

THE CORPORATION OF THE TOWNSHIP OF MANITOUWADGE

By-law #

Being a by-law to adopt an Official Plan for the Township of Manitouwadge.

The Council of the Corporation of the Township of Manitouwadge under Section 17 and 26 of The Planning Act, R.S.O., 1990 c. P.13 hereby ENACTS AS FOLLOWS:

1. The Official Plan for the Township of Manitouwadge, consisting of the attached maps and explanatory text, is hereby accepted.
2. That the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the Official Plan for the Township of Manitouwadge.
3. This by-law shall come into force and take effect on the day of the final passing thereof.

[Insert date stamp and signatures here]



*Redline version as modified by the Minister of Municipal Affairs and Housing
by decision dated April 26, 2024; in effect as of April 27, 2024*

***Red underline** indicates an addition to the text;*

***~~Red strikethrough~~** indicates a deletion Superscript numbers^x
number*

Official Plan

for the

Township of Manitouwadge

October 2022

Minister's Modified Version – April 2024



MANITOUWADGE

OFFICIAL PLAN





SECTION 1 - INTRODUCTION

1.1 PREPARATION

The Township of Manitouwadge, under Section 17 and 26 of the Planning Act, R.S.O. 1990, c. P.13, herein referred to as the Planning Act, is empowered to prepare an Official Plan for the Township of Manitouwadge suitable for adoption as the Official Plan of the Township of Manitouwadge, also referred to herein as the Plan or this Plan. This Official Plan is consistent with Provincial Policy Statement (PPS) provided for under Section 3 of the Planning Act. This Official Plan conforms to or does not conflict with the Growth Plan for Northern Ontario (NGP) as the case may be.

We respectfully acknowledge that the Township of Manitouwadge is located in Biigtigong Nishnaabeg and Robinson-Superior Treaty of 1850 territory, and that the land on which the Township lies in the traditional territory of the Anishnaabeg (Ojibway) and the Métis People. We offer our gratitude to the First Nations and Métis People for their care and teachings about the earth and our relations. May we honour those teachings.

The Township shall engage or consult with local Indigenous communities on matters related to land use planning, particularly those relating to protection of cultural heritage resources.

1.2 COMPONENTS OF THE PLAN

Sections 1 through 8 of the text together with Schedules A to C constitute this Official Plan.

Section 1 introduces the Plan and basic context.

Section 2 presents the Purpose, Scope and Effect of the Plan.

Section 3 presents the Basis for the Plan including the Township Vision.

Section 4 presents the Development Objectives for all future development and decision-making in the Township.

Section 5 presents the General Land Use Policies which are applicable to every decision made in the Township; and need to be read in its entirety when considering Planning Act applications.



Section 6 presents the Land use designations which are intended to separate conflicting land uses and direct growth.

Section 7 provides implementation tools and policies.

Section 8 provides interpretation tools and policies.

Schedule A – Land use designations, Community Improvement Area & Transportation Network

Schedule B – Development Constraints

Schedule C – Fire Hazard Areas



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SCHEDULE A2 – LAND USE DESIGNATIONS MAP 1:50,000

SCHEDULE B – DEVELOPMENT CONSTRAINTS

SCHEDULE C – WILDLAND FIRE RISK



SECTION 2 - PURPOSE, SCOPE AND EFFECT

The purpose of this Official Plan is to provide a frame of reference to guide the future maintenance, growth and rehabilitation of the Township in order to ensure the continuance of a living environment which meets the needs of present and future inhabitants.

2.1 PROVINCIAL INTERESTS

In Ontario, the Planning Act requires that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- a) the protection of ecological systems, including natural areas, features and functions;
- b) the protection of the agricultural resources of the province;
- c) the conservation and management of natural resources and the mineral resource base;
- d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- e) the supply, efficient use and conservation of energy and water;
- f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) the minimization of waste;
- h) the orderly development of safe and healthy communities;
- i) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- j) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- k) the adequate provision of a full range of housing, including affordable housing;
- l) the adequate provision of employment opportunities;
- m) the protection of the financial and economic well-being of the province and its municipalities;
- n) the co-ordination of planning activities of public bodies;
- o) the resolution of planning conflicts involving public and private interests;
- p) the protection of public health and safety;
- q) the appropriate location of growth and development;
- r) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- s) the promotion of built form that,
 - is well-designed,
 - encourages a sense of place, and
 - provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- t) the mitigation of greenhouse gas emissions and adaptation to a changing climate.



2.2 OFFICIAL PLANS

Planning Act Excerpt

An official plan shall contain:

- a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it, or an area that is without municipal organization;
 - such policies and measures as are practicable to ensure the adequate provision of affordable housing;
- b) a description of the measures and procedures for informing and obtaining the views of the public in respect of,
 - proposed amendments to the official plan or proposed revisions of the plan,
 - proposed zoning by-laws,
 - proposed plans of subdivision, and
 - proposed consents under Section 53; and
- c) such other matters as may be prescribed.

The Official Plan is a legal document, implemented at the local level by zoning by-laws.

This Plan is intended to serve as a guide for the 25-year period from the day of final approval by the Minister of Municipal Affairs and Housing (MMAH). It will be reviewed in full every ten years or if a major event occurs which affects development in the Township.

2.3 EFFECT OF THIS PLAN

Once this Official Plan is adopted and finalized pursuant to the Planning Act, no public or private work shall be undertaken in the Township and, except as provided for under the Planning Act, no By-law shall be passed for any purpose that does not conform to the policies of this Plan.

The policies of this Plan conform to or do not conflict with the Places to Grow - Growth Plan for Northern Ontario, are consistent with Ontario's 2020 Provincial Policy Statement, and have regard to areas of Provincial interest.

2.4 STATUTORY AUTHORITIES



While nothing in this Plan shall affect the powers of Provincial agencies or local boards as defined in the Planning Act to undertake public works by authority granted under other statutes, Council shall endeavour to ensure that such development as may take place will follow the general intent of the Plan and will be compatible with the type, quality and character of the land use designation in which it is proposed. Provincial and Federal agencies will consult with Council prior to undertaking developments and are encouraged to be guided by the policies of this Plan.

For any Crown Land that is shown on a Schedule to this Official Plan or the Manitouwadge Comprehensive Zoning By-law as designated or zoned, is aspirational only or it is reflective of the use that is subject to agreement outside of the Planning Act, such as Land Use Permit for example.

2.5 UTILITIES

Before giving its approval to any development proposal in the Township, the Township shall be assured by the appropriate agency that the utilities (such as electricity and telephone), fire protection and police protection necessary to serve the proposed development will be provided without placing undue financial obligations on Township taxpayers. When small-scale development is involved, such as that resulting from land severance activity, the proposed development should be located in an area where such services already exist and are economically feasible to maintain.

Any new development that is proposed in the vicinity of major power transmission corridors and facilities should be designed to reduce any potential conflicts between the proposed use and the existing facilities.

Where land is required for utility easements or emergency access, such land shall be obtained for the appropriate agency in the course of approving land severances, plans of subdivision and development or redevelopment applications.

Propane Storage

Propane must be stored in accordance with the provincial Technical Safety Standards Association (TSSA) guidelines, Fire Code, and Propane Storage and Handling regulation. As required by TSSA, hazard distances shall be identified.



SECTION 3 - BASIS OF THE PLAN

The policies in this Plan are reflective of provincial direction, community engagement results, background research (see Background Report and Comprehensive Review under a separate cover), as well as an examination of other studies recently carried out in the Township.

The townsite of Manitouwadge itself is approximately 5 square kilometres, and is located in the centre of the Township, around the south-west end of Lake Manitouwadge. It's a well-planned, pre-planned community, with the downtown core – renamed to village centre based upon results of community input to the Plan - located close to Lake Manitouwadge. Its shoreline remains undeveloped and is surrounded by connected residential, institutional and open space areas, and an industrial park located in the south portion of the village centre.

Since 1986, the date of the previous Official Plan, the Township has undergone economic and demographic changes, which has affected overall development and growth - or decline as the case may be - in the Township. Preferences have also changed over the years, which are also reflected in this Plan.

The Township is faced with specific challenges:

1. there is no immediate population growth pressure facing the Township; however, current global trends suggest an increase in the near to medium future which will lead to both new employment and housing demand;
2. outmigration of youth for continuing education and employment opportunities;
3. aging population: between the 2006 and 2021 census periods, the median age of the Township residents increased from 43 to 49;
4. the lack of property type selection – specifically rural, agricultural, recreational, cottage lot - within the townsite and rural area of the Township has been undermining the ability to attract and retain population;
5. the lack of campgrounds and access to lakes (such as land for tourist camps, cottages, day visitors) further reduces ability to attract and retain population; and
6. due to changes in provincial policies, some of the current industrial land use designations may be incompatible with neighbouring uses, and there is insufficient land designated for heavy industrial due to lack of rural lands and large parcels of municipally serviced land.

Several key emerging trends and global issues influencing the Plan policies include:

- a global affordable housing crisis, also affecting Ontario has already resulted in newcomers moving to Manitouwadge for the inherently affordable, high-quality housing and readily available health care;
- climate change and consequent climate change migration and refugees;
- possible eastern European war refugees needing affordable housing;
- heightening global interest in mineral and mining activity which would require employees and housing;



- food security requiring space and land to grow food;
- changes in work habits allowing people to work remotely (see affordable housing point above); and,
- changing family demographics.

In addition to local changes, challenges and emerging trends, the provincial policies have undergone significant changes since 1986; including but not limited to, the changes to the Planning Act and the enactment of a Provincial Policy Statement, the creation of provincial policy documents, including the Growth Plan for Northern Ontario 2011, delegation of approval authority for some elements of land use planning, more stringent environmental regulations, as well as the introduction of settlement boundaries and progressive agricultural policies.

The PPS specifies that a municipality may identify a settlement area only at the time of a comprehensive review.

Based on the results of the 2022 Manitouwadge Comprehensive Review, the Settlement Area boundary will continue to be what is known as the township boundary; but will have minor adjustments to separate rural uses.

To summarize the Background Study and Comprehensive Review, over the past 40 years, the Township has experienced a fluctuating growth in population, having major growth between 1986 and 1991, followed by a steady decrease in population since 1996. The average yearly change in population is -0.9%, showing an overall trend in population decrease in the Township until 2016. However, between 2016 and 2021, the Township has grown by 37 people, or 1.9%, to 1974 people.

Between the 2006 and 2016 census periods, the median age of the Township residents increased from 42.8 in 2006 to 50.3 in 2016, decreasing slightly to 49.2 in 2021, compared to the median age of 39 in 2006 to 40.7 in 2021 in Ontario, also indicating an overall older population, with a higher median age in the Township, compared to the provincial average.

The 2021 census indicates an average household size of 2.1 persons per household, which has slightly decreased from 2.2 in 2016 and earlier.

Therefore, the following 25-year population growth projection is applied for the Township of Manitouwadge: the short-term forecast (current – 2030) is based on a modest 0.7% or 1.4 persons per year population increase, followed by a more aggressive growth pattern calculated in the high growth scenario (2.35% or 65 people per year) for the medium- to long-term forecast from 2031 to 2046 to a total of 3104 people.

In addition to the 10-year review of the Plan, a major review of the Plan may occur in the event of any major changes in the employment forecasts such as that of a mining company looking to establish or re-commission a mine.



MANITOUWADGE

OFFICIAL PLAN





SECTION 4 - VISION AND DEVELOPMENT OBJECTIVES

4.1 VISION

A trusting, secure, affordable, healthy, inclusive and spirited community of opportunity where residents look out for each other, share a strong sense of camaraderie, and are proud to call Manitouwadge home.

4.2 OBJECTIVES

The following Objectives briefly outlines the general long-range aspirations of Council to improve the quality of life and sense of place for the residents of the Township based on the principles of sustainable development:

- promote efficient development and land use patterns which: are compatible by minimizing adverse effects; minimize climate change impacts; and which sustain efficient operation and financial well-being of the Township and the province of Ontario over the long term, consistent with Ontario's Provincial Policy Statement (PPS) and conforming to the Growth Plan for Northern Ontario;
- maintain and promote employment and population growth related to small and medium sized businesses, home-based businesses, occupations, and industries, compatible aggregate and mining activities, energy, transportation, small-scale agriculture, forestry, recreation and tourism, and work-from-home lifestyle choices;
- conserve significant cultural heritage features to maintain and build a sense of place and connection to history, including archaeological resources in accordance with Indigenous community direction;
- conserve significant natural heritage features and protect ecological services which protect clean drinking water, ensure safe wild-caught or gathered food, protect recreation and tourism opportunities, and mitigate climate change impacts such as intensified flooding, drought and wildfire events;
- maintain the village feel, and develop a physical environment which protects public health and safety and creates a sense of place and which is attractive, healthy, safe, accessible, connected and compatible with the surrounding area;
- provide for accessible community service and facility needs of the residents by maintaining, upgrading and extending municipal sewage disposal, street and pedestrian walkway lighting, road, traffic management and parking services and facilities within the townsite as growth occurs.
- To maintain the townsite of Manitouwadge as the main location for commercial, industrial, residential, institutional and social services for the Township, while protecting existing public access to shorelines, natural areas and opportunities to grow food.
- To maintain, rehabilitate and further develop the village centre (previously referred to the downtown core area) of the townsite into a concentrated, mixed-use centre that



provides for the retail commercial, institutional, community service and cultural needs of the residents along with higher-density residential development to support the viability and vibrancy.

- To maintain, upgrade and provide new areas for municipal parks, community gardens including food forests and orchards, recreation and cultural facilities throughout the townsite in accordance with supporting studies including asset management plans.
- To encourage the maintenance, rehabilitation and renovation of existing buildings and streets through zoning and property standards enforcement.
- To develop and maintain an attractive, connected and safe pedestrian and active transportation network system throughout the townsite which is barrier-free and accessible to people of all ages and abilities.
- To work with the province to expand rural housing and recreation lifestyle options through Crown Land Acquisition and private land acquisition outside of the townsite.
- To support a range of housing options, including accessible and affordable housing.
- To support the provision of high-quality telecommunications, energy supply, inter- and intra-community public transportation, and freight transport and movement.
- To support access to healthy and affordable food.



SECTION 5 - GENERAL DEVELOPMENT POLICIES

The following General Development Policies shall apply to the entire Township of Manitouwadge. The policies are intended to give direction on how new development is required to occur; and in some cases, criteria to achieve land use compatibility - or triggers for studies which may result in measures to mitigate potential adverse effects.

5.1 GENERAL GROWTH MANAGEMENT & SERVICING STATEMENT

The village centre will continue to be the dominant commercial, business and civic focus of the Township.

Areas outside the village centre within the township shall generally be a mix of single-detached and medium-rise multi-unit residential use, including some forms of short-term housing, home-based businesses and professions, and accessory uses in accordance with the policies of this Plan. Very limited local commercial development will be permitted.

Housing density will vary within each land use designation. The Residential land use designation is expected to have a density of approximately 20 - 37 dwelling units per hectare.

Apartment buildings greater than three storeys are considered “high-rise” residential development and are directed to the Village Centre and Corridor Mixed Use land use designations. There are no set density expectations.

Medium-rise, multi-unit residential uses include housing forms such as stacked, row or cluster townhouses, semi-detached duplexes, and a variety of apartment dwellings that are built to a maximum of three stories.

Beyond the fully-serviced areas within the township, large lots with that demonstrate the ability to support individual, private, on-site servicing or partial servicing will generally support single-detached homes, and be in a Rural Residential land use designation. Limited additional units will be permitted.

The area outside the township is designated Rural and shall primarily be recreational resource or natural resource based, including very limited rural residential and recreational lots and remote cottage lots. Large lots for agricultural, mineral aggregate or forestry uses will also be permitted. Consents will generally not be permitted and only plans of subdivision for recreational uses will be permitted. Any of the above is largely dependent on the Township acquisition of Crown Land and land use compatibility criteria.

Growth shall be compatible (see Section 5.4) and will be accommodated by first focussing on intensification or infill in the township, followed by expansion of existing neighbourhoods and the



development of new residential neighbourhoods primarily in the southwest quadrant of the townsite, and concurrently by the creation of a limited number of new Rural lots as described above.

Use of existing municipal piped water and sanitary sewage (also referred to as wastewater) services are the preferred method of servicing within the townsite followed by private communal servicing where municipal servicing is not available or feasible.

Private, individual, on-site servicing is permitted only where lot sizes and soil conditions can support it, with written approval from the Thunder Bay District Health Unit (TBDHU). Partial servicing shall only be permitted within the townsite for infill in existing partially-serviced areas and for rounding-out of services upon approval from the TBDHU. (See Section 5.8.1 Water and Wastewater Servicing).

Infilling in the townsite is defined as new development between existing structures on the same side of a road which are no more than 120 metres apart.

The Thunder Bay District Health Unit (TBDHU) is the approval authority where the lot is serviced by individual on-site sewage services, unless the lots are serviced by a large private sewage disposal facility having a daily sewage flow of greater than 10, 000 litres, in which case it is the Ministry of Environment, Conservation and Parks (MECP).

New development shall contribute to or be adequately served by existing or proposed services and amenities such as health facilities, school, parks, and leisure areas. Where a development contributes to such services and amenities, the development should be at a scale that is in keeping with the character of the area.

The development should be located and designed to minimize the potential for adverse effects on adjacent sensitive uses related to noise, odours, and other emissions. (See Section 5.4 Compatible Development).

5.2 EMPLOYMENT LANDS

Based on the Comprehensive Review projections, Manitouwadge's population will grow by a maximum of 1160 persons by 2046.

This will result in a demand for 830 total jobs which will largely be accommodated in the village centre, the industrial and commercial-zoned areas, plus in the recreational and tourism, mining, aggregate extraction/processes and forestry sectors.

The areas designated for Industrial and Commercial are considered to be the Employment Lands; and there is sufficient area to support the projected employment needs. Home-based businesses,



occupations and industries are increasingly contributing to employment (see Section 5.15.3 Home-based Occupations and Industries).

5.3 HOUSING & ACCOMMODATION

The Township currently has a 25-year supply of housing and will maintain sufficient designated and zoned land to ensure a 15-year supply of housing; and ensure policies which support a range of housing choices, including that which is affordable and accessible for those with special needs, in accordance with the Provincial Policy Statement (PPS).

With some exceptions, the Township owns all undeveloped lands in the townsite. As plans of subdivision are registered for some of these lands, the lots will be sold to individuals or local industries.

Additional residential units, tiny homes and garden suites shall:

- require a building permit that includes the standards for a permanent, year-round dwelling;
- be located on a lot that meets the minimum lot area and frontage of the implementing residential zone in which they are located without variance or amendment to the zone regulations unless it is legal non-conforming; and,
- demonstrate with written confirmation from the approval authority as part of the building or occupancy permit application in an unserviced area that existing private sewage and water service capacity can support an additional residential unit or garden suite.

New multi-unit residential uses shall:

- be located on full municipal services in a location which satisfies the Plan objectives; and
- be supported by any other site-specific studies to evaluate and mitigate potential adverse effects.
- be subject to site plan control only where:
 - the parcel of land will contain more than 10 residential units, or
 - the proposed multi-unit residential development is on a parcel of land that falls within a prescribed area as listed under Ontario Regulation 254/23.¹

The scope and complexity of studies shall be appropriate to the scale and complexity of the proposed development including potential adverse effects (see Section 5.4 Compatible Development).

Compatible residential facilities will be permitted through zoning and site plan control as needed to ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management, drainage and implementation of any other mitigation measures.



5.3.1 HOUSING TARGETS

Residential intensification within the townsite should constitute approximately 80% of future residential growth (unit creation) which equates to 430 units.

And of that, a minimum of 20% of new dwelling units (107 units) shall be through infill.

The TBDSSAB Under One Roof: Homelessness and Housing Plan specifies a target of 7 one-bedroom units for affordable housing until the year 2025.

The Comprehensive Review demonstrates a need for 21 affordable housing units in Manitouwadge over the next 25 years.

Sufficient land is designated within the townsite to accommodate this growth.

5.3.2 AFFORDABLE HOUSING

This Plan's goal is that 20% of all new residential units constructed each year are affordable in accordance with the following criteria:

- a) In the case of home ownership, the least expensive of: Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low- and moderate-income households; or Housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.
- b) In the case of rental housing, the least expensive of: A unit for which the rent does not exceed 30% of gross annual household income for low- and moderate-income households; or a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Progress towards the residential intensification target of 20% will be monitored through an annual Lot Inventory Report, and if necessary, policies and programs will be adjusted to promote continued progress towards, and achievement of, the target.

Affordable housing can include homes on smaller lots of 15 metre frontage, and multi-unit forms such as townhouses, duplexes, semi-detached dwellings, apartment buildings, dwellings with additional units, garden suites or tiny houses.



5.3.3 ADDITIONAL UNITS

Additional Residential Units are dwelling units which are separate from the main dwelling unit, constructed to meet Ontario Building Code requirements, and serviced in accordance with the policies of this Plan.

Due to the limitations of rural servicing levels and the desire to direct most new development to serviced areas in order to achieve efficient development, additional residential units are limited to one additional residential unit within any legally existing main residential dwelling and one additional residential unit within an ancillary structure on any Rural Residential or Rural designated lot in the Township.

~~In fully serviced areas, due to parking limitations and zoning set-back requirements, residential units are also limited to one additional residential unit within any legally existing main residential dwelling and one additional residential unit within an ancillary structure on any Residential designated lot in the Township.~~

The Planning Act authorizes additional residential units by permitting on a parcel of residential land having municipal water and sewer services:

- (a) the use of two residential units in a detached house, semi-detached house, or rowhouse, if all buildings and structures ancillary to the house cumulatively contain no more than one residential unit;
- (b) the use of three residential units in a detached house, semi-detached house or rowhouse, if no building or structure ancillary to the house contains any residential units; and
- (c) the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse, if the house contains no more than two residential units and no other building or structure ancillary to the house contains any residential units.²

5.3.4 GARDEN SUITES

Garden suites are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be temporary (portable).

Although, many existing residential lots may not large enough, garden suites are permitted within the Township, by by-law in accordance with Planning Act legislation applicable to garden suites, the policies of this Plan and zoning regulations.

Council may require the owner of the suite or any other person to enter into an agreement with the Township dealing with:

- installation, maintenance and removal of the garden suite;



- the period of occupancy of the garden suite, up to 20 years by any of the persons named in the agreement; and
- the monetary or other form of security that the Council may require for actual or potential costs to the Township related to the garden suite.

Council may by by-law grant extensions of not more than three years each during which the temporary use is authorized.

5.3.5 TINY HOUSES

Tiny homes (tiny dwellings) are permitted in all residential zones in accordance with zoning standards and the servicing policies of this Plan.

Tiny homes built on a chassis and not certified for year-long accommodation are considered to be a recreational vehicle.

Tiny homes with living and dining areas with cooking and bathroom facilities, and sleeping areas, and certified for year-round use are considered permanent dwellings.

A permanent tiny home may be a main use as a single detached dwelling.

5.3.6 SHORT-TERM ACCOMMODATION

The Township is supportive of short-term accommodation in providing essential community services, promoting economic development, contributing to financial stability for residents, and providing opportunity for diversity in local accommodations.

Short-term accommodation is an important means of providing emergency or temporary accommodation, tourist accommodation, shift-work accommodation, and can contribute to affordable housing options by off-setting the cost of home ownership.

Short-term accommodation uses can include:

- Bed and breakfast establishments;
- Home sharing;
- Motels and hotels;
- Tourist or recreational accommodation such as remote cabins, cottages or resorts;
- Lodging, boarding or rooming houses;
- Campgrounds;
- Emergency shelters; and
- Recreational vehicles.



All short-term accommodation dwellings shall be Ontario Building Code (OBC) and Fire Code compliant; and where applicable, water quality must meet Ministry of Health and Long-Term Care (MOHLTC) standards and the operation of septic systems must be approved by the Thunder Bay District Health Unit (TBDHU).

Council may consider implementing a home sharing licensing program.

5.3.6.1 Bed and Breakfast Establishments

A bed and breakfast establishment is a single or semi-detached dwelling in which guest bedrooms or suites are provided for financial gain as temporary accommodation on a daily basis.

Bed and breakfast use is permitted provided that the physical character of the dwelling is not substantially altered.

The dwelling must clearly be the principal use of the land and the bed and breakfast component clearly an accessory use to the dwelling.

Such establishments must have the owner of the residence/proprietor residing on the premises.

Bed and breakfast establishments are permitted where residential uses are permitted and are implemented through zoning.

5.3.6.2 Home Sharing

Home sharing is renting one's home; and is considered a residential use.

Home-sharing shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or remote cottage, hospital, commercial resort unit or similar commercial or institutional use; all of which require site specific zoning and/or site plan control, as needed, for implementation of mitigation measures.

5.3.6.3 Motel and Hotels

Due to their design with parking needs, Motels shall be directed to the appropriate land use designations and zones along major road corridors.

Hotels shall be directed to the village centre to facilitate access to services and amenities; but may also be permitted in limited corridor zones.



5.3.6.4 Remote Recreational Cottages or Tourist Resorts

Remote cottages are dwellings or tourist resorts which include a dwelling and tourist cabins, located on lakes or on parcels of land which are accessed by roads that are not municipally owned and maintained, but for which a legal use agreement is in place to use such roads.

Remote recreational cottages or remote tourist resorts are not intended for permanent residential use.

There shall be no expectation on the part of the remote cottage or tourist resort owner that the Township will ever attempt to take over responsibility for any private road accessing such lands. Nor does the Township in any manner assure or otherwise guarantee the cottage owner legal access to any remote cottage or tourist resort – the responsibility for such shall rest entirely and completely with the owner. Similarly, the Township may not be able to provide emergency services to such remote locations.

Any new remote cottage or tourist resort lot shall have a registered agreement on title stating the above.

Remote cottage or tourist resort lot shall only be created upon proof of accessible road transportation to the site, and are subject to limitations found in Sections 5.8 Water Resource Protection and 5.8.3 Shoreline Development.

Remote cottages and tourist resorts are permitted through zoning and/or site plan control, as needed.

5.3.6.5 Lodging Houses

Lodging houses, also known as Boarding Houses or Rooming Houses are residential building containing more than four rooming units. A rooming unit is a room, or a suite of rooms, that constitutes a separate, independent residential occupancy, but which is not self-contained and which requires access to other parts of the building intended to serve the residents, such as cooking or sanitary facilities.

Lodging houses are permitted where higher-density housing is considered appropriate, where there is a full range of services and facilities available, and implemented through zoning and/or site plan control, as needed.



5.3.6.6 Campgrounds

The Township recognizes the need for campground accommodations.

Campgrounds can include transient and/or seasonal tourist trailers, cabins or tent campsites; and are located on a single property with direct access to a municipally-owned or provincially-owned and maintained road; and which is subject to zoning and site plan approval.

Lakeside transient and/or seasonal tourist trailer development is limited by natural heritage features, lake capacity and compatibility with existing and planned adjacent uses.

See Sections 5.8 Water Resource Protection, 5.8.3 Shoreline Development and 5.4 Compatible Development.

Storage of trailers and recreational vehicles or boats in the off-season may be permitted as part of a campground operation, along with accessory uses such as administrative uses, local convenience store, laundry services, recreation areas, etc.

Campgrounds are permitted through zoning and/or site plan control.

5.3.6.6 Emergency shelters

Emergency shelters are administered by a public or charitable agency; and are generally directed to the Village Centre land use designation or Corridor Mixed Use land use designation on full municipal services and where services and amenities are easily accessible.

5.3.7.6 Recreational Vehicles

Recreational Vehicles (RVs) are motor vehicles designed to provide temporary living, sleeping, and/or eating accommodation for one or more persons involved in a recreation experience, or during the construction of their home.

5.3.7 RESIDENTIAL AND LONG-TERM CARE HOMES

A residential care home is a where residents live together, who by reason of their age, emotional, mental, social, physical condition, or legal status, require a group living arrangement including related programming, staff and services; and can include retirement homes or combined with a health centre.



A long-term care home is regulated by the Ontario Long-Term Care Homes Act, 2007, and provides residential accommodations and a broad range of personal care, support and health services to meet the physical, psychological, social, spiritual, and cultural needs of persons. Can include a health centre.

Residential care homes not exceeding three storeys and 12 residents are permitted where residential uses are permitted subject to servicing and site plan control.

Residential care homes of any height for more than 12 people and long-term care homes are generally directed to the Village Centre or Corridor Mixed Use land use designation, and are subject to site plan control.

5.4 COMPATIBLE DEVELOPMENT

5.4.1 GENERAL LAND USE COMPATIBILITY

In terms of land use, compatibility means an existing or committed land use or activity that can co-exist with a neighbouring use/activity or uses/activities, without either creating or experiencing one or more off-site 'adverse effect(s)'. Please refer to the Ministry of the Environment, Conservation and Parks (MECP) D-Series Guidelines.

In order to proceed, all new development requiring a Planning Act approval shall be compatible with existing uses in the vicinity by avoiding adverse effects or minimizing adverse effects to acceptable or negligible levels, and where applicable, in accordance with provincial or federal guidelines.

In accordance with the policies of this Plan, where a development initiative has the potential to be incompatible with or cause adverse effects to other land uses/users in the vicinity, appropriate technical studies evaluating compatibility; and/or mitigation using avoidance, buffering, berms, landscaping, separation distances, design or other measures, shall be part of the planning justification in a complete application or a condition of final approval, as appropriate (see Section 7.10.1 Complete Application).

Potential Adverse Effects

Common potential adverse effects of a proposed development not already addressed in this Plan relate to, but are not limited to:

- pattern, scale, massing, design of development, servicing levels of existing and future development;
- visual impacts, such as those relating to outdoor storage parking and loading or service areas;



- shadowing and/or lighting and/or microclimate impacts on surrounding land uses including privacy of adjacent residential uses;
- traffic volume and safety;
- vehicle access and parking;
- hydrological and hydrogeological functions;
- surrounding natural heritage features and cultural heritage resources; and,
- noise, vibration, odour, dust and other contaminants or emissions.

5.4.2 INDUSTRIAL FACILITIES AND SENSITIVE RECEPTORS OR SENSITIVE LAND USES

Noise, odour, vibration, visual impacts, dust and other contaminants or emissions generated by activities such as industries, resource extraction activities, waste management systems, sewage treatment facilities, oil and gas pipelines and transportation/rail infrastructure and corridors vehicles, aircraft, railways, turbines and more may have adverse effects on sensitive receptors or sensitive land uses such as educational and health facilities, day care centres and residential uses.

Industrial/Major Facility development initiatives shall be planned and developed to avoid or if avoidance is not possible, minimize and mitigate and potential adverse effects to minimize risk to public health and safety, and to ensure the long-term operation and economic viability or major facilities.

Potential adverse effects as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and,
- h) interference with normal conduct of business.

Proposed sensitive land uses adjacent to planned or existing industrial/major facilities are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- there is an identified need for the proposed use;
- alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- adverse effects to the proposed sensitive land use are minimized and mitigated; and,
- potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

Proponents may be required to provide supporting technical studies, prepared in accordance with Ministry of the Environment, Conservation and Parks (MECP) D-series guidelines (as



updated) and included in a planning justification report, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures. Consideration may also be given to the extent to which increased site plan requirements can reduce the potential impacts. Separation distances between potentially conflicting land uses shall be measured in accordance with MECP Guidelines.

The following minimum separation distances will be replaced with updated numbers in the near future; but until then, the following shall apply between industrial uses and residential or other sensitive land uses:

- Class I Industries 20 metres
- Class II Industries 70 metres
- Class III Industries 300 metres

In the absence of technical studies, prepared according to MECP Guidelines, which identify an actual influence area, separation distances required between industrial uses and residential or other sensitive land uses shall reflect the following potential influence areas:

- Class I Industries 70 metres
- Class II Industries 300 metres
- Class III Industries 1,000 metres

Policy implementation shall be through zoning and/or site plan control or other implementation tools such as, but not limited to holding zones and registered agreements on title. The above policy does not apply to minor expansions or reconstruction of permitted uses, buildings or structures.

5.4.3 COMPATIBILITY BETWEEN WASTE DISPOSAL SITES AND SENSITIVE LAND USE

Compatibility between waste disposal sites and sensitive land uses will be assessed in accordance with the Waste Disposal policies of this Plan (see Section 5.8.8 Solid Waste Disposal and 5.8.1 Water and Wastewater Servicing) and MECP Guideline D-4: Land Use on or Near Landfills (as updated).

5.4.4 COMPATIBILITY WITH HIGHWAY CORRIDORS

Development in Proximity to a Provincial Highway next to a provincial highway or a railway corridor shall be subject to the applicable Transportation policies of this Plan in Section 5.19 Transportation.



5.4.5 COMPATIBILITY WITH AGRICULTURAL USES

Minimum Distance Separation (MDS) New development and new and/or expansions to existing livestock facilities outside the townsite will comply with the Minimum Distance Separation criteria as amended from time to time; in accordance with the Agricultural Use policies of this Plan in Section 14.

5.5 LAND DIVISION

The majority of land division in the Township shall take place by registered plan of subdivision or condominium, inside the townsite. A plan of subdivision or condominium shall normally be required in the following instances:

- where more than four lots are to be created on a landholding as recorded in the records of the Registry Office on the date of adoption of this Plan; or,
- where a new road or an extension to an existing road is required.

The only other method of land division in the Township shall be by land severances granted by a consenting authority, referred to as Consents. Prior to considering any land severance application, the consent-granting authority shall establish that a plan of subdivision or condominium is not necessary for the proper and orderly development of the lands.

Where old registered plans or parts of old registered plans exist and are deficient in some way by reason of inadequate lot size, poor access, or would encourage development in undesirable locations, consideration be given to passing a by-law under the Planning Act, deeming such plans not registered.

Should lots smaller than 1 hectare in size be proposed, regardless of method of lot creation, submission of a hydrogeological assessment may be required in accordance with MECP Guidelines. Where servicing by individual on-site sewage and water services are contemplated, it must be demonstrated that site conditions are suitable for the long-term provision of such services with no negative impacts.³

5.5.1 GUIDELINES FOR PLAN OF SUBDIVISION OR CONDOMINIUM APPROVALS

All plans of subdivision or condominium recommended to the approval authority for draft approval shall conform to the policies of this Official Plan. The detailed Planning Justification Report shall, addition to the general policies of this Plan, address the following for proposed plans of subdivision or condominium:

- the development pattern of the proposed subdivision or condominium should mesh with existing development and roads and adjacent lands. To ensure that undeveloped lands adjacent to the proposed subdivision or condominium will not become landlocked or have



difficulty obtaining access, the development pattern should make provision for access to such lands, if required. Wherever possible, the layout of proposed lots and roads should conform to the topography of the site while utilizing efficient planning design considerations;

- the Township shall ensure that the proposed subdivision or condominium can be provided with all necessary public services and amenities, in accordance with the policies of this Plan;
- the authority shall ensure that all consent applications follow the Regulations for subdivision approval, as outlined in Ontario Regulation 544/06;
- the proposed subdivision or condominium shall conform to the land use designations shown on Schedule A and address the land use constraints on Schedule B including the corresponding land use policies of this Plan to ensure no negative impact or adverse effects;
- where municipal services are not available, it shall be a condition of new lot approvals that ~~a minimum quantity of 18 litres per minute for a one-hour period and water quality meeting MOHLTC standards be demonstrated for well water sources~~ the standards for water quantity and quality in accordance with the D-5-5 Private Wells: Water Supply Assessment procedures are followed as a minimum. Where such standards cannot be met ~~a volume is not readily available from a well~~, the proponent may have a report prepared by a qualified person detailing how the standard can be achieved. Lake water for domestic potable purposes should not be used unless it is disinfected and/or treated to meet the Ontario Drinking Water Standards O. Reg. 169/03;
- the proposed subdivision or condominium should not be zoned for its intended uses until draft approval has been received from the approval authority;
- the proposal shall be in the public interest;
- not be deemed premature, subject to, among other things, consideration of the number of existing vacant lots in the Township;
- be in a location where traffic hazards are avoided;
- be accompanied by details of a master and lot grading and drainage and a plan for storm water management; and
- any other study required by the Township to demonstrate compatible development (see Section 7.10 Development Application Process and Section 5.4 Compatible Development).

If located in a Rural or Rural Residential land use designations, additional studies shall be required including:

- Proof of adequate potable water supply meeting the Ontario Drinking Water Quality Standards implemented through the Ministry of Health and Long-Term Care (MOHLTC) well-water testing services;
- hydrogeological assessment and servicing options report prepared in accordance with the requirements of Ministry of Environment, Conservation and Parks (MECP) technical guidelines for lots sizes averaging under 1 hectare in size;



- Confirmation that no adverse effects will occur to existing wells in the general area of the development;
- Determination that soils conditions are capable of supporting the effective operation of septic waste disposal systems for each lot.

The Township may enter into a development agreement for development to address items such as construction of road, utilities and other works as determined by Council. Such an agreement shall be registered on title to the lands being developed.

The Township shall consult with appropriate government agencies prior to recommending any plan of subdivision or condominium for approval.

Plans of subdivision or condominium shall be fully funded by the proponent, including costs of supporting documentation and peer review as determined by the Township.

5.5.2 GUIDELINE FOR CONSENTS APPROVALS

Where fewer than five new lots are to be created, the Township may sever land using the consent process as provided for under section 53 of the Planning Act.

Consents will typically involve infill or the logical and immediate extension of lands abutting other lands that have been developed; or shall involve property adjustment; property consolidation; lot enlargement; partial mortgage discharge; or easements.

Consents are discouraged in the Rural designated area; and must be in accordance with the policies of this Plan.

The consent-granting authority, in considering consents for conveyance, shall include the following:

- a brief Planning Justification Report from the proponent addressing the of the suitability of the location of the proposed lot including any compatibility issues;
- approval the Thunder Bay District Health Unit (TBDHU) or MECP for the proposed water supply and sewage disposal systems on the severed and retained portions of the subject property;
- prior to approving any severance of a property which contains an existing building, the consent granting authority shall require written confirmation that the existing water supply and sewage disposal facilities are functioning properly;
- If such facilities are not properly functioning, the consent-granting authority shall ensure that any approval of the severance will be conditional on the improvement or replacement of malfunctioning facilities to the satisfaction of the superintendent;
- the lot area and shape of the proposed lot shall be flexible but shall be a in accordance with the requirements of this Plan, the implementing zoning by-law;



- the authority shall provide a written decision, including a report indicating the options and conditions noted above and a sketch plan supplied by the applicant of the proposed lot and land use designation, drawn approximately to scale;
- the authority shall ensure that all consent applications follow the Rules of Procedure for Consent Applications, as outlined in Ontario Regulation 197/96;
- the proposed use of the lot to be severed shall conform to the land use designations shown on Schedule A and address the development constraints on Schedule B as well as the corresponding land use policies of this Plan;
- no severance shall be approved which will result in the creation of a landlocked parcel, unless such parcel is to be consolidated with an abutting property which abuts and has access to an improved public road. To avoid the creation of landlocked parcels, both the severed and retained portions of the subject property must abut and have access to a publicly open and year- round maintained road;
- where the Township or the Ministry of Transportation has identified the need for road widening, extensions or right-of-way, the consent-granting authority shall ensure that the necessary land is to be dedicated as a condition of severance approval;
- prior to approving any severance, the consent- granting authority shall be assured by the appropriate agency that the necessary utilities, fire protection and police protection will be provided to the proposed lot, with the exception of remote cottages. In addition, such lot shall be located in an area where such services are economically feasible to maintain;
- it shall be a condition of new lot approvals that a minimum quantity of 18 litres per minute for a one-hour period and water quality meeting MOHLTC standards be demonstrated for well water sources. Where such a volume is not readily available from a well, the proponent may have a report prepared by a qualified person detailing how the standard can be achieved. Lake water for domestic potable purposes should not be used unless it is disinfected and/or treated to meet the Ontario Drinking Water Standards O. Reg. 169/03.
- no severance for a year-round residential use shall be approved if the necessary school accommodation is not available. The proposed lot should also be served by any existing school bus route; and,
- notwithstanding the above, consents may be granted for the following purposes:
 - to correct lot boundaries;
 - to convey additional land to an adjacent lot, provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot;
 - to separate buildings or structures in existence at the date of adoption of this Plan; however, all other policies of this Plan shall be adhered to as closely as possible and conformity with the zoning by-law shall be achieved;
 - to clear title;
 - where the effect of the severance does not create an additional building lot; and,
 - for municipal or other government purposes.

5.6 ACCESSORY USES



Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures, normally incidental, accessory and devoted to a main permitted use and located on the same lot, also be permitted in accordance with the zoning regulations.

5.7 CANNABIS RETAIL OUTLETS

Cannabis retail outlets are legal in Ontario and regulated by the province. The Township has no authority in selecting locations. However, cannabis outlets are encouraged to locate in the commercial zones, in accordance with development standards and the other policies of this plan; and with adequate separation distances from each other and from locations where youth may congregate. Council may prohibit or regulate a medical marijuana production facility.

5.8 WATER RESOURCE PROTECTION

5.8.1 WATER AND WASTEWATER SERVICING

Townsite development will proceed in an orderly and phased manner and will not be permitted in areas which require undue extensions of municipal services. Instead, development should be permitted in locations where demands on public services will be minimized, where such development will most effectively help pay for existing services or where new services can be provided most economically.

Municipal services, including municipal water and sewage, will be required in all developed areas of the townsite, except for any new Rural Residential or Rural land use designation lots as permitted in accordance with the policies of this Plan, and the industrial park area located in the southeast quadrant.

Most lots are connected to the full municipal servicing. Only those which extend to Little Manitouwadge Lake are beyond the extent of the available services.

In the partially- and un-serviced areas of the Township, development and redevelopment will be on a lot of sufficient size and shape to permit the installation of water supply and sewage disposal facilities which meet the requirements of the Ministry of Environment, Conservation and Parks (MECP) and the Thunder Bay District Health Unit (TBDHU), and are in accordance with the servicing hierarchy of the Provincial Policy Statement.

Prior to approving any development which will utilize public piped services, the township shall ensure that the necessary capacity is available in the sewage treatment, water treatment and trunk facilities.



5.8.1.1 Wastewater

Wastewater and/or sewage is treated by an aeration facultative lagoon, which is located by Rudder Lake and designed for average flows from a population of 6,000 persons. It is located in the Waste Disposal land use designation.

As per 2013 Manitouwadge Municipal Asset Management Plan, approximately half of the Municipal water and wastewater mains are very in good condition, and half in fair condition.

Prior to approving any development which will eventually be provided with public, piped services, the Township shall ensure that the owner has entered into an agreement to connect to such services, where available.

The servicing of new development shall generally be financed, constructed and maintained by the developer before being turned over to the Township. The Township may also require the developer to provide certain services which are external to the lands proposed for development.

A developer shall enter into an agreement with the Township to ensure that the services are constructed to the standards and specifications set from time to time by the Township in conformity with general engineering practices, fire underwriter's standards and the standards of the MECP.

All new development in Rural use areas shall be serviced with private, individual, on-site Class IV systems, approved by the TBDHU. Tertiary systems which require regular maintenance and monitoring shall not be permitted without a written agreement for monitoring from the TBDHU.

5.8.1.2 Drinking Water

The Township obtains its municipal water supply from five drilled wells, fed by groundwater. The 2020 Annual Report Manitouwadge Drinking Water System reports that the water treatment plant's daily average is at 20% capacity. It can meet the peak hour demand for a 20-year design population of 6,000 persons.

It shall be a condition of new lot approvals that a minimum quantity of 18 litres per minute for a one-hour period and water quality meeting MOHLTC standards be demonstrated for well water sources. Where such a volume is not readily available from a well, the proponent may have a report prepared by a qualified person detailing how the standard can be achieved. Lake water for domestic potable purposes should not be used unless it is disinfected and/or treated to meet the Ontario Drinking Water Standards O. Reg. 169/03.



Any new development should not negatively impact the capacity of existing development to access safe, clean and adequate supply of drinking water, and may require groundwater impact study, hydrogeological assessment and/or hydrology study and/or servicing options study.

All new individual, on-site, private drinking water wells, shall