] in depth along the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetation buffer except for the removal of dead or diseased trees, debris or noxious plants or where a corridor is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment (see illustration).

6. Site Plan Control - Additional Information

Where deemed necessary, in accordance with the site plan control guidelines, Council may require additional information including:

- a. A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions.
- b. A fisheries habitat assessment, satisfactory to the Department of Fisheries and Oceans (DFO), of the abutting water body with recommendations on how the existing habitat conditions can be preserved and/or enhanced. (See also **Section 7.12 - Site Plan Control.**)
- c. The design, improvement and installation of facilities designed to improve or provide accessibility for persons with disabilities and the elderly.
- d. Site plan drawings which provide measures for sustainable design, energy efficiency, measures to achieve land use compatibility and sustainable transportation.



7.13 Site Alteration By-law

Council may pass a site alteration by-law under the authority of Section 142 of the *Municipal Act* to:

1. Prohibit or regulate the placing or dumping of fill;
2. Prohibit or regulate the removal of topsoil;
3. Prohibit or regulate the alteration of the grade of the land;
4. Require that a permit be obtained for the placing or dumping of fill, the removal of topsoil or the alteration of the grade of the land; and
5. Impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site.

7.14 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.*

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

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

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 2.28 - Shoreline Management**), mitigating the impacts of climate change (see **Section 2.6 - Climate Change**) and/or conserving wildlife and fish habitat (see **Section 2.21 - Natural Heritage Features and Areas**).

3. Minor Variances

Minor variances may be granted which meet the four tests set out in Section 45(2) of the *Planning Act*. The Municipality, 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 2.28 - 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 a Council empowers the committee of adjustment to grant minor variances from the provisions of any by-law of the municipality that implements the Town of Bruce Mines 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 7.7**) 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.

7.16 Subdivisions, Consents and Part-Lot Control (Sections 50-53, Planning Act)

1. Plans of Subdivision

Land development shall generally take place by plan of subdivision where three or more lots are proposed. Consents shall otherwise be the method of land division. New lot creation shall only be permitted if there is confirmation of sufficient reserve sewage and water system capacity (see **Section 2.27 - Sewage Disposal and Water Supply**).

Development by plan of subdivision will not be approved where there is an undue oversupply of lots or the potential for costly maintenance of public services long before build out or development of the lands. A plan of subdivision may also be the required form of development if:

- a. The proposed development will require new services or the extension, upgrade or improvement of existing public services or *infrastructure*.
- b. One or more special studies are required to address environmental, social or economic impacts which could result from the proposed development;
- c. The scale of development proposed exceeds the scope of matters which are generally considered through the consent application process (i.e., where multiple lots are proposed), to ensure that the entire land holding or the area is designed and developed in an orderly and efficient manner or to assess the *cumulative* impacts of land development;
- d. It is apparent that an application for consent could be one of several similar applications from the original holding or that an application for consents would be an attempt to circumvent the plan of subdivision process; and
- e. The proposed lots significantly alter the character of the area

An application for a plan of subdivision shall be in accordance with the requirements of *The Planning Act* and particular regard shall be had to Section 51(24). Any application shall comply with the policies of this Plan. Additional information may be required in assessing the need, appropriateness and the location of the subdivision. This may include the requirement for special studies such as noise and vibration, an

archaeological or heritage impact assessment, an impact assessment for a natural heritage feature or area, a justification study for development within an influence area, a servicing options report, a traffic impact study, a natural hazard study, a mineral resources assessment study etc. Such studies shall be undertaken by the proponent at his/her cost and does not guarantee the approval of any application. Applications for a plan of subdivision will not be deemed complete until such studies are submitted and deemed to be adequate by Council or the approval authority. Such studies shall be subject to a peer review at the cost of the proponent.

If the Town determines that development on communal services is appropriate, the proponent shall enter into a responsibility agreement with the Town (see **Section 2.27.3 - Sewage Disposal and Water Supply - Communal Services**).

It shall be the policy of the Town to consider for approval, only those plans of subdivision which comply with the policies of this Plan and which, to the satisfaction of the Council, can be supplied with adequate and cost effective *public service facilities*. In addition, those matters listed in **Section 7.14 (2) a-c, e-n and q** below shall be considered in reviewing subdivision applications.

2. Consent/Subdivision Policies and Procedures

Applications for consent or subdivision approval shall comply with the applicable policies as follows:

- a. The application shall be properly completed and shall include a sketch and the prescribed application fee and shall comply with the requirements of *The Planning Act* and associated Ontario Regulation for the filing, review, notice and decision procedures;
- b. The sketch shall show the lands to be severed and the lands to be retained, existing and proposed lot dimensions, lot areas and buildings, natural physical features (water bodies, slopes, tree cover) and sufficient information to be able to easily locate the land;
- c. The proposed use of the subdivided land(s) shall be a use permitted in the underlying land use designation e.g. refer to **Schedule 'A' Land Use Plan** to determine designation and then refer to corresponding list of permitted uses for that designation in the text of this Plan;

- d. The lot(s) to be severed and to be retained must meet the requirements of the zoning by-law, e.g.;
- Lot size for buildings, accessory uses,
 - Parking, snow storage
 - Lot frontage and depth
 - Setbacks from roads, water bodies
 - Sufficient land area to allow development where constraints exist such as topography, soils (organic), rock, slope, wetland, etc.
- e. The lot(s) must meet the influence area or special setback requirements where the intended use of the lot(s) is for a *sensitive land use* e.g. a dwelling, daycare facility, educational facility or health care facility, church, campground.
Reference should be made to the following Sections of this Plan for further explanation:
- 2.20.1 - Industrial Sites
 - 2.20.2 - Pits and Quarries
 - 2.20.4 - Sewage Disposal Facilities
 - 2.20.5 - Waste Management Facilities
 - 4.2 - *Mineral Aggregate Resources, Minerals*
 - 2.19 - *Mine Hazards*
 - 2.21 - Natural Heritage Features and Areas
 - 2.13 - *Hazardous Lands and Hazardous Sites*
 - 2.22 - Noise and Vibration
- f. The application shall be supported by studies or other information which may be required to determine whether the application will comply with the policies of this Plan, or to permit the reduction of required setbacks (see **Section 7.3 - Planning Applications**)
- In the absence of appropriate mitigation of *negative impacts, adverse effects* or other development impacts the application may be refused.
- g. The application should be supported with information or evidence to verify the capacity of the lot(s) for sewage disposal and water supply services within the urban service limit or the suitability of site conditions for the long-term provision of *individual on-site sewage and water services* including treatment capacity for hauled

sewage (see **Section 2.27, Sewage Disposal and Water Supply**);

- h. The lot(s) shall have frontage on and direct access to a public road. 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.
- i. Where the lot(s) proposed fronts on a provincial highway, prior approval must be obtained for access, buildings and structures from the Ministry of Transportation. Also, where the Ministry has identified the need for a road widening, the necessary land shall be dedicated as a condition of approval (see **Section 5.1 - Transportation System**). Development will comply with MTO policy to allow only one highway entrance for each lot of record. MTO will restrict back lots that do not have frontage on a provincial highway from using other property owner's entrances. New cottages or developments that do not have frontage on a provincial highway must gain access from a new or existing municipal public road that meets MTO access management practices and principles.
- j. The access or entrance to any lot should not create a traffic hazard e.g. on a curve or a hill where a driver's sight line is blocked or impaired. The applicant must receive approval from the Town for the location and installation requirements for an entrance and/or culvert;
- k. Approval will not be granted which have the effect of limiting access to back lands for future development or which have the effect of creating land locked parcels;
- l. Approval will not be granted in areas where the undue extension of municipal services would be required (e.g. extension of water or sewer mains, a public road or school bus route);
- m. Despite the criteria outlined above, consents may be granted for the following purposes:
 - To correct lot boundaries
 - For the discharge of mortgages, provided a new lot is not created
 - To convey additional land to an adjacent lot provided the

conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being or will be used;

- To clarify title to the land;
- Where the effect of the severance does not create an additional building lot;
- To permit an easement;
- To permit a severance for municipal or other government purposes.

n. Conditions may be imposed in the granting of severances and subdivision agreements which may include but not be limited to the following:

- A zoning amendment under the zoning by-law or a minor variance under Section 45 of *The Planning Act*
- Site plan control
- The dedication of land or cash-in-lieu of parkland including dedication for pedestrian and bicycle pathways
- The conveyance of land or conveyance for easements for utilities, access control or drainage
- The construction or upgrading of roads or the installation of drainage facilities and culverts
- The establishment of buffer strips and landscaping
- Flood proofing structures
- The installation and maintenance of water supply or sewage disposal systems
- The entering into of an agreement including provisions for financial guarantees
- Demolition of buildings or structures and/or measures to remediate the property due to hazardous or contaminated conditions
- Implementation of mitigation measures to ensure compatibility amongst land uses

Conditions may be set out in an agreement under Section 51(26) of the *Planning Act* and registered against the land(s) to which it applies.

3. **Part-Lot Control**

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, exact specific servicing requirements as a condition of consent such as a road widening or to further control internal development on a lot.

4. **Deeming**

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 a 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.

APPENDIX 1

DEFINITIONS FROM THE PROVINCIAL POLICY STATEMENT (2014)

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.

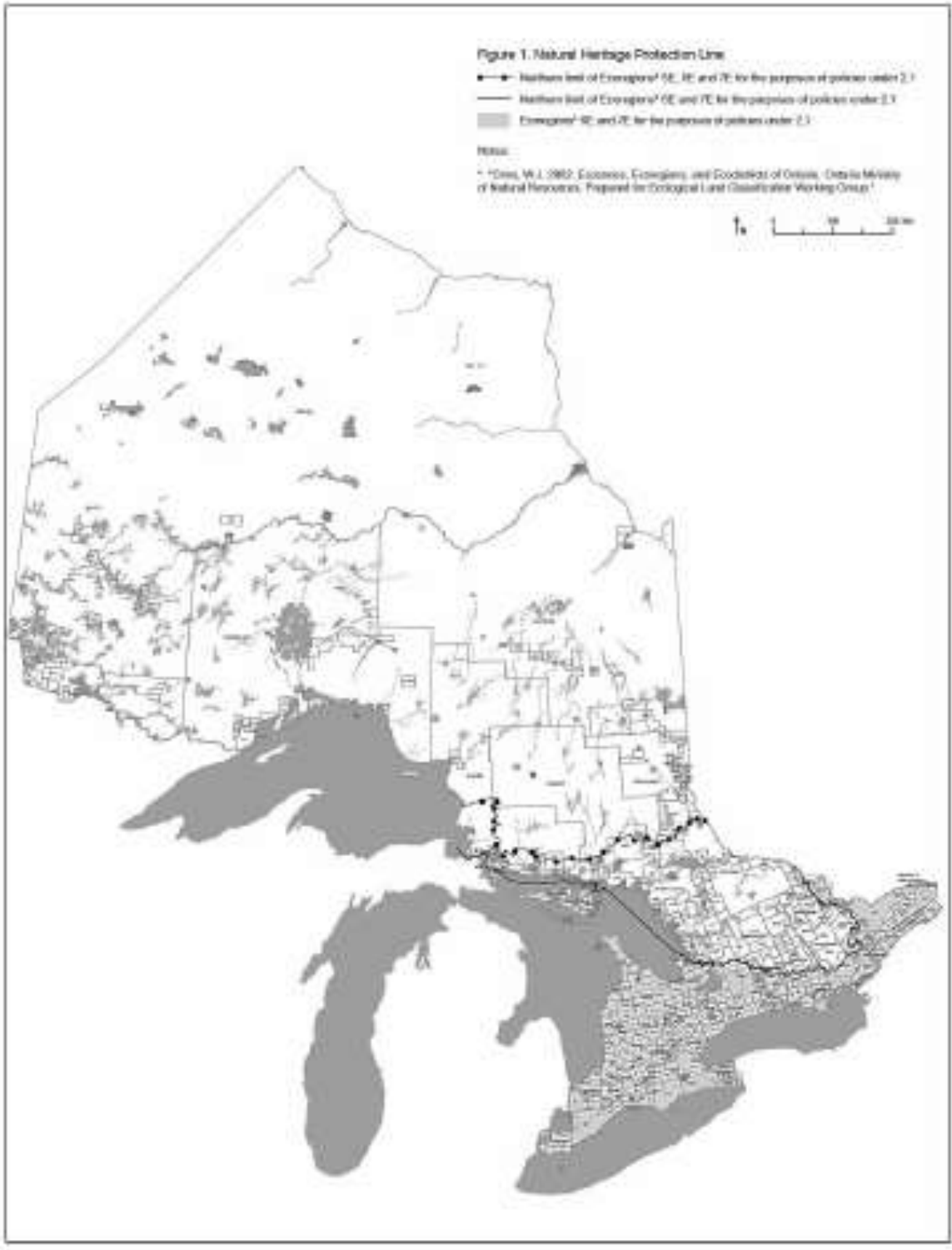
Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

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

SPECIES AT RISK

Endangered and Threatened Species

Lake Sturgeon
Bobolink
Eastern Meadowlark
Bank Swallow
Bald Eagle
Eastern Wood-Pewee

Reference should also be made to the most recent Ontario Species At Risk Inventory:

<https://www.ontario.ca/environment-and-energy/species-risk-ontario-list>

LAND USE SCHEDULE