



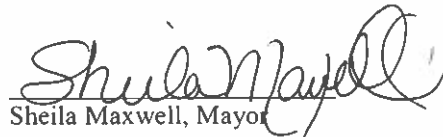
Township of Conmee
Official Plan
January 19, 2024

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(Signature)
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A Commissioner, etc., Province of Ontario
For the Corporation of the Township of Conmee
19 Holland Rd W, Ontario, Canada, P0T 1W0



Passed this 9th day of January, 2024.

THE CORPORATION OF THE TOWNSHIP OF
CONMEE


Sheila Maxwell, Mayor


Shara Lavallee, CAO/Clerk

Prepared for Township of Conmee

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1.0

Introduction

The preparation of this Official Plan (the “Plan”) began in 2020 and has involved many dedicated and committed people with an interest in the future of the Township of Conmee. The consultation and engagement process has resulted in a Vision for the future of the Township that is expressed in this Plan. This Vision is based on a series of planning principles that are intended to:

1. protect the natural environment;
2. encourage economic development;
3. conserve the Township’s natural resources;
4. direct new development to appropriate locations; and,
5. protect the character of the Township’s rural areas.

The purpose, goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests for the next 25 years.

1.1 Structure of this Plan

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

- / **PART 1 (Vision, Goals and Strategic Objectives)** contains the Vision for the Township. This Vision is based on an understanding of past and future trends, as well as the aspirations of the Township’s residents. The goals and strategic objectives that form the basis of the Plan flow from the Vision. These goals and strategic objectives establish the framework for the remaining policies in the Plan. This section of the Plan also describes how the Vision is implemented through a series of land use designations.
- / **PART 2 (Growth Management)** contains policies for how the Township is intended to grow over the next 25 years.
- / **PART 3 (Land Use Designations)** contains the land use policies that apply to lands within the Township.
- / **PART 4 (General Development Policies)** contains policies that address land use planning matters such as water and sewer servicing, transportation, cultural heritage resources and the subdivision of land. These policies apply to the whole of the Township.
- / **PART 5 (General Environmental Policies)** contains policies addressing development in relation to natural features, in floodplains, and on hazardous slopes throughout the Township. In addition, this section contains policies specifying submission requirements for development applications, including water resource and stormwater management reports and environmental impact studies.
- / **PART 6 (Plan Implementation and Administration)** describes how the policies of the Official Plan will be implemented and administered.

1.2 The Community Vision

The primary purpose of the Official Plan is to provide a basis for managing growth that will protect the Township of Conmee's character, diversity, civic identity and significant natural heritage features. This Official Plan is a land use management policy document that is intended to assist local decision-makers in administering long-term growth and development of the Township.

The residents of Conmee enjoy a high quality of life, created in large part by the clean air, the people, the rural area, the open scenic countryside, and distinctive natural features throughout the Township. These are the qualities that, taken together, create a highly-valued identity for residents.

The Township is characterized as a rural area and this Official Plan establishes long-term roles and functions for the entire planning area. It is the intent of the Plan to permit development on rural lands that is compatible with the character, role and function of the area. It is also the intent of this Plan to permit the continued functioning of natural systems, maintain the rural pattern of large land holdings and a landscape dominated by open fields, forests and rolling hills.

It is estimated that the population of the Township will remain relatively stable over the next 25 years. It is the goal of the Township to maintain the rural character of the community and to continue to develop the Township for existing and future residents, and as a tourist destination. This Plan anticipates that the existing pattern of development will not change substantially in the future, however, the Plan does anticipate the development of additional residential dwellings and typologies to accommodate the needs of an aging population and contribute to the Township's economy.

The Official Plan assumes that the high quality of life currently enjoyed by the Township's residents and visitors can be maintained and enhanced if the Township's distinct rural character is protected. However, change is inevitable, and it must be managed in an efficient and orderly manner to maximize the benefits of new development. It is therefore the intent of this Plan to provide the Township Council with the tools to consider and mitigate the impacts of change on the qualities that make Connee a desirable place to live, work, and visit.

1.3 Objectives of this Plan

The Township is committed to encouraging new development that maintains and improves the quality of life of residents. In addition to responding to matters of provincial interest, the objectives of this Official Plan are as follows:

1. To maintain the distinctive rural and natural character of the Township, which provides serenity, privacy, and spaciousness;
2. To create an environment which enhances the social, physical, and economic well-being of the residents of the Township;
3. To create an environment which, together with neighbouring municipalities, provides a variety of choices in housing and economic activity;
4. To use the natural resources and the natural amenities of the Township to the benefit of existing and future residents;
5. To manage change and promote efficient cost-effective development and land use patterns which are orderly and efficient, while stimulating economic growth and protecting the environment and public health;
6. To develop a roads system which is convenient, safe and economical;
7. To provide levels of services appropriate to the needs of rural life;
8. To maintain a healthy financial position for the Township; and,
9. To encourage a moderate rate of population growth to accommodate new residents without disrupting the character of the Township or burdening municipal services or facilities.

1.4 Purpose and Effect of this Plan

The Planning Act mandates that all planning authorities prepare and adopt an Official Plan. In addition to fulfilling this statutory requirement, the Official Plan of the Township of Connee is designed to achieve several purposes, namely to:

1. Establish, in general terms, the type, form, intensity, character and desired pattern of land use and the approach to ensuring the wise management of the resource base;
2. Establish a clear Township-wide growth management strategy;
3. Provide a consistent basis for actions and decisions on all matters relating to the use of land, development, redevelopment and change within the Township;
4. Inform the general public, private interests, and business of the intended nature and direction of the use of land, development, redevelopment and physical improvements in the Township; and,
5. Provide a framework for the implementation of the Township's powers and authority under the Planning Act, and other relevant statutes.



2.0 Growth Management

Growth management is the method by which the Township plans for new development to ensure that land is used efficiently and that development does not outpace the Township's ability to provide the services and infrastructure needed to meet the demands of its population. Growth management also provides a level of protection for the natural environment, natural resources, and agricultural lands in the Township, mitigating unregulated growth. This section outlines the growth management strategy of the Township.

The following goals and objectives shall guide the growth management strategy for the Township:

1. Direct the majority of future growth to areas served by the existing and planned road network to limit the costs to the Township and avoid overdevelopment of the countryside;
2. Conserve and protect natural heritage features, mineral aggregate areas, and agricultural lands;
3. Identify and protect lands with forestry and mining potential; and,
4. Make efficient use of land and the capital investment in infrastructure made by the Township and other levels of government.

2.1 Growth Management Strategy

Census data from 2021 calculates the population of the Township to be 798. Although slightly decreasing by 2.6% from a 2016 population of 819, the population of Conmee has seen a 4.5% overall increase since 2011, from a population of 764. The Township's population is expected to remain stable, with the possibility of limited growth due to interest in rural properties. It is the policy of this Plan that future population growth shall be accommodated in areas served by an existing road network.

2.1.1 New Settlement Areas

The Township is entirely rural and does not contain any designated Settlement Areas, such as a hamlet, village, or town. As such, it is the intention of this Plan to conserve the rural character of the Township and no new Settlement Areas shall be permitted.

2.1.2 Creation of New Lots

Given the limited municipal services in the Township, new development that requires the creation or extension of new roads and / or the construction of new public infrastructure is generally discouraged. Applications for development that will result in the creation of new infrastructure, such as public roads, shall require a Financial Implementation Plan, to be prepared at the proponent's expense, detailing the phasing and financial implications of such costs to the Township.

It is anticipated that the majority of new lots will continue to be created through the Consent process, as detailed in Section 4.12 (Subdivision of Land) of this Plan. In the rare instances where the creation of more than two (2) parcels is proposed, or where new Township infrastructure is required, a Plan of Subdivision application will be required, as detailed in Section 4.12 (Subdivision of Land) of this Plan.

Depending on the nature of the lot creation and infrastructure being proposed, additional studies, reports or plans and approvals may be required, as established in this Plan and / or relevant provincial legislation, policy, and guidelines.

The Province of Ontario has delegated authority for the approval of land division in the Township of Conmee to the Lakehead Rural Planning Board.

3.0

Land Use Designations

3.1 Rural

The Rural Area land use designation constitutes the primary land base of the Township and is composed of residential areas, commercial and industrial uses, institutional uses and agricultural operations and agriculture-related uses. The location of the lands designated Rural Area is illustrated on Schedule A.

Goals & Objectives

The following goals and objectives shall guide the use of land and maintain the character of the Rural Area to:

- / Preserve and protect the rural character and the scenic quality of the rural landscape; and
- / Permit new uses compatible with rural character and rural servicing levels.

Permitted Uses

- a) The primary use of land in the Rural Area shall be for residential, commercial, institutional, agricultural, and agriculture-related uses.
- b) Secondary uses in the Rural Area may be permitted provided they will not negatively impact the rural character or planned servicing levels in the Rural Area and shall include: home occupations; home industries (including animal kennels); bed and breakfast establishments; on-farm diversified uses; group homes; additional dwelling units; and garden suites.

3.1.1 Rural Residential

Policies

1. Rural residential uses shall be limited to a single-detached dwelling on a lot.
2. New rural residential lots shall be permitted to accommodate single-detached residential dwellings, new seasonal dwellings, and rural estate lots, provided that the lot is sized to the minimum area necessary for the residence and the installation of a private water supply and sanitary sewage disposal system.
3. Rural residential lots must be of an appropriate size and configuration to accommodate private services (well and septic) and front onto a public road.
4. As established in Section 4.7 (Water and Sewer Servicing Strategy) of this Plan, submission of a hydrogeological study may be required prior to the creation of new rural residential lots.

3.1.2 Pines on Hume

It is the intention for the Township of Conmee and the Conmee Non-Profit Housing Corporation (CNPHC) to develop the lands known as Part Broken Lot B, Concession 1, Township of Conmee, District of Thunder Bay, Except Parts 3 & 4 on Reference Plan 55R-11418 (PIN: 62302-0327) to accommodate assisted living housing units and affordable housing units for seniors, with other associated uses.

Policies

1. The Pines on Hume lands, known legally as: Part Broken Lot B, Concession 1, Township of Conmee, District of Thunder Bay, Except Parts 3 & 4 on Reference Plan 55R-11418 (PIN: 62302-0327), may be developed to contain semi-detached, townhouse, apartment, and other multi-unit housing types. The lands may also develop to accommodate associated and complimentary land uses, as required, including small-scale nursing home facilities, service facilities, small scale commercial uses, recreation areas, and other associated uses.
2. Any development shall be designed and maintained in such a manner as to provide adequate parking, buffering and landscaping. Communal water and sewage facilities must be provided and operated to the satisfaction of the

Ministry of Environment, Conservation and Parks. When assessing the proposed development, Council shall consider:

- a. whether the use is compatible with the rural character of the Township;
 - b. the location is appropriate for the proposed use;
 - c. the site has been designed to provide for safe access and egress;
 - d. adequate off-street parking will meet the demands of the particular use; and,
 - e. adequate water and sanitary services are provided.
3. New development may be subject to Site Plan Control under the provisions of the Planning Act.

3.1.3 Mobile Home Park

A Mobile Home Park allows owners of mobile homes a place to lease space while also often providing basic utilities such as water, sanitary services, electricity, and other amenities. The overall density and servicing requirements of Mobile Home Parks are not compatible with the desired rural character of the Township and are therefore discouraged as a means to accommodate growth and new housing.

Policies

1. The Township of Conmee permits the existing mobile home park and associated units in the Spruce Grove Mobile Home Park, as shown on Schedule A of the Zoning By-law.
2. New mobile home parks shall not be permitted in any land use designation in Conmee.
3. Notwithstanding the above, the Spruce Grove Mobile Home Park shall be a permitted use with a maximum of 30 mobile home units. The Mobile Home Park shall be recognized by the zoning by-law in a separate mobile home park zone in which:
 - a. permitted uses include a mobile home located on a mobile home site within an existing mobile home park, a home occupation, and accessory uses;
 - b. the minimum distance between building and structure in the mobile home park overlay and public roads and lots in other zones shall be 10 metres;
 - c. a minimum of 5% of the mobile home park shall be dedicated as common parkland; and,
 - d. each mobile home shall be allocated a site not less than 1,000 square metres in area.
4. The existing mobile home park shall be designed and maintained in such a manner as to provide adequate parking, buffering and landscaping. Communal water and sewage facilities must be operated to the satisfaction of the Ministry of Environment, Conservation and Parks.

3.1.4 Institutional

The Township of Conmee contains Institutional land uses within the Rural Area, including the Township office, the municipal cemetery, churches, public infrastructure, and other similar uses.

Policies

1. All Institutional land uses shall be placed in an Institutional zone in the implementing Zoning By-law.
2. Proposals for new institutional land uses will be evaluated on a case-by-case basis and may be subject to Site Plan Control under the provisions of the Planning Act.
3. When assessing new institutional land uses Council shall consider:
 - a. whether the use is compatible with the rural character of the Township;
 - b. the location is appropriate for the proposed use;
 - c. the site has been designed to provide for safe access and egress;
 - d. adequate off-street parking will meet the demands of the particular use; and

- e. adequate water and sanitary services are provided.
4. In accordance with the Provincial Policy Statement (2020) and the Cemeteries Act, cemeteries are permitted in the Institutional zone. New cemeteries or expansions to existing cemeteries shall be subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that:
 - a. the size of the cemetery and the accessory uses are appropriate for the area; and,
 - b. the use can be accessed by roads which are designed to accommodate high volumes of traffic in short periods of time.

3.1.5 Commercial

The Township of Conmee includes commercial uses that are intended to provide commercial services to residents and visitors in appropriate locations, particularly near the existing and future Highway 17 corridors. The policies in this section are intended to recognize these existing land uses and to ensure that new rural commercial development occurs in an orderly manner.

Policies

1. All Commercial land uses shall be placed in a Commercial zone in the implementing Zoning By-law.
2. Permitted uses within the Commercial zone may include auto service and sales, convenience stores, restaurants, wholesale establishments, storage and/or warehousing establishments, retail uses, retail food stores, garden centres, and other similar uses.
3. It is the intent of this Plan that all commercial developments which serve the needs of the rural community or the traveling public be planned to ensure that water and sanitary services and access/egress are adequately addressed.
4. Development proposals for new Commercial uses may be subject to an amendment to the implementing Zoning By-law and will be subject to Site Plan Control. Prior to considering an application, Council shall be satisfied that:
 - a. Adequate parking and loading facilities are provided on the site, in accordance with the applicable Zoning By-law provisions;
 - b. Adequate landscaping will be provided to enhance the aesthetics of the site and surrounding area, delineate parking areas, improve drainage, and provide visual screening, where necessary;
 - c. Outdoor storage areas are substantially screened from view from neighbouring properties and the public roadway;
 - d. The proposed use can be adequately serviced with an appropriate water supply and means of sewage disposal;
 - e. Where a proposed use abuts, or is in close proximity to, an existing residential use, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate screening between the uses; and,

3.1.6 Agriculture, Agricultural-related Uses and On-farm Diversified Uses

The Township of Conmee Rural Area land use designation contains some areas of agricultural concentration. The Rural land use designation shall permit Agricultural uses, Agricultural-related uses and On-farm Diversified uses, as defined by the Provincial Policy Statement (2020) and as described below:

Agricultural uses allow for 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; and maple syrup production.

Agriculture-related uses include 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.

On-farm diversified uses 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, agritourism uses, and uses that produce value added agricultural products.

Policies

1. All agriculture and agricultural-related land uses shall be placed in a Rural Zone in the implementing zoning by-law.
2. On-farm industrial uses such as feed mills, grain drying facilities, fertilizer blending stations, and abattoirs, shall be permitted in association with an agricultural operation in accordance with the policies of this plan, the requirements of the Ministry of Agriculture, Food and Rural Affairs and subject to a Zoning By-law Amendment.
3. On-farm commercial uses such as stables, greenhouses, fruit and vegetable stands, market gardens, and nurseries may be permitted as-of-right in association with an agricultural operation, provided all parking associated with the on-farm commercial use is provided on site.
4. Agri-tourism uses that promote the enjoyment, education or activities related to the farm operation are also permitted in the Rural zone.
5. Where ground-mounted solar facilities are proposed on a property that accommodates an agricultural use, the solar facilities shall be accessory to the agricultural use and meet the criteria for on-farm diversified uses in this Plan. Agriculture-related uses and On-farm diversified uses that are compatible with and do not hinder surrounding or nearby agricultural operations are permitted subject to limitations on size, scale and location on the property as determined in the Zoning By-law. On-farm diversified uses...
6. The Township of Conmee may require new agricultural farm operations be regulated and approved through Site Plan Control.
7. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) minimum distance separation (MDS) formulae and guidelines, as amended.
8. The Township may seek to redesignate agricultural areas to a new Agricultural land use designation. Prior to identifying potential prime agricultural areas to protect, the Township, landowner or proponent shall undertake an Agricultural Land Evaluation System (ALES) and/or Land Evaluation and Area Review (LEAR) study to evaluate whether lands may appropriately be designated Agriculture.
9. The principle of normal farm practice, as defined by the Farming & Food Production Protection Act, shall be upheld when addressing complaints with respect to noise, odour, dust and similar nuisances brought against farmers in the Township.
10. Forestry uses shall be permitted in the Rural designation, including the production of wood and wood products, subject to provision of proper environmental conditions for wildlife, protection against floods and erosion, and protection and production of water supplies. The processing of forest products is considered an Industrial Use and shall be subject to a Zoning By-law Amendment to ensure compatibility with adjacent land uses.
11. Forestry activities on Crown lands within the Township are subject to policies and regulations under the Crown Forest Sustainability Act, governed by the Ministry of Natural Resources and Forestry.
12. The Township may apply a Forestry Overlay to protect areas for future forestry use on Schedule A of the Official Plan. Where an Overlay is applied, any proposed development under the Overlay shall be evaluated to ensure future potential for forestry harvesting is not compromised.

3.2 Industrial

The Industrial land use designation is intended to permit a range of industrial uses which, by their nature, generate noise, fumes, odours or other noxious impacts, while also providing development standards to ensure compatibility with adjacent non-industrial land uses.

Policies

1. All industrial land uses shall be placed in an Industrial zone in the implementing Zoning By-law.

2. Industrial operations that provide services and goods in support of mineral mining and mineral aggregate extraction, processing of forest products, and other similar uses shall be permitted in the Industrial designation.
3. The Township contains two waste disposal sites, one active and one inactive. These sites are to be identified and designated Industrial on Schedule A of the Official Plan and zoned Industrial in the implementing Zoning By-law in accordance with Section 5.8.
4. Proposals to establish a new Industrial uses shall only be permitted through an Official Plan Amendment and Zoning By-law Amendment and subject to the following criteria:
 - i. The proposal satisfies the policies of this Plan, including Land Use Compatibility policies;
 - ii. Appropriate buffering shall be provided where the use is located adjacent to a sensitive land use;
 - iii. There is no adverse impact on the amenity and character of the rural area;
 - iv. Private services, where required, are provided in a manner which supports protection of the natural environment and minimize potential risks to human health and safety;
 - v. Outdoor storage areas are substantially screened from the view from the abutting roadway; and
 - vi. Adequate on-site parking is provided.
5. Appropriate buffering for new Industrial uses shall be determined in accordance with Ministry of the Environment, Conservation and Parks D-Series Guidelines D-1 and D-6. Section 4.6 (Industrial Uses) of this Plan provides detailed policies regarding appropriate buffering.
6. The Zoning By-law shall provide specific regulations for Industrial uses which detail permitted uses, scale, intensity, buffering, and parking.

3.3 Mineral Aggregate Resources

The Mineral Aggregate Resources land use designation is intended to protect lands characterized as having deposits of gravel, sand, clay, earth, shale, stone, limestone granite, rock and other material prescribed under the Aggregate Resources Act. Existing Mineral Aggregate operations and areas with Mineral Aggregate potential are shown on Schedule A of this Plan.

Policies

1. All Mineral Aggregate Resources land uses shall be placed in a Mineral Aggregate Zone in the implementing Zoning By-law.
2. New aggregate operations (pits and quarries) require authorization under the Aggregate Resources Act, as administered by the Ministry of Natural Resources and Forestry and shall require an Official Plan and Zoning By-law Amendment.
3. Appropriate separation distances for proposed and existing aggregate operations will be determined on a site-specific basis. The potential influence area can be 1,000 metres and the minimum separation distance is 300 metres (for Class III Industrial uses) between the extraction / excavation area and any zone permitting residential or other sensitive land uses. Where technical studies confirm a smaller actual influence area, the required separation distance may be equal to or greater than the actual influence area.
4. In considering any application to permit a new mineral aggregate extraction operation, Council shall require:
 - i. Consideration of the effects of the operation on the natural environment, including fish habitat;
 - ii. A land use compatibility study which considers surrounding land uses and potential adverse effects from noise, dust, and vibration. In the absence of studies, pits and quarries should be treated as Class III industrial facilities and new sensitive land use developments are required to meet the separation requirements for Class III facilities in Ministry of Environment, Conservation and Parks Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses. Blasting operations shall be in compliance with Ministry of the Environment, Conservation and Parks Guidelines NPC-119 for Blasting;

- iii. The completion of ground and surface water studies to assess the impact of the extraction (both during and post extraction), any water taking, and the return of aggregate wash water upon the area's water resources;
 - iv. Where deemed to be applicable, an archaeological assessment completed by a qualified professional to address potential cultural heritage resources;
 - v. A traffic study which considers main haulage routes and proposed truck traffic to and from the site; and
 - vi. A site plan which includes the following information:
 - a. The legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
 - b. The existing use of land and the location and use of all buildings and structures located within 300 metres of the property that is the site of the extractive operation;
 - c. Existing and anticipated grades of extraction, extent of extraction area, setbacks from the limits of extraction to the property line, and screening and buffering;
 - d. The location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property;
 - e. All vehicular entrances and exits;
 - f. Limits of development, road plan, water drainage, storage and management, and location of stockpiles;
 - g. Progressive and ultimate rehabilitation plan including topography, contours, grading, stabilization of banks, fill, drainage, and re-vegetation.
5. Mineral and Aggregate processing is considered an accessory use to an operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site-specific basis in consultation with the Township and with the Ministry of the Natural Resources and Forestry through the issuance of an Environmental Compliance Approval (ECA).

3.4 Parks and Open Space

The Parks and Open Space land use designation is meant to: encourage active and passive recreational uses which are compatible with the character of the Township and promote recreation and tourism-based development; ensure that new uses are properly planned and located and serviced with appropriate supply of water, sewage, and stormwater management services; and, to ensure that new recreational uses will not have a negative impact on the environmental and hydrogeological features, conservation areas, and other protected areas and natural resources.

Policies

1. All Parks and Open Space land uses shall be placed in a Parks and Open Space Zone in the implementing Zoning By-law.
2. Parks and Open Space uses may include provincial parks, conservation areas, conservation reserve, research stations, campgrounds, hunting and game preserves, golf courses, and various other passive recreational uses. Secondary uses such as a club house and other uses functionally associated with an open space use shall also be permitted. These uses may be regulated by a Site Plan Control By-law. The Zoning By-law shall contain an appropriate Parks and Open Space zone that shall provide specific regulations detailing permitted uses, buffering, and parking requirements.
3. Permitted land uses in the Parks and Open Space designation shall relate to recreational activities including those uses which existed or had received approval prior to the date this Plan was approved. The Parks and Open Space land use designation should be characterized by uses, buildings and structures which are compatible with, integrated into, and do not dominate, the natural setting.
4. Previous uses approved or legally existing on or before the approval date of this Plan for land within the Parks and Open Space designation will not be negatively impacted by the policies of this section.

5. Proposals to develop new recreational and Parks and Open Space uses shall require an Amendment to the Official Plan and Zoning By-law and shall be subject to Site Plan Control.
6. Expansions to existing uses on lands that are already within the Parks and Open Space designation shall require an amendment to the implementing Zoning By-law and will be subject to Site Plan Control.
7. Proposals to expand existing Parks and Open Space uses onto lands which are not designated Parks and Open Space shall require both an Amendment to the Official Plan and Zoning By-law and shall also be subject to Site Plan Control.
8. The Township shall encourage the adaptive reuse of undeveloped or underdeveloped sites to accommodate new recreation and open space uses. Adaptive reuse of brownfield sites may be considered subject to the findings of Environmental studies, including an Environmental Site Assessment among others, in accordance with the Ministry of the Environment, Conservation and Parks guidelines. The studies will determine the existence, nature, and extent of the contamination and the identification of a remedial plan, if required.
9. Before considering an amendment to the Official Plan and Zoning By-law, Council shall be satisfied that:
 - a. the proposed use or expansion is compatible with the rural character of the area and adheres to the land use compatibility criteria of this Plan;
 - b. the development can be designed and sited to blend in with surrounding land uses;
 - c. the proposed use or expansion is located where it will not impact existing agricultural operations on adjacent lands as per the land use compatibility criteria of this Plan;
 - d. the proposed use can be serviced with an appropriate water supply and means of sewage disposal, if required;
 - e. if an expansion is proposed, the entire use is serviced by an appropriate water supply and means of sewage disposal, if required;
 - f. appropriate guarantees are in place to ensure that the impacts of the effluent from a private communal sewage treatment system on the lands (if required) on down-gradient water supplies is monitored frequently;
 - g. sufficient financial securities are available to ensure that downstream water supplies can be replaced in the event of a problem that is directly attributable to the operation of the private communal sewage treatment system (if there is one) on the lands;
 - h. off-site impacts resulting from the use of fertilizers, herbicides and fungicides have been reviewed and it has been demonstrated that impacts will be minimal or can be mitigated;
 - i. the proposed use is to be accessed by municipal roads that can accommodate the increased traffic generated by the proposed use;
 - j. the proposed use can be appropriately buffered from adjacent residential uses; and,
 - k. an appropriate monitoring program is developed, which serves to monitor the impact of the use on the quality and quantity of the groundwater, surface waters and the environment in general.

3.5 Environmental Protection

The Environmental Protection land use designation is intended to protect, maintain, and enhance the ecological integrity of the natural heritage system and natural heritage features for the long-term; eliminate the potential for the loss or fragmentation of both unevaluated wetlands and provincially significant wetlands, wildlife features, and areas of natural and scientific interest, and the habitats and ecological functions they provide; and to provide the tools to properly assess development applications located in close proximity to environmentally sensitive features and areas. Lands designated Environmental Protection are shown on Schedule A to this Plan.

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

- / All significant wetlands evaluated and identified by the Ministry of Natural Resources and Forestry;

- / All other wetlands that were designated as such in the previous Official Plan or which have been identified but not evaluated by the Ministry of Natural Resources and Forestry and endorsed by Council;
- / Significant wildlife habitats, including habitats of endangered and threatened species; and,
- / Any other area that has been determined to be environmentally significant as a result of a planning process.

Policies

1. Permitted uses on lands designated Environmental Protection shall be limited to conservation and passive recreational uses that do not require development or site alteration. For the purposes of this policy, works and infrastructure that by their nature must be located within the floodway, such as flood and erosion control works are permitted. For the purposes of this section, a golf course or similar land use is not a passive recreational use.
2. Despite Policy 1 above, development and site alteration may be permitted in the Environmental Protection designation, where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions as well as there are no risks to the health and safety of residents.
3. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
4. Proposals for development and site alteration shall be accompanied by a supporting Environmental Impact Study or other environmental study which demonstrates that the proposed development will not cause negative impacts on the natural features or their ecological functions.
5. Nothing in this Section is intended to limit the ability of existing agricultural uses to continue on lands that are designated Environmental Protection. Similarly, existing forestry and existing woodlot management activities are not intended to be prohibited, but are encouraged to comply with good forest management practices as recommended or endorsed by the Ministry of Natural Resources and Forestry and the Ontario Forestry Association.

Use of Lands in Private Ownership

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

Adjacent Lands

7. Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:
 - a. 120 metres of the boundary of a provincially significant wetlands;
 - b. 50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest (ANSI);
 - c. 50 metres of a significant habitat of any endangered or threatened species and, where scientific data has determined a different setback, the greater of the two will be required; and,
 - d. 30 metres from the boundary of a fish habitat area.
8. No development or site alteration shall be permitted on these adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.
9. Development or site alteration is not permitted without Council approval of a Zoning By-law Amendment, Site Plan, or other appropriate approval authority, including the LRCA. Council may require an Environmental Impact Study (EIS) and/or a sub-watershed study and/or a geotechnical study be completed, subject to the comments of the appropriate agencies.
10. The scale and the contents of the required studies shall be determined at the time the development is proposed. The scope of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed.

Description of Components of the Environmental Protection Designation

11. The Natural Heritage System represents a network of natural areas that continue to exist following settlement and the lands and waters that support the ecological functions critical to the survival of these areas. Policies 12 to 16, inclusive, contain descriptions and policies for those components of the natural heritage system that are within or have potential to occur within the Environmental Protection designation.

Provincially Significant Wetlands

12. Where development and / or site alteration is proposed within 120 metres of the boundary of a Provincially Significant Wetland (PSW), the proponent may be required to provide Council with an EIS, prepared by a qualified professional, which demonstrates that there will be no negative impacts on the wetland or its ecological function. PSWs will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

Evaluated Wetlands

13. The Township currently does not contain any evaluated wetlands. Any evaluated wetlands identified in the future will be indicated on Schedule A. Such wetlands will be subject to the regulations administered by the Lakehead Region Conservation Authority (LRCA), and a permit from the Authority may be required to allow regulated activities.
14. If a wetland is identified and has characteristics or contains significant species or functions that are typical of a significant wetland on or adjacent to a proposed development, a wetland evaluation assessment will be undertaken by a qualified professional and subsequently reviewed by the Ministry of Natural Resources and Forestry (MNR) to determine its significance.

Unevaluated Wetlands

15. All wetlands in the Township are currently unevaluated, with no Ontario Wetland Evaluation System (OWES) analysis completed to date. Wetland boundaries are delineated on Schedule A of this Plan, however boundaries and buffers may not be precise.
16. Development within unevaluated wetlands may be permitted where it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions as well as there are no risks to the health and safety of residents.

Significant Habitat of Endangered, Threatened Species

17. An endangered species is a species listed in the Regulations under the Endangered Species Act that is at risk of extinction throughout all or a portion of its Ontario range, if limiting factors are not reversed. A threatened species is a native species that is at risk of becoming endangered through all or a portion of its Ontario range. Threatened or endangered species are listed on the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and Committee on the Status of Species at Risk in Ontario (COSSARO) lists. The 'significant habitat' is the area of land that is necessary for the maintenance, survival and/or recovery of naturally occurring or re-introduced populations of endangered or threatened species.
18. The significant habitat of all species that are considered to be endangered or threatened is intended to be contained within the Environmental Protection designation. Additional studies and/or consultation may locate such habitats and, in such instances, it is the intent of this Plan that these areas be subject to the policies of this section. Schedule A will be amended if necessary to reflect the additional habitat(s) located through further study.

New Development in the Environmental Protection Designation

19. There may be circumstances where development may be permitted in the Environmental Protection designation, if such development:
 - a. is not located within the habitat of endangered or threatened species;
 - b. cannot be located on another portion of the lot that is not within the Environmental Protection designation and zone;

- c. is essential in the location proposed and all other alternatives have been reviewed and are determined to not be viable;
 - d. as it relates to Provincially Significant Wetlands and significant habitat of endangered or threatened species, does not result in an expansion or intensification of an existing use;
 - e. is set back a minimum of 30 metres from the normal high water mark, or 15 metres from the top of bank, whichever is greater;
 - f. is supported by an Environmental Impact Study, where required at the discretion of Council, that is prepared in accordance with the policies of this Plan, subject to the comments of the appropriate agencies; and,
 - g. any other studies, reports and/or plans as required at the discretion of Council.
20. The requirement for an Environmental Impact Study may be waived by Council if the intent is to replace an existing building, as long as the development, and any new site alteration, is located in the same existing disturbed area/site alteration envelope as that which it is replacing and will not result in a negative impact on the adjacent natural features or their ecological functions.
21. Where new development is proposed within the Environmental Protection designation and the proposal conforms with the above criteria, a Zoning By-law Amendment may or may not be required at the discretion of Council, provided that the health and safety of residents is protected and maintained. The creation of a new lot for conservation purposes, forestry or woodlot management practices is not permitted.

Zoning By-law Implementation

22. The boundaries of the Environmental Protection designation are delineated in a conceptual manner on Schedule A. The extent and exact location of the boundaries are intended to be delineated in the implementing Zoning By-law in accordance with detailed mapping provided by the Provincial agencies such as the Lakehead Regional Conservation Authority and/or the Ministry of Natural Resources and Forestry, and will not require an Amendment to this Plan. Such lands will be placed in appropriate environmental zones in the implementing Zoning By-law.
23. The implementing Zoning By-law shall also incorporate general setback requirements from lot lines for buildings, structures, parking areas and other similar facilities from lands within the Environmental Protection designation in relation to the extent and severity of the natural environmental features and ecological functions of the area. However, local municipalities may evaluate this general setback for specific development applications to provide appropriate setbacks.
24. The implementing Zoning By-law shall also specify that all buildings and structures be set back an appropriate distance from the boundary of an Environmental Protection Zone. A reduction in the setbacks will require either an Amendment to the implementing Zoning By-law or a minor variance, subject to the comments of the appropriate agencies. Matters to be considered in reviewing an application to reduce the setback include:
- a. the nature and stability of the soils;
 - b. the nature and stability of the vegetation and cover;
 - c. the slope of the land;
 - d. the nature of existing and proposed drainage patterns;
 - e. the nature of the fish and wildlife that may be present; and,
 - f. the scale of the proposed development.
25. Council shall be satisfied that the proposed development can be accommodated in a safe manner without causing any negative impact on the features and functions of the Natural Heritage system.

4.0

General Development Policies

4.1 Additional Dwelling Units

Additional units, which may take the form of apartments within a dwelling or in an ancillary building on a residential property, are an affordable and market-based housing type that can enhance housing options for current and future residents of the Township.

4.1.1 Additional Dwelling Units

1. Additional dwelling units provide complementary residential living space, either as a distinct dwelling unit incorporated by interior renovation within an existing detached house or within a permitted ancillary structure. An additional dwelling unit is permitted on lots developed with a single-detached dwelling provided that:
 - a. The principal dwelling unit is located in a land use designation that permits the residential use;
 - b. The additional dwelling unit may be located within the main building or permitted ancillary structure (e.g. detached garage);
 - c. There is adequate private water and sewer capacity to accommodate the additional dwelling;
 - d. The additional dwelling unit would not otherwise qualify as a garden suite; and
 - e. Only one additional dwelling unit is permitted on a lot.
2. Additional dwelling units shall share water and wastewater services with the principal dwelling, and must meet health and safety standards, the Ontario Building Code, Fire Code, and other applicable legislation.
3. Notwithstanding the policies of this section, an additional dwelling unit will not be permitted on a lot that contains a garden suite.
4. Council shall be satisfied that the additional dwelling unit does not constitute a second independent principal dwelling on the lot. Standards shall be established in the Zoning By-law to govern compatibility with the main dwelling and neighbourhood character.

4.1.2 Garden Suites

1. Garden suites consist of a one-unit, self-contained and detached residential structure that is ancillary to and on the same lot as a residential dwelling and is designed to be portable. A garden suite may be permitted subject to:
 - a. The provisions of Section 39.1 of Planning Act;
 - b. The lot being sufficiently large enough to accommodate the garden suite and its required water and wastewater servicing, and must meet health and safety standards, the Ontario Building Code, Fire Code and other applicable legislation;
 - c. The garden suite may not be severed from the lot accommodating the primary dwelling; and,
 - d. A Temporary Use By-law being passed by Council, in accordance with the Planning Act, along with an agreement with the Township that addresses occupancy of the garden suite, its removal at the end of the temporary period, and the posting of security to ensure due performance.
2. The Zoning By-law shall implement the policies of this section and may establish criteria to govern compatibility of these units with the main dwelling and surrounding uses.

4.2 Home Occupations and Home Industries

4.2.1 Home Occupations

Home occupations are typically professional work and service activities that are carried out within a residential dwelling or accessory building that typically do not involve the retail sale of goods.

1. Home occupations shall be permitted provided they are clearly secondary to the main residential use of the lot.

2. Activities in a home occupation are to be conducted entirely within the dwelling by those residing in the dwelling, plus not more than one person who is not a resident thereof.
3. Home occupations shall not adversely impact on the enjoyment of surrounding properties, the provision of municipal services, and the quality of the environment.

4.2.2 Home Industries

Home industries are small-scale industrial and commercial uses that are accessory to a residential dwelling and may also support the agricultural industry in the area. Generally, home industries shall be small in scale, conducted primarily within an accessory building to the main dwelling by those residing in the dwelling. Home industries may include, but are not limited to, woodworking shops, small engine repair, animal kennels, auto body repair, welding, carpentry or machine shops, or agriculture-related uses that involve the processing or transportation of regionally-produced agricultural crops or other products.

1. A home industry shall not detract from the primary use of the property for agricultural or residential purposes.
2. The accessory retail sales of products produced in the home industry is permitted.
3. Home industries will be permitted as-of-right in the implementing Zoning By-law, provided:
 - a. the building accommodating the home industry is located within the existing farm-building cluster, if located on an active farm property;
 - b. the home industry is located on a lot which is in accordance with the MECP D-Series Guidelines;
 - c. the home industry is not a Class III industry as defined by the MECP D-Series Guidelines;
 - d. any open storage associated with the home industry is limited and screened from view;
 - e. the home industry has a limited number of employees, as specified in the Zoning By-law; and,
 - f. the retail component is clearly accessory to the use and does not detract from the primary use of the property.
4. The development of a new home industry may be subject to a Site Plan Control application.
5. Home industries which can no longer be considered secondary to the residential use of the property shall either be deemed to be non-conforming or established through a site-specific Zoning By-law Amendment containing provisions that ensures compatibility of the use.

4.3 Bed and Breakfast Establishments

1. Bed and Breakfast establishments may be permitted in any designation in which a residential use is permitted, provided that the Bed and Breakfast establishment:
 - a. is located within the principal residence of the owner/operator;
 - b. is located on a road maintained year-round by the Township or the Ministry of Transportation;
 - c. has sufficient site area to accommodate any proposed on-site recreation amenities and adequate on-site parking;
 - d. conserves the character of the dwelling as a primarily residential use; and,
 - e. is licensed annually in accordance with a municipal lodging and/or bed and breakfast licensing by-law as amended, where applicable.
2. The implementing Zoning By-law shall define a Bed and Breakfast establishment and may further detail provisions under which a Bed and Breakfast establishments may be permitted.

4.4 Residential Care Facilities

Residential care facilities are defined as residential facilities which accommodate residents who live in a supervised setting and receive both room and board and assistance with daily living. There are a variety and range of residential care facilities which are generally categorized as group homes, second level boarding/lodging

homes, transitional care facilities, or treatment centres, depending upon their program, funding, size, operator, or Provincial licensing as it may apply. The following policies apply to residential care facilities:

1. The Zoning By-law shall provide specific definitions for these residential care facilities as well as performance standards. New programs may emerge over time, depending upon Provincial funding and licensing, and further amendments to the Zoning By-law may be required, as warranted.
2. This Plan supports the provision of an adequate regional supply of residential care facilities subject to appropriate funding from senior government agencies, the provision of adequate community services for clients and proper siting of such facilities in accordance with the policies of this Plan.

4.5 Age-Friendly Planning

The Township is supportive of age-friendly planning practices and their relationship to land use and are guided by the below policies.

1. This Plan supports the phasing and development of a senior's housing complex and transitional facility to accommodate the region's aging population on Township-owned lands known as "Pines on Hume".
2. Council shall encourage the provision of age-friendly social and physical environments, including services and programs, to enhance the independence and quality of life for all people.
3. Land use decisions shall promote the creation of accessible, inclusive, and age-friendly communities.
4. Council shall identify gaps and opportunities to better support people of all ages and abilities in the Township.
5. Planning decisions shall consider the health, wellness and security for all residents so that they can remain in their communities as long as possible.
6. Development proponents are encouraged to employ universal design principles and best practices to create healthier and safer communities.
7. Long-term care homes and seniors-appropriate housing, including residential care facilities and transitional care facilities, are important elements of the housing spectrum, and the Township shall encourage the development of these housing typologies as a contribution to a range of dwelling types in the community.
8. Council may consider initiatives such as food markets, urban agriculture, and other partnerships which increase the distribution of, and access to, fresh, healthy, and affordable food for people of all ages and all incomes.

4.6 Public Uses

Public uses may include land, buildings or structures intended for the provision of programs or services, provided or subsidized by a government or other body, including public service facilities, electric power generating and distribution facilities, or infrastructure.

1. Public uses shall be permitted in all land use designations.
2. Notwithstanding Policy 1, public uses are encouraged to avoid development in the Environmental Protection designation.

4.7 Water and Sewer Servicing Strategy

Infrastructure is the basic physical and organizational arrangement required for the Township to function. Some community infrastructure is provided and maintained directly by the Township, such as roads and culverts, while water and septic servicing infrastructure is the responsibility of property owners.

The following goals and objectives shall guide the planning, development, redevelopment and improvement of servicing and infrastructure to:

1. Ensure that servicing and infrastructure are planned and designed to ensure long-term fiscal and environmental sustainability through advanced design standards, asset management programs, and provisions for efficient, cost-effective operations;

2. Protect the health, safety and wellbeing of the citizens and property within the Township;
3. Ensure that development does not impede the Township's ability to provide infrastructure and servicing;
4. Promote green infrastructure, energy efficiency, and conservation, where feasible;
5. Prepare for the impacts of climate change; and,
6. Ensure that development is strategically located to support the effective and efficient delivery of emergency management services.

The Township does not maintain public water services or sewage services. As such, all development is required to be serviced by individual on-site sewage services and individual on-site water services. The following policies relate to both existing and planned infrastructure requirements of the Township.

4.7.1 Private Services

1. Private services consist of one individual, autonomous water supply and wastewater disposal system, normally a well and septic system, owned and maintained by the property owner(s). All proposals for development will require individual on-site sewage services and individual on-site water services that are approved by the Thunder Bay District Health Unit, the Township Council, and / or the Province, as applicable.

4.7.2 Requirements for Septic Systems

1. To accommodate an individual on-site sewage service, new lots must be of an appropriate size and configuration and front onto a public road, unless a smaller lot size can otherwise be supported by technical information pertaining to the physical characteristics and hydrogeology of the site in accordance with guidelines of the Ministry of Environment, Conservation and Parks and prepared by qualified professionals.
2. Communal sewage systems shall not be permitted in the Township of Conmee. The policies of this Plan are intended to ensure that lot sizes and conditions are adequate to allow the safe and efficient operation of individual septic systems.
3. A development plan for any type of on-site sewage services, such as a septic tank system or leaching pit, shall be completed in accordance with Ontario Regulation 358 and approved by the Thunder Bay District Health Unit, and the Ministry of Environment, Conservation and Parks.
4. Large sewage disposal systems with design flows greater than 10,000 Litres per day shall have a hydrogeological assessment completed in accordance with the Ministry of Environment, Conservation and Parks Sewage Guidelines and shall be submitted to the Ministry for review and approval.

4.7.3 Requirements for Drinking Water

1. Drinking water supply wells shall be installed in accordance with Ontario Regulation 903.

4.7.4 Multi-unit Development

1. Where multi-unit development is proposed for five (5) or more units or lots, a hydrogeological assessment is required by Ministry of Environment, Conservation and Parks D-5 Guideline to confirm that an acceptable quality and adequate quantity of drinking water is available. The assessment must be prepared by a qualified professional and should provide technical guidance on private wells.

4.7.5 Permit to Take Water

1. Any taking of water shall follow the requirements outlined in the Ontario Water Resources Act, Ontario Regulation 387/04 and the Water Management Policies Guidelines and Provincial Water Quality Objectives.

4.7.6 Green Infrastructure

Green infrastructure refers to natural and human-made elements that provide ecological and hydrological functions and processes. Examples of green infrastructure include natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

1. In reviewing Planning Act applications, including Plans of Subdivision and Site Plan Control applications, the Township shall encourage development proponents to incorporate green infrastructure elements, where possible and appropriate.

4.8 Stormwater Management

Stormwater management is the planning, design and implementation of systems that mitigate and control the impacts of human-made changes to the run-off and other components of the hydrologic cycle. The following policies apply to ensure safe and effective stormwater management in the Township:

1. Stormwater management shall be planned in a manner which:
 - a. is integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long-term;
 - b. minimizes, or, where possible, prevents increases in contaminant loads;
 - c. minimizes erosion and changes in water balance, and prepares for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
 - d. mitigates risks to human health, safety, property and the environment;
 - e. maximizes the extent and function of vegetative and pervious surfaces; and,
 - f. promotes stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low-impact development.
2. The Township shall promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development may be required to be supported by a stormwater quality / quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Ministry of Environment, Conservation and Parks.
3. In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on watercourses and other waterbodies for their existence, all commercial, industrial, institutional and residential development proposals of four (4) new lots or more shall be supported by a Stormwater Management (SWM) report. SWM reports may also be required on a site-specific basis, depending on the nature of the development.
4. Stormwater management will be undertaken in accordance with Ministry of Environment, Conservation and Parks Guidelines, as updated. The content and depth of the SWM report shall be determined when the development is proposed.
5. A SWM report shall be prepared by a qualified professional to the satisfaction of Council and the appropriate agencies, and shall be prepared in accordance with provincial guidelines. Additionally, a SWM report shall:
 - a. provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including a 1:100-year storm event;
 - b. document the possible impacts of development on watershed flow regimes, including their interconnection with groundwater resources;
 - c. provide recommendations on how to maintain pre-development water quality and improve run-off, where appropriate;
 - d. document the means by which stormwater volume control will be provided; and,
 - e. determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.
6. All stormwater management facilities in a Plan of Subdivision shall be zoned "Environmental Protection" in the implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized.

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

4.9 Transportation

It is the intent of this Plan to:

1. facilitate the safe movement of both people and goods to and from the various communities around the Township;
2. ensure that major goods movement facilities and corridors are protected for the long-term;
3. ensure that new development is compatible with, and supportive of, the long-term purposes of transportation corridors and designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities;
4. ensure that new development does not create any traffic hazards;
5. ensure that appropriate right-of-way widths for all existing and proposed roads are protected for infrastructure, including transportation, transit and electricity generation facilities and transmission systems;
6. limit development on non-winter maintained roads, private roads and individual rights-of-way unless an agreement on services is registered on title;
7. promote alternative modes of transportation, including active transportation infrastructure such as cycling lanes and walking paths which are safe, foster social interaction and community connectivity, reduce greenhouse gas emissions, and mitigate impacts related to climate change; and,
8. ensure that trails and active transportation infrastructure are designed to be safe and accessible to people of all ages and abilities.

4.9.1 Provincial Highways

Provincial highways include highways under the jurisdiction of the Ministry of Transportation, and includes Highway 17, as identified on Schedule A. This Plan recognizes and protects lands for the planned Highway 17 realignment between Kakabeka Falls and Shabaqua Corners as identified on Schedule A of this Plan. The Schedule identifies both the current and proposed future alignment of Highway 17.

Primary Purpose

1. The primary purpose of provincial highways is to move people and goods between destinations within and beyond the Township. Access to provincial highways is restricted to allow the highways to fulfill their primary purpose.
2. This Plan protects current and planned highway infrastructure for transportation to be freight supportive and facilitate the movement of major goods.

Entrances & Access Points

1. Direct access onto a provincial highway will be restricted. A new Ministry of Transportation entrance permit is required prior to the installation, change of use, or change of construction, of an access to a provincial highway. A new entrance permit is also required when there is a change of property ownership.
2. In accordance with Ministry of Transportation policy, one entrance for each lot-of-record fronting onto a highway will be permitted, provided it meets the requirements of Ministry of Transportation access management practices and principles.
3. Entrances to provincial highways serving home occupations, industry or businesses require the approval of the Ministry of Transportation. The property owner will be required to obtain an entrance permit and acknowledge the permitted use of the entrance while also acknowledging that it cannot be converted to a commercial entrance in the future and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. Severance applications intended to enable a separate entrance for a home-based business or industry shall be prohibited.
4. Back lot development is not permitted to use another entrance for access to a provincial highway.

5. The Highway 17 conceptual alignment identifies new interchanges at the intersections of Holland Road East and Teitto Road in the north, which are to be protected.

Development Adjacent to Provincial Highways

1. Development and site alteration adjacent to provincial highways shall be subject to Ministry of Transportation approval and Building & Land Use Permit requirements, including installation or alteration of above-or below-ground structures, grading, drainage alteration, fences, or installation of side road entrances. Transportation Impact Studies and/or Stormwater Management Reports may be required.
2. Council will work with the Ministry of Transportation when considering new rural highway commercial development along the proposed Highway 17 alignment. New rural highway commercial development may require an Official Plan Amendment and Zoning By-law Amendment, and be subject to Council approval.
3. For developments in the vicinity of a highway, the Ministry of Transportation may require submission of a transportation impact study that addresses the impacts to the highway or adjacent properties as well as identifying any associated highway improvements required to mitigate those impacts. Any required highway improvements are the responsibility of the developer. The report must be acceptable to the Ministry prior to development proceeding.
4. For development in the vicinity of a highway, the Ministry of Transportation may require submission of a drainage / stormwater management report that addresses impacts to the highway or downstream properties and the mitigation measures required to alleviate those impacts. Mitigation measures are the responsibility of the developer. The report must be acceptable to the Ministry prior to the development proceeding.
5. Schedule A of this Plan identifies lands adjacent to the intersections of Holland Road and Teitto Road on the Highway 17 conceptual alignment to be protected for future development of commercial and / or industrial use.

Snowmobile & Hiking Trails

1. Snowmobile and Recreational trails along or crossing provincial highways may be considered subject to meeting Ministry of Transportation policy. The Ministry requires any proposed new trail to demonstrate that there is no feasible alternative route and that there will be no negative impact to the highway infrastructure, operations, maintenance, and safety.

Adjacent Outdoor Storage

1. Outdoor storage and loading areas on lands adjacent to a provincial highway should be visually screened or appropriately located so as not to be visible to the travelling public.

4.9.2 Township Roads

The Township intends on maintaining a safe and efficient road system for the movement of people and goods to, from, and throughout the Township. The road system should be adequate to safely serve the Township but should not be over-extended or developed to a standard that would result in a financial burden.

Primary Purpose

1. The primary purpose of Township roads is to facilitate local traffic and provide access to developed areas. Direct access to Township roads from abutting lots is permitted, provided that all other Official Plan policies are met.

Road Width

1. Township roads are intended to be used year-round and carry a low to moderate volume of traffic. As such, they shall have a designed minimum right-of-way width of 20 metres.
2. The Township may pursue land acquisitions for road widening purposes through planning approvals where the existing road allowance is less than 20 metres. Applications in which widenings may be taken include Plan of Subdivision, Site Plan Control, and Consent applications.
3. Where a road widening is taken, the amount of land to be taken shall generally be taken in equal amounts from both sides of the subject road measured from the centreline of the road, except where circumstances may warrant an alternative approach.

Entrances & Access Points

1. Entrances and access points onto roads shall require approval from the Township. Access shall not be permitted where safety hazards could result due to poor sight lines, proximity to a traffic intersection or other hazard, or the traffic flow characteristic of the road.

New Roads

1. It is not the intention of the Township to approve, construct, accept, or maintain new roads, except in circumstances where a new configuration of lots or the future realignment of Highway 17 warrants a public road.
2. Council may consider extensions to existing roads to service development, provided that they meet Ministry of Transportation standards. The costs of design and construction of new roads or extensions to existing roads shall be the responsibility of the proponent.

4.9.3 Rail Facilities

Rail facilities include rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses. This Plan recognizes an existing CN rail corridor which runs through the eastern portion of the Township, as identified on Schedule A. The area of influence for sensitive land uses includes lands within 300 metres of a rail corridor and one (1) kilometre from a rail yard.

The following policies shall apply to development within proximity to rail facilities:

1. Sensitive land uses shall not be encouraged adjacent to, or in proximity to rail facilities.
2. All developments in proximity to rail facilities shall have regard for the FCM/RAC Guidelines.
3. All proposed residential developments or other sensitive uses located within 300 metres of a railway right-of-way may be required to undertake a noise study, to the satisfaction of the Township, in consultation with the appropriate railway operator, and may be required to undertake to implement the appropriate measures to mitigate any adverse effects from noise that were identified in the report.
4. All proposed residential developments or other sensitive uses located within 75 metres of a railway right-of-way may be required to undertake a vibration study, to the satisfaction of the Township in consultation with the appropriate railway operator, and may be required to undertake to implement the appropriate measures to mitigate any adverse effects from vibration that were identified in the report, and as may be required by CN.
5. All proposed building setbacks shall have regard for the FCM/RAC Guidelines. As a general guideline, buildings shall be setback 30 metres with an appropriate berm abutting the rail right-of-way. Reduced setbacks can be considered in certain circumstances dependant on the proposed use and in conjunction with additional studies and alternative safety measures, to the satisfaction of the Township, in consultation with the appropriate railway operator.
6. All proposed residential developments or other sensitive uses located adjacent to railways may be required to implement appropriate mitigation measures, including but not limited to, safety setbacks, berms, crash barriers and security fencing, in accordance with the FCM/RAC Guidelines.
7. All proposed residential developments or other sensitive uses located adjacent to railways may be required to implement, secure, and maintain any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title, such as development agreements, warning clauses and/or environmental easements, through appropriate legal mechanisms, to the satisfaction of the Township and the appropriate railway operator.
8. All proposed residential developments or other sensitive uses located in proximity to rail facilities may be required to evaluate, prioritize, and secure grade separation of railways and major roads, in co-operation with Transport Canada and the appropriate railway operator.

4.10 Other Infrastructure

This section includes policies for other forms of infrastructure in the Township.

4.10.1 Energy Generation & Telecommunication Systems

The location of energy generation and telecommunication systems is often dictated by factors outside of the Township's, and a development proponent's, control, such as access to infrastructure, environmental requirements, and the legislation and policies of higher-order governments.

In these instances, the following shall be considered when selecting a site:

1. Minimizing adverse impacts on surrounding industrial or agricultural land uses;
2. Maximizing the distance from residences and residential land uses;
3. Avoiding natural features and areas, including hazard lands;
4. Avoiding areas of topographical prominence, to minimize any negative visual impacts; and,
5. Ensuring that access requirements are sensitively integrated.

4.10.2 Temporary Construction Facilities for Roads

1. Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted to construct temporary road facilities, without the need for an amendment to this Plan or the implementing Zoning By-law, except in areas of existing development or particular environmental sensitivity which has been determined to be incompatible with the proposed activities.
2. Upon completion of the road project, the facility and / or excavation shall be removed and/or rehabilitated and the site restored to its original condition. Public authorities are encouraged to consult with Council in advance of constructing these road facilities.

4.11 Cultural Heritage and Archaeological Resources

Cultural Heritage and Archaeological Resources are tangible resources which provide the context of the social and physical make-up of the Township and its residents. They foster civic pride among citizens, and provide connections to the Township's past. Although the Township has not designated any heritage resources under the Ontario Heritage Act to date, nor identified any archaeological resources, the following policies are established to provide a framework for future cultural heritage planning, as applicable.

Goals & Objectives

The following goals and objectives shall guide planning, development, redevelopment and improvement of cultural heritage to:

1. Protect, conserve, and enhance the Township's significant cultural heritage resources, significant cultural heritage landscapes, and archaeological resources;
2. recognize that the maintenance of the Township's cultural heritage and archeological resources will contribute to the conservation of the Township's character;
3. ensure that the nature and location of cultural heritage and archaeological resources are known and considered before land use planning decisions are made;
4. increase public awareness of the importance of cultural heritage resources to the community;
5. mitigate development impacts by preventing the demolition, destruction, and inappropriate site alteration or use of significant cultural heritage resources;
6. encourage development adjacent to significant cultural heritage resources to be of an appropriate scale and character; and,
7. engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

Built Cultural Heritage Resources & Cultural Heritage Landscapes

Built Cultural Heritage Resources include buildings, structures, and monuments, while Cultural Heritage Landscapes are a defined geographical area of heritage significance that has been modified by human activities, valued by a community and is of significance to the understanding of the history of a people or place. Built Cultural Heritage Resources and Cultural Heritage Landscapes are subject to the following policies:

4.11.1 Protection

1. Council shall use its authority under the Ontario Heritage Act and the Planning Act, including zoning for archaeology, holding zones, conditions of approval, and site plan agreements, to protect, conserve and enhance its cultural heritage resources. Council shall encourage development and redevelopment which is sensitive to cultural heritage resources, uses these resources, and is respectful of these resources.

4.11.2 Inventory & Designation

1. Council may designate individual properties under Part IV of the Ontario Heritage Act (OHA), and Heritage Conservations Districts under Part V of the OHA, and is required to maintain a register of all property it designates under the OHA. In addition, the Township will maintain an inventory of all properties that are not designated but have been identified as being of cultural heritage value or interest.
2. Council may identify and prepare an inventory of Cultural Heritage Landscapes. Cultural Heritage Landscapes may include existing rural and agricultural areas, heritage conservation districts, historic hamlets, and heritage roads. Once prepared, the Township will consider designating Cultural Heritage Landscapes through an Official Plan Amendment(s).

4.11.3 Alterations to Heritage Resources & Adjacent Lands

1. Development, redevelopment, and site alteration to a designated heritage resource or on lands adjacent to a designated heritage resource shall only be permitted where it has been evaluated and demonstrated by a heritage professional that the heritage attributes of the resource will be conserved. Mitigating measures and / or alternative development approaches may be required in order to conserve the heritage attributes of the affected resource.

4.11.4 Retention/Relocation of Cultural Heritage Resources

1. Council shall encourage the retention of buildings, structures, or monuments of architectural and/or historical significance in their original locations, whenever possible.
2. All options for on-site retention shall be considered before approval is given for relocation to another site. These options include:
 - a. integration within new development areas;
 - b. adaptive re-use of the building in its original location; and
 - c. relocation of the building on the development site.

4.11.5 Demolition / Destruction

1. The demolition or destruction of designated cultural heritage resources shall generally not be permitted. Prior to considering such a request, Council shall require the applicant to:
 - a. Submit accurate and complete information pertaining to the structural condition of the building or structure, with respect to the Ontario Building Code; and ,
 - b. Any other relevant information to determine the feasibility of restoring as opposed to demolishing the building or structure.
2. Council shall engage the services of a qualified professional to review any required documentation or reports and conduct a heritage impact assessment prior to granting a demolition permit.

4.11.6 Township-Owned Heritage Resources

1. Where warranted, the Township shall protect, restore, and maintain cultural heritage resources under its ownership to express its commitment to the protection and preservation of these resources, to enhance the identity and character of the Township and to provide an example of the merits of quality restoration and maintenance.

4.11.7 Assistance

1. The Township may itself utilize and encourage the utilization of available government funding assistance programs to assist in the implementation of cultural heritage conservation policies. Council, where appropriate, shall cooperate with other levels of government, as well as with private agencies and individuals, in the conservation of local cultural heritage resources.

4.11.8 Awareness

1. The Township shall take measures to increase public awareness of significant cultural heritage resources, which can be encouraged through a variety of means including the:
 - a. Identification and designation of potential cultural heritage resources;
 - b. Maintenance of historic records and archives;
 - c. Appointment of a municipal heritage committee to advise and assist Council on Parts IV and V of the OHA.

Archaeological Resources

Archaeological resources include artifacts, archaeological sites, and marine archaeological sites identified and evaluated by archaeological fieldwork. Archaeological Resources are subject to the following policies.

4.11.9 Protection of Archaeological Resources

1. Development, redevelopment and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by preservation on-site.
2. The Township will obtain available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Heritage, Sport, Tourism, Culture Industries for the purpose of heritage conservation planning.
3. Where archaeological resources must be preserved on-site, only development, redevelopment and site alteration which maintain the heritage integrity of the site may be permitted.

4.11.10 Archaeological Assessments

Archaeological resource areas are determined through the use of provincial screening criteria, or potential mapping developed based on the known archaeological record or features within the Township and is usually developed with a licensed archaeologist. Areas of archaeological potential can be found in areas close to water, current or ancient shorelines, rolling topography, unusual landforms or areas of known historic settlement.

1. Development applications that meet one or more provincial criteria shall be required to undertake an archaeological assessment to the satisfaction of the Province prior to the development approval. Archaeological assessment by a licensed consultant archaeologist is required when a known or suspected cemetery or burial site is affected by development or public works.
2. Council shall require Archaeological Impact Assessments and the preservation or excavation of significant archaeological resources in accordance with Provincial regulations established by the Ministry of Heritage, Sport, Tourism and Culture Industries, as well as licensing regulations referenced under the Ontario Heritage Act. The need for impact assessments will be determined in conjunction with development applications through the use of provincial screening criteria and qualified mapping of the inventories. Archeological Impact Assessments completed in conjunction with a development application will be referred to the Ministry of Heritage, Sport, Tourism and Culture Industries for review and approval.

3. Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport and the Ministry of Public and Business Service Delivery when an identified historic human cemetery, or marked or unmarked human burial is affected by land use development. In these cases, the provisions of the Heritage Act and Cemeteries Act shall apply.

4.12 Subdivision of Land

This section contains policies that apply to every application to subdivide land in the Township. Regard shall also be had to the specific policies addressing lot creation in the applicable land use designation. The Lakehead Rural Planning Board is the approval authority for all forms of land division in the Township.

4.12.1 Preferred Means of Land Division

Under the Planning Act, land division by Plan of Subdivision is the preferred means of land division. A Plan of Subdivision application is necessary if:

1. the creation or extension of infrastructure, including roads, is required to facilitate the subdivision; or,
2. the area that is proposed to be developed is not considered to be infilling; or,
3. a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,
4. more than three new lots are being created.

4.12.2 Plans of Subdivision / Condominium

When development involves the creation of new lots from a larger parcel(s), it is required to go through a Plan of Subdivision process. Plans of Subdivision are anticipated to be rare in the Township.

1. A Plan of Subdivision application is mandatory if the application satisfies any of the criteria listed in Section 4.12.1.
2. All land division in the Township, including Plans of Subdivision, shall reflect the rural character of the Township.
3. All lot sizes in a Plan of Subdivision shall be appropriate for the land use(s) and servicing needs proposed. All lots shall be a minimum of 2 hectares in area, unless otherwise permitted in this Plan, and shall be serviced with private well and septic systems.
4. A Plan of Subdivision application shall not be construed as an application to establish a settlement area, nor shall an application seek permission to establish development densities, built form, or a development pattern that is inconsistent with the prevailing rural character of the Township.
5. A condominium system of ownership tenure involves the legal delineation of areas under private ownership and common areas administered by a Condominium Corporation. Plans of Condominium are permitted in the Township and are governed by the Ontario Condominium Act. No implementing by-law for this Plan, including the Zoning By-law, shall apply different standards to a development on the basis of condominium tenure.

4.12.3 General Criteria

1. Consideration of a Plan of Subdivision or Condominium by Council shall be subject to the requirements of the Planning Act and the following criteria:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. Conformity with any applicable Zoning provisions, servicing standards, secondary plans, and design guidelines / standards of the Township;
 - d. The input received from circulated public bodies and agencies and neighbouring property owners and residents;
 - e. The submission and approval of all required information, studies, reports and plans;

- f. The entering into of a Subdivision Agreement with the Township;
 - g. The posting of sufficient financial security to ensure due performance and the protection of the Township, where applicable; and,
 - h. In cases where the proposed subdivision is adjacent to, or in the vicinity of, a provincial highway, the future corridor width requirements and implications for the design of the subdivision have been considered.
2. Council may require additional studies, such as a hydrogeological study, for a complete Plan of Subdivision application.

4.12.4 Energy Efficiency and Air Quality

- 1. The Township encourages subdivision design that supports energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate change through a land use and development pattern which:
 - a. maximizes energy efficiency and conservation,
 - b. considers the mitigating effects of vegetation and green infrastructure, and
 - c. maximizes vegetation and opportunities for new vegetation within the subdivision area.

4.12.5 Part Lot Control

- 1. Where land lies within a registered Plan of Subdivision, Council may consider the enacting a by-law to Lift Part Lot Control to create new lots or reconfigure existing lots, in accordance with the Planning Act, where it is satisfied that any conditions appropriate to the creation and development of such lots are capable of being addressed.

4.12.6 Deeming

- 1. Council may deem Plans of Subdivision (or parts thereof) more than eight years of age not to be Plans of Subdivision within the meaning of the Planning Act where development of such plans would not be in conformity with this Plan or the Zoning By-law and where development would be detrimental to the Township or neighbouring uses.

4.12.7 Consents

In some instances, a Plan of Subdivision application is not necessary, and Council may consider the creation of new lots through a Consent process. Section 53 of the Planning Act allows subdivision of land through a Consent application where a Plan of Subdivision is not necessary for the proper and orderly development of the Township. It is anticipated that the majority of lot creation will continue to be through the Consent process. The Lakehead Rural Planning Board is the legally delegated approval authority for Consent applications. The following policies apply to Consent applications:

- 1. Where subdivision by Consent is proposed, a parcel held under unity of ownership as of February 13, 1990 may be subdivided into a maximum of two lots, exclusive of the retained lot, except for the purpose of boundary adjustment, partial discharge of mortgage, easements and rights-of-way.
- 2. When new development involves the creation of fewer than three new lots from a larger parcel, the lot creation may be permitted through the Consent process. Otherwise, a Plan of Subdivision may be required.
- 3. In addition to certain types of land division, Consents are also required for certain easements and rights-of-way.

4.12.8 When Appropriate

- 1. As established in the Planning Act, lot creation through the Consent process is only appropriate when it has been deemed that a Plan of Subdivision is not necessary. Council shall evaluate the need for a Plan of Subdivision in accordance with the policies of the Growth Management section of this Plan.

4.12.9 General Criteria

1. The creation of lots by Consent shall be considered in accordance with the requirements of the Planning Act and the following:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. Conformity with the Zoning By-law, Servicing Standards, secondary plans, and design guidelines / standards of the Township;
 - d. The input received from circulated public bodies and agencies and neighbouring property owners and residents;
 - e. The submission and approval of all required information / studies, reports and plans;
 - f. The satisfying of conditions imposed to the granting of the Consent, which may include the entering into of an agreement and / or the posting of financial security; and,
 - g. The requirements under the provincial Minimum Distance Separation (MDS) criteria between sensitive uses and agricultural operations.

4.12.10 Adjusting & Correcting Lot Boundaries

1. The granting of a severance for purposes of adjusting or correcting lot boundaries or to convey a relatively modest amount of land to an abutting lot shall be permitted provided:
 - a. The conveyance does not lead to the creation of an undersized or irregularly shaped lot(s), or a lot that is contrary to the provisions of the Zoning By-law unless the by-law is amended or a variance granted;
 - b. The lands being conveyed are registered in the same name and title as the lands to which they are being added;
 - c. It is stipulated in the granting of the Consent that any subsequent conveyance or transaction shall require a future severance; and,
 - d. The lot boundary correction is consistent with the requirements under the provincial Minimum Distance Separation (MDS) criteria between sensitive uses and agricultural operations.

4.12.11 Consents for Mortgage Purposes

1. A Consent shall only be granted for mortgage purposes where it is capable of satisfying the appropriate policies of this Plan and the appropriate provisions of the Zoning By-law with respect to the use to which the lands would be put and the dimensions and size of the parcel if the mortgage is foreclosed and a separate lot created.

4.12.12 Consents for Easements

1. Consents may be granted for easement purposes where the use of land is being conveyed for periods in excess of 21 years subject to whatever conditions may be deemed to be appropriate.

4.13 Technical Studies and Peer Reviews

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

5.0

General Environmental Policies

The health of the natural environment is directly tied to the health of the Township community and its residents. Natural heritage features and areas such as woodlands and wetlands provide wildlife habitat and contribute to air and water quality. The natural environment also provides the Township with a source of drinking water and other natural resources such as mineral aggregate resources with their associated economic value.

5.1 Goals & Objectives

1. The following goals and objectives shall guide the conservation, planning, and development of the natural environment to:
 - a. Protect the natural environment and its areas, features and resources from development and / or incompatible development;
 - b. Ensure a healthy environment and improved quality of life through the protection and enhancement of the natural environment, and its areas, features and resources;
 - c. Encourage compatible development consistent with environmental, social and economic goals;
 - d. Identify what is required to support an application for development in an area that is considered to be environmentally sensitive;
 - e. Identify what information is required to support an application that may have an impact on the natural resources of the Township; and,
 - f. Prepare for and mitigate the impacts of a changing climate.

5.2 Conservation Reserves

Provincial Parks and Conservation Reserves are vital and treasured assets that protect naturalized areas for future generations. In addition to safeguarding areas of unique natural features and habitats, Parks and Conservation Reserves also provide valuable opportunities for recreational activities for residents and visitors to Ontario.

1. Conservation Reserves within the Township are identified on Schedule A, and Kakabeka Falls Provincial Park is located directly adjacent to the Township's southern boundary. It is the policy of this Plan to protect the ecological and functional integrity of these sensitive areas and minimize any negative impacts from development on these areas.

5.3 Natural Heritage Features & Areas

1. Natural heritage is a system composed of natural heritage features and areas, which are linked by natural corridors. Natural heritage features, areas and corridors are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. Natural heritage features and the LRCA approximate regulated area, which includes the general area of wetlands, floodplains, watercourses, erosion hazards, and the associated adjacent areas (a 15 metre buffer from watercourses and 30 metre buffer from wetland) are shown on Schedule A.
2. Natural heritage features and areas shall be protected for the long-term. The following features and areas are shown on Schedule A:
 - a. Significant wildlife habitat
 - b. Known habitat of endangered and threatened species (generalized to 1-kilometre grids)
 - c. Fish habitat
 - d. Areas of Natural and Scientific Interest (ANSIs)
 - e. All wetlands, including unevaluated wetlands and Provincially Significant Wetlands (PSWs)

5.3.1 Location

1. Natural heritage features and areas consist of a variety of features and areas including wetlands, woodlands, Areas of Natural & Scientific Interest (ANSI), river systems and wildlife habitats. The actual location and limits of natural features and areas shall be determined through consultation with the Township, the LRCA, and / or the Province.
2. Where development is proposed within, or adjacent to, these features and areas, the proponent may be required to undertake appropriate field work, mapping and complete an Environmental Impact Study (or equivalent study) to provide the information necessary to evaluate the proposal. For the purposes of this Section, "adjacent" can be defined as lands up to 120 metres from the edge of the feature, unless otherwise specified.

5.3.2 Commitment

1. The Township shall ensure the protection of the natural environment when exercising its authority under the Planning Act, and may seek appropriate technical guidance when required.

5.3.3 Maintenance & Restoration

1. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features. When the opportunity exists, such as through parkland dedication, Council shall examine opportunities to improve and / or rehabilitate natural heritage features and areas.

5.3.4 Areas of Natural & Scientific Interest (ANSI)

Areas of Natural and Scientific Interest are 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. There are two kinds of ANSIs: Life Science ANSIs which are significant representative segments of provincial biodiversity and natural landscapes; and Earth Science ANSIs which are geological in nature and consist of some of the most significant examples of bedrock, fossil and landforms in the Province.

1. Development may be permitted in Areas of Natural and Scientific Interest, provided it does not negatively impact on the natural features or ecological functions for which the area has been identified. Where development of site alteration is proposed within or on the adjacent lands (within 120 metres of the boundary) of the ANSI, the proponent shall provide Council with an Environmental Impact Study (EIS) that demonstrates that there will be no negative impacts on the ANSI or on its ecological function.
2. The Township of Conmee has one Earth Science ANSI directly south of Brule Creek known as the Mokomon ANSI. The Mokomon Area of Natural and Scientific Interest shall be protected consistent with the policies of this Plan.

5.3.5 Endangered & Threatened Species

The Endangered Species Act (ESA) prohibits the killing, harming, harassment, capture, or taking of a Species at Risk, and the damaging or destroying of their habitat. Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the ESA.

1. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
2. Council shall ensure every application for development or site alteration provides an appropriate level of assessment for the identification of threatened or endangered species habitat within or adjacent to the project area.
3. Any person undertaking an activity within a habitat of an endangered or threatened species is responsible for contacting the Ministry of Natural Resources and Forestry (MNR) to determine whether conditions under the ESA apply.

5.3.6 Fish Habitat

1. Fish habitat means spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Fish Habitats are not specifically identified on the Schedules to this Official Plan; therefore applicants must consult with the appropriate authority (MNR) when proposing any development on lands adjacent to water.
2. For the purpose of this section, lands adjacent to fish habitat are defined as being within 30 metres of a fish habitat area. Filling, dredging and/or other shoreline alterations within 30 metres of fish habitat areas is prohibited and may be subject to enforcement by the MNR, Federal Department of Fisheries and Oceans, and/or the LRCA.
3. Development and site alteration shall not be permitted in fish habitat, except in accordance with provincial and federal requirements.
 - a. Development and site alteration shall not be permitted on adjacent lands to fish habitat unless it is demonstrated in an EIS that there will be no negative impacts on the habitat or its ecological functions and, where applicable, Fisheries and Oceans Canada has authorized such development or works in accordance with the Fisheries Act.
 - b. Where development may proceed adjacent to fish habitat, a 30-metre setback from the shoreline shall be maintained as a natural vegetative buffer. Site alteration and disturbance of vegetation within 30 metres of the shoreline shall be limited to minor alterations to accommodate access trails, docks, water pumping equipment or restoration work.
4. Subject to the approval of Council, the Ministry of Natural Resources and Forestry and the Federal Department of Fisheries and Oceans, new development may be approved in shoreline areas, adjacent to and within the required setback, subject to a satisfactory Environmental Impact Study being completed, which shows that development will not have a negative impact on Fish Habitat. The requirement of an Environmental Impact Study will be at the discretion of Council.

5.3.7 Wetlands

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. 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 types of wetlands are swamps, marshes, bogs and fens. Wetlands play a very important role in the natural heritage system, since they:

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

The following policies apply to wetlands:

1. Wetlands within the Township are shown on Schedule A. These wetlands have either not been evaluated or do not meet the criteria to be considered Provincially significant.
2. All wetlands, regardless of classification, will be designated as Environmental Protection. Any application for the alteration of a boundary of a Provincially Significant Wetland, either as an increase or a decrease, must be approved by a Qualified Wetland Evaluator.
3. The Township does not contain any Provincially Significant Wetlands, however wetlands may be evaluated by the Ministry of Natural Resources and Forestry and be classified as Provincially Significant Wetlands. Any Provincially Significant Wetlands identified in the future will be indicated on Schedule A. Such wetlands will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.
4. Where development and / or site alteration is proposed within 120 metres of the boundary of a provincially significant wetland, the proponent may be required to provide Council with an EIS, prepared by a qualified

professional, which demonstrates that there will be no negative impacts on the wetland or its ecological function. PSWs will be subject to the regulations administered by the LRCA, and a permit from the Authority may be required to allow regulated activities.

5.3.8 Significant Wildlife Habitat

A wildlife habitat area is an area 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 nonmigratory species. In some cases, these areas may be considered significant due to the ecological importance of features, functions, representation or amount, thereby contributing to the quality and diversity of an identifiable geographic area.

1. No significant wildlife habitat areas are identified by this Plan. However, should new information become available, and / or other wildlife habitat areas may become known, these areas will be added to Schedule A. This new information will be considered at the time a development application is submitted and/or when the Official Plan is reviewed.
2. Development and site alteration shall not be permitted in or adjacent to (within 120 metres) significant wildlife habitat except in accordance with provincial and federal requirements and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. An Environmental Impact Study (EIS) will be required where development may impact significant wildlife habitat or lands adjacent (120 metres) to significant wildlife habitat.
3. The habitat of Special Concern species and other sensitive species should be considered as significant wildlife habitat, as defined in the Natural Heritage Reference Manual. Special Concern species are formally listed in MNR's Species at Risk in Ontario (SARO) list.
4. The Township of Conmee includes several Species of Conservation Concern (SCC) as well as other Values and Features within the boundaries of the planning area. The habitat of these species, including the identified values and features shall be protected and any development and/or site alteration shall not be permitted except in accordance with provincial and federal requirements.

5.4 Environmental Impact Study (EIS)

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

5.4.1 Purpose of an EIS

1. The purpose of an EIS is to:
 - a. collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);
 - b. make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the Township; and,
 - c. evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.
2. Where the focus of study is adjacent lands, as defined by this Plan, the EIS shall evaluate the ecological function of the adjacent lands and demonstrate that there will be no negative impacts on natural features or ecological functions.
3. Any EIS required by this Plan must describe the critical natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should consider the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.
4. Any EIS must be prepared to the satisfaction of the Township and any other appropriate agencies, before a planning application that facilitates the development that is subject to the EIS is approved.

5.4.2 Contents of an EIS

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

5.4.3 What an EIS Should Demonstrate

1. The EIS should demonstrate, where applicable, that the proposed use(s) will:
 - a. not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
 - b. be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
 - c. not cause erosion or siltation of watercourses or changes to watercourse morphology;
 - d. not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
 - e. not cause an increase in flood potential on or off the site;
 - f. maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic and fish habitat;
 - g. not encourage the demand for further development that would negatively affect wetland function or contiguous wetland areas;
 - h. enhance and restore endangered terrestrial and aquatic and fish habitat, where appropriate and feasible;
 - i. not interfere with the function of existing or potential natural corridors;
 - j. not lead to a significant reduction in the forest resource or interior forest habitat in an area; and,
 - k. not lead to species loss or negative impacts on endangered, threatened or vulnerable species and/or their habitat.
2. In addition, the EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule A to this Plan or the ecological functions for which the area is identified.

5.5 Mineral Aggregate Areas and Mining Resources

There are several mineral aggregate and mining resource areas in the Township, as identified on Schedule A. It is the intention of this Official Plan to identify the location of known potential mineral aggregate deposits and mining resources and to protect them for their long-term use and economic growth. The following policies shall apply to mineral aggregate and mining resource areas.

5.5.1 Protection of Viability

1. Where there is a known presence of high-quality aggregate deposits, the Township of Conmee will designate these lands in the Official Plan to ensure these areas are compatible with extraction operations and associated land uses while also precluding incompatible development and land uses.
2. Legally existing pits and quarries and their associated facilities are permitted and identified on Schedule A to this Plan. The implementing Zoning By-law will also recognize existing pits and quarries for their continued use and operations.
3. Where feasible, the viability of mineral mining and mineral aggregate resources will be protected from uses that may compromise the future extraction. On lands identified as being potential resource areas, development of other land uses shall be permitted, provided that:
 - a. Extraction of the resource is not feasible;
 - b. The proposed use serves a greater long-term public interest; and
 - c. Issues of public health, safety and environmental impact are addressed.

5.5.2 Non-Resource Extraction Uses

1. Non-resource extraction uses such as forestry, agriculture, agricultural-related industrial and commercial and secondary uses, conservation, and fish and wildlife uses shall be permitted, provided that these uses will not preclude future extraction of the resource.

5.6 Water Resource Management

1. At the present time, all of the Township's residents obtain drinking water from private wells. It is a policy of this Plan to protect existing sources of drinking water for future use.
2. All development applications for Plan of Subdivision or Plan of Condominium, relating to new commercial, industrial, institutional and any use permitted in the Major Recreation designation shall be supported by a Water Resource Management (WRM) Report. A WRM Report shall be prepared by a hydrogeological professional to the satisfaction of Council and the appropriate agencies. The purpose of the WRM Report is to investigate the impacts of the proposed development on water quality and quantity and provide recommendations on:
 - a. how to maintain or enhance the natural hydrological characteristics of the water resource;
 - b. how to minimize or eliminate the effect of the proposed use on the groundwater recharge function;
 - c. how to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
 - d. how to maintain or enhance sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
 - e. whether it is required to monitor water budgets for groundwater aquifers and surface water features; and,
 - f. how to ensure that the quality of the watercourses affected by the development are maintained.

5.7 Hazard Lands Policies

5.7.1 Steep Slopes and Ravines

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

5.7.2 Natural Hazards

1. Development will generally be directed to areas outside of hazardous land adjacent to the shoreline of inland lakes, rivers, and stream systems which are impacted by flooding and/or erosion hazards, and other hazardous sites. Hazardous sites may consist of steep slopes, unstable soils, organic soils, and unstable bedrock. Where development is proposed within or partly within these features, the development proponent may be required to submit a technical study prepared by a qualified professional, to the satisfaction of the appropriate approval authority, which demonstrates the following:
 - a. the hazard can be safely addressed, and the development and site alteration are carried out in accordance with established standards and procedures;
 - b. new hazards are not created and existing hazards are not aggravated;
 - c. no adverse environmental impacts will result;
 - d. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and,
 - e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.
2. Recommendations made in the technical report(s) will be implemented through the planning process. Where the technical report indicates that development within a particular hazard is not feasible, the development shall not proceed.
3. Development and site alteration within a floodway is prohibited, except for development and site alteration which, by its very nature, must be located within a floodway. A floodway consists of those areas, usually low lands adjoining watercourses, which have been or may be subject to flooding hazards.
4. Where development or site alteration are proposed in the vicinity of flooding hazards, a detailed engineering study will first confirm the actual extent of the flooding hazard. Development and site alteration will only proceed if it has been demonstrated to the satisfaction of the Township or Planning Board and LRCA that it can occur safely on the subject lands outside of the flooding hazard, and not upon lands which are high points surrounded by the flooding hazard. Lands impacted by flooding hazards will be zoned appropriately to prohibit development and site alteration, except for development and site alteration which must, by its very nature, be located within a floodway.

5.7.3 Wildland Fire Hazards

Hazardous forest types for wildland fire are forest types assessed as being associated with the risk of high to extreme wildland fire, generally being forested areas which are composed of a certain type and condition of forest fuel (i.e. vegetation). There is an inherent risk to the public when changes to the landscape occur, such as the encroachment of

development into forested areas associated with high to extreme risk. The Township may require wildland fire assessments to evaluate wildland fire risk factors of an area or site through continued collaboration with the MNRF.

1. Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire.
2. In certain circumstances, development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.
3. In the absence of a detailed assessment prepared for Council, proponents submitting a planning application may be required to undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the lands proposed for development and, to the extent possible, adjacent lands. If development is proceeding where a high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.
4. Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in areas where natural heritage features occur, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions in accordance with the policies of this Plan.

5.7.4 Hazardous Sites

1. Hazardous sites are defined as lands that could be unsafe for development and site alteration due to naturally occurring hazards, such as unstable soils or bedrock. There are no known hazardous sites in the Township of Conmee, however, at the time a Planning Act application is submitted, the Township may require the preparation of a technical study to confirm if such conditions exist on site.
2. In the event the technical study confirms that some or all of the lands proposed for development are hazardous, the study shall determine whether the risks created by the hazard can be managed or mitigated in accordance with Provincial standards.

5.7.5 Hazardous Substances

1. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances shall not be permitted on hazardous lands or hazardous sites.

5.7.6 Human-Made Hazards

1. Human-made hazards may occur on lands which include, but are not limited to, former mineral mining operations, mine hazards, and former mineral aggregate operations. Development and site alteration on, abutting, or adjacent to these lands may only be permitted if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated, as necessary, prior to any activity on the site associated with the proposed use such that there will be no adverse impacts.

5.8 Waste Disposal Sites

1. There is one active open waste disposal site in the Township, as shown on Schedule A of this Plan. This site shall be protected to ensure there is adequate capacity to accommodate present and future waste disposal needs.
2. The development of new uses or the enlargement of buildings or structures within an influence area of 500 metres from the boundary of a fill area of a closed site is prohibited.
3. Notwithstanding policy 2, development may be permitted with submission of an assessment prepared by a qualified professional that determines:
 - a. the impact of any potential methane gas migration;
 - b. whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the waste disposal site;
 - c. potential traffic impacts;

- d. whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the waste disposal site; and,
 - e. the impact of the proposed use on leachate migration from the landfill site.
4. In addition to the matters listed above, the assessment shall address other items outlined in the Province's Guideline D-4, Land Use On or Near Landfills and Dumps, to ensure that the proposed land uses are compatible in nature and do not create adverse impacts.
 5. The studies required to support a development application within the influence area of a Waste Disposal Site may be scoped based on the type and/or scale of the development proposed, as determined by the Township.
 6. In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies addressing the matters set out in the policies of this section shall be submitted for the Township's consideration.
 7. It is a policy of this Plan to ensure the residents of Conmee are provided with safe and cost-efficient waste management systems during the lifespan of this Official Plan and beyond. Although it is not anticipated that a new waste disposal site will be necessary during the life of this Official Plan, in the event a new site is deemed necessary, an amendment to this Plan will be required.
 8. Decommissioned or former landfill sites within the Township shall be remediated to the satisfaction of the Ministry of the Environment, Conservation and Parks.

5.9 Land Use Compatibility

1. It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries, including major facilities and other sensitive land uses, such as waste disposal sites or sewage treatment facilities. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other to avoid, minimize, and mitigate any potential adverse effects from odour, noise, and other contaminants, and minimize risk to public health and safety.
2. Where avoidance is not possible, it must be demonstrated that there is an identified need for the use and an evaluation of alternative locations must be undertaken. Where the need for the proposed use is identified and no reasonable alternative locations are feasible, the Township shall assess the compatibility of the proposal in accordance with the Ministry of the Environment, Conservation and Parks (MECP) D-Series Guidelines.
3. Where a proposed use cannot satisfy the minimum requirements of the applicable MECP guidelines or its successor, or the potential impacts of the proposed use cannot be minimized and mitigated, the use will not be permitted. The approval of development proposals shall be based upon the achievement of adequate distances and the recommendations of the required studies. Where practical and enforceable, such distances or other recommendations may be implemented through the Zoning By-law or Site Plan Agreements.

5.10 Contaminated Sites

1. If the site of a proposed use is known or suspected to be contaminated, the Township shall require the proponent to prepare a study prepared in accordance with the Ministry of the Environment, Conservation and Parks guidelines which determines the nature and extent of the contamination and the identification of a remediation plan, if required.
2. Where the need for remediation is identified, the site shall be remediated, and a Record of Site Condition be obtained before development approvals are granted.

5.11 Minimum Separation Distances (MDS)

1. Development in all policy designations shown on the Schedules to this Plan shall comply with the Minimum Distance Separation (MDS) Formulae I and II, as established and amended by the Province. The formulae shall be implemented through its inclusion in the implementing Zoning By-law. The administration / interpretation of the formulae shall be guided by implementation guidelines, as established by the Province.

2. While the administration and interpretation of MDS formulae shall be guided by the implementation guidelines as established by the Province, it may be desirable in certain circumstances to reduce a required MDS. A reduction may be accomplished through either a Zoning By-law Amendment or Minor Variance. Reductions to MDS will generally be restricted to situations where a reduction in the setback will result in an overall improvement over the existing separation distance, or when the reduction will result in an overall environmental improvement over the existing separation distance.

6.0

Implementation

6.1 Zoning By-law

1. The Township shall enact a comprehensive Zoning By-law under Section 34 of the Planning Act to implement the policies of this Plan.
2. The Township shall regularly undertake a review of the comprehensive Zoning By-Law to ensure that it remains consistent with the policies of this Plan.

6.2 Temporary Uses

1. The use of land for temporary purposes may be assigned in certain circumstances where a short-term use is proposed, considered appropriate, and to be phased-out.
2. Under the Planning Act, the maximum term of a Temporary Use By-law is 3 years, however a Temporary Use By-law may permit a Garden Suite on a property for up to 20 years.
3. Subsequent By-Laws granting extensions of up to three years (or 20 years for a Garden Suite) may be passed. However, once the By-Law has lapsed, the use must cease or otherwise will be considered in contravention of the implementing Zoning By-Law.

6.2.1 Use & Scope

1. The temporary use of land, buildings and structures may be authorized by the Township through the passing of a Temporary Use By-law in accordance with the Planning Act. Such uses may be permitted in all land use designations without amendment to this Plan, with the exception of lands designated 'Environmental Protection'. The Temporary Use By-law shall describe the area affected and specify the duration for which the use is permitted.

6.2.2 Criteria

1. An application for a Temporary Use By-law shall be considered in accordance with the requirements of the Planning Act and the following:
 - a. Generally in conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Being consistent with the Provincial Policy Statement and the Growth Plan for Northern Ontario;
 - c. The input received from circulated public bodies and agencies and neighbouring property owners and residents; and,
 - d. Satisfactory assurances that the land will be returned to its previous state and all buildings and structures removed (where deemed appropriate) upon the lapsing of the period stipulated in the by-law or upon the lapsing of any extension period that may be granted.

6.2.3 Approvals

1. Prior to the approval of a Temporary Use By-law, Council shall be satisfied that the following principles and criteria are met:
 - a. The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
 - b. The proposed use shall not require the extension or expansion of existing municipal services;
 - c. The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;

- d. Parking facilities required by the proposed use shall be provided entirely on site;
- e. The proposed use shall generally be beneficial to the community as a whole; and,
- f. The owner shall enter into an agreement with the Municipality and/or post securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the By-Law.

6.3 Interim Control By-law

1. Where the Township has authorized a review or a study is undertaken regarding land use planning, Council may adopt an Interim Control By-law to prevent potentially inappropriate development or use of land, pursuant to the Planning Act. The By-law shall specify a time period (not to exceed one years) for prohibiting the use of land, buildings or structures for, or except for, such purposes as are set out in the By-law.
2. The Council of the Township of Conmee may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of passing of the interim control by-law.

6.4 Holding Provisions

1. In accordance with the Planning Act, the Township may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions have been met. These conditions will be specified within a Zoning By-law Amendment. The objective of utilizing a Holding Provision is to ensure that:
 - a. the appropriate phasing of development or redevelopment occurs;
 - b. development does not proceed until services and utilities are available to service the development;
 - c. agreements respecting the proposed land use or development are entered into; and/or;
 - d. any conditions described by the Council-approved Holding provisions are met prior to any development or site alteration occurring.

6.5 Site Plan Control

The Planning Act permits the Township to designate all or part of its territory as a Site Plan Control Area. Within this area certain types of development (typically, commercial, industrial, and institutional) cannot proceed until a Site Plan has been approved by the Township.

1. The Township of Conmee will enact a Site Plan Control By-law under the authority of Section 41 of the Planning Act.
2. The Site Plan Control By-law will be to ensure a high standard of development and to provide compatibility with, and protection of, neighbouring uses, new development and significant expansions to existing development. The by-law will also specify the land area and types of development where Site Plan approval will be required.

6.5.1 General Criteria

1. Consideration of a plan subject to Site Plan Control by the Township shall be subject to the requirements of the Planning Act and the following criteria being satisfied:
 - a. Conformity with the applicable goals, objectives, policies and land use designations of this Plan;
 - b. Conformity with the Zoning By-law, Servicing Standards, secondary plans, and design guidelines / standards;
 - c. The input received from circulated public bodies and agencies;
 - d. The submission and approval of all required information / studies, reports, and plans;
 - e. The entering into of a Site Plan Agreement with the Township; and

- f. Where applicable, the posting of sufficient financial security to ensure due performance and the protection of the Township.

6.5.2 Site Plan Agreement

1. A Site Plan Agreement pursuant to the provisions of the Planning Act shall be required in most instances. Any such agreement shall be registered on title.

6.6 Community Benefits By-law

1. In accordance with Section 37 of the Planning Act, the Township may enact a Community Benefits By-law that imposes charges against land to pay for the capital costs of facilities, services, and matters required because of development or redevelopment in the area.
2. Prior to passing a Community Benefits By-law, a community benefits charge strategy shall be prepared which identifies the facilities, services, and matters that will be funded with community benefits charges.

6.7 Parkland Dedication By-law

6.7.1 Parkland Dedication By-law

1. The Planning Act permits the Township to enact a Parkland Dedication By-law that establishes:
 - a. the lands to which the by-law is applicable;
 - b. the rate of parkland dedication;
 - c. the development applications which are subject to parkland dedication requirements;
 - d. land uses which are exempt from parkland dedication requirements; and,
 - e. in the case of cash-in-lieu of parkland, whether the value of parkland will be determined on the basis of raw land prior to approvals or on the basis of value of the individual lot(s) prior to issues of a building permit.

6.7.2 Dedication of Land through the Development Process

1. The Township may require the dedication of up to ten percent of the land within a residential Plan of Subdivision to be dedicated as parkland. Two percent of the land within a non-residential development shall be dedicated as parkland.
2. In lieu of the above requirements, the Township may require cash-in-lieu of parkland, as deemed appropriate. In the establishment of a Parkland Dedication By-law, Township Council may determine value on the basis of either the value of raw land on the day prior to draft approval of Provisional Consent or draft subdivision approval, or on the basis of the value of the new lot(s) prior to issuance of a Building Permit.
3. All lands dedicated shall be conveyed in a physical condition satisfactory to the Township.
4. Lands within the 'Environmental Protection' designation and/or lands identified as hazard lands shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

6.7.3 Cash In-lieu

1. Where a dedication of land for park purposes would be inappropriate or impractical, the Township may permit a proponent to provide a cash in-lieu payment for parkland purposes. The rate of payment shall be in accordance with the provisions of the Planning Act.
2. All monies received under the parkland provisions shall be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities, in accordance with the Planning Act.

6.8 Property Standards By-law

1. In recognition of the importance of property conditions, the Township may pass a Property Standards By-law to regulate residential properties, non-residential properties, vacant buildings, vacant lands, open space lands and heritage properties.
2. A Property Standards By-law may:
 - a. prescribe standards for the maintenance and occupancy of property within the Township or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
 - b. require property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition; and,
 - c. prohibit the removal from any premises of any sign notice or placard placed thereon pursuant to this Section or a By-law passed under the authority of this Section.
3. Any development shall conform to the provisions of the Ontario Fire Code, the Ontario Building Code, and minimum standards for maintenance and occupancy.

6.9 Site Alteration By-law

1. In accordance with the Municipal Act, the Township may enact a Site Alteration By-law to regulate certain activities that may impact drainage and vegetation patterns. A Site Alteration By-law may:
 - a. Prohibit or regulate the placing or dumping of fill;
 - b. Prohibit or regulate the removal of topsoil;
 - c. Prohibit or regulate the alteration of the grade of the land;
 - d. 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
 - e. 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.

6.10 Tree Protection By-law

1. The Township may pass a Tree Protection By-Law to prevent the cutting of trees in sensitive areas. Where a Tree Protection By-law is passed, the By-Law shall not be passed without a specific assessment of the impacts of a By-Law together with opportunity for public comment.

6.11 Short-Term Rental By-law

1. The Township may pass a By-law which prescribes standards and regulations related to the use of residential dwellings for the purpose of Short-Term Rentals. Such a By-law would be complementary to any provisions enacted in the Township's Zoning By-law, which may contain provisions for land use controls for Short-Term Rentals.
2. Where the Township enacts a separate Short-Term Rentals By-law, the by-law may address:
 - a. The requirement for hosts to obtain a permit from the Township prior to commencing a Short-Term Rental operation;
 - b. The requirement to identify to the Township a Property Manager for the Short-Term Rental operation;
 - c. Permissions for condominium corporations, housing cooperatives, or building owner to register with the Township a request for a prohibition on Short-Term Rental operations within their dwellings;

- d. General administrative processes for the Township to grant, refuse, suspend, revoke, or review permits; and,
- e. Offenses and penalties for contravention of the by-law provisions.

6.12 Crown Lands

1. The Township of Conmee encompasses a significant amount of Crown Lands and will work with all levels of government to identify lands for potential future residential development, including estate lot subdivisions and seasonal cottage developments.
2. The Ministry of Natural Resources and Forestry (MNRF) has jurisdiction over the administration of Crown Lands and waters within the Township of Conmee. The following policies shall apply to these Crown Lands:
 - a. The MNRF is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township with respect to the use and disposition of Crown Lands is required from the MNRF.
 - b. Authorization for occupation or use of Crown Lands is required from the MNRF.
 - c. The Township recognizes that resource management activities on Crown Lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.

6.13 Development Applications

6.13.1 Pre-Application Consultation

1. The Township may pass a By-law requiring that a pre-application consultation meeting be held prior to submitting a development application in order to identify and confirm the information that will be required at the time of application submission.
2. Notwithstanding Policy 1, the Township has the authority to waive the requirement for a formal pre-application consultation meeting.

6.13.2 Complete Applications

1. Development applications shall comply with the complete application submission requirements of the Planning Act. The Township shall maintain a Development Application Study policy, which will be reviewed with applicants in the pre-consultation process.
2. To process the application, the Township may require additional information and/or reports, as listed in the Policy. The additional information and/or reports will be identified in writing after a pre-application consultation or after further review of the development proposal. All required reports must be completed to the satisfaction of the Township or relevant approval authority.
3. Depending on the nature of the proposed development and planning application(s), the Township may require plans and/or studies including, but not limited to:
 - a. Planning Rationale;
 - b. Heritage Impact Assessment;
 - c. Environmental Impact Statement;
 - d. Transportation Impact Study;
 - e. Minimum Distance Separation analysis;
 - f. Servicing Options Study;
 - g. Drainage / Stormwater Management Report / Plan;
 - h. Geotechnical Study;
 - i. Hydrogeological Study;

- j. Erosion and Sediment Control Plan;
 - k. Noise / Vibration Study;
 - l. Sun-Shadow Study;
 - m. Fisheries Assessment;
 - n. Shoreline Riparian Control Study;
 - o. Archaeological Assessment;
 - p. Record of Site Condition (RSC);
 - q. Air / Dust Study; and,
 - r. Groundwater Protection Study.
4. The Township has the authority to request additional information that will be required as part of a complete application, after further review of the application proposal.

6.13.3 Public Participation

Consultation and public participation and input is a fundamental requirement of the planning process. The following policies outline how the Township intend to ensure adequate engagement with members of the public prior to making land use planning and development decisions:

1. The Township shall comply with the minimum requirements of the Planning Act in informing and obtaining the views of the public in matters requiring approval under the Act.
2. In circumstances in which, in the opinion of the Township, alternative or supplementary methods of public engagement will enhance or exceed the requirements of the Planning Act, the approval authority may use online resources or media to inform members of the public of a planning matter.
3. The Township recognizes the unique status of Indigenous Peoples within Canada and the importance of engagement and dialogue with First Nation and Métis communities in the region. When considering land use planning and development decisions of mutual interest, particularly heritage and archaeology matters, the Township will circulate information on the proposal to the affected Indigenous group. Such engagement may complement formal processes by the Province under the principles of the Duty to Consult.

6.14 Non-Conforming / Non-Complying Uses and Lots

6.14.1 Non-Conforming / Non-Complying Uses

As a general rule, existing uses that do not conform with the policies of this Plan are intended to be gradually phased out so that the affected land use may change to a use which is in conformity with the goals and vision of the Official Plan and the implementing Zoning By-law.

1. Despite the intent to phase out non-conforming uses, a non-conforming use may be reconstructed where removed, provided it does not exceed the previous building envelope.
2. Where a use proposed to be reconstructed exceeds the previous building envelope, the Township will evaluate the expansion component of the proposal under Section 45(2) of the Planning Act using the following tests:
 - a. Is the application desirable for appropriate development of the subject property?
 - b. Will the application result in undue adverse impacts on the surrounding properties and neighbourhood?

6.14.2 Non-Complying Lots

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

- c. the lot with the proposed use can support a sewage treatment system that meets the requirements of the Thunder Bay Health Unit or the Ministry of the Environment, Conservation, and Parks, as applicable.

6.15 Amendments to the Plan – Public Notice

1. The Township may undertake minor amendments to this Plan without providing notice to the public, nor holding a public meeting, in cases including:
 - a. Changing the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
 - b. Consolidating previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
 - c. Correcting grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps;
 - d. Translating measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.
2. In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of the Planning Act.

6.16 Interpretation of Land Use Designation Boundaries

1. The boundaries between land uses designated on the Schedules to this Plan are approximate, except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features. In such cases, the location of the boundaries are not open to flexible interpretation.
2. Where the general intent of the document is maintained, minor adjustments to boundaries will not require amendment to this Plan.
3. It is recognized that the boundaries of the Environmental Protection designation may be imprecise and subject to change. The Township shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the Environmental Protection designation shall not require an Amendment to this Plan.
4. Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

6.17 Definitions

1. For the purposes of interpretation this Plan, the definitions in the Planning Act, R.S.O. 1990, the Provincial Policy Statement 2020, and other applicable legislation shall apply. In all other instances terms shall be defined in accordance with common usage and if necessary, reference to the Canadian Oxford Dictionary, 2nd Edition.

6.18 Official Plan Review Process

1. Upon the date of adoption of this Plan, the objectives and policies of this Plan shall be reviewed within 10 years after it comes into effect as a new official plan and at least once every five years thereafter, in accordance with the Planning Act, as amended. The review shall consist of an assessment of:
 - a. the continuing relevance of the vision that forms the basis of all policies found in this Plan;
 - b. the degree to which the objectives of this Plan have been achieved;
 - c. the amount and location of lands available for development;
 - d. whether the Township has increased the extent of commercial and industrial uses in relation to residential uses;
 - e. the Township's role and relationship with other nearby municipalities;

- f. development trends in the area and their effect on development in the Township; and,
- g. the nature of any Provincial planning initiatives and their implications on the Township.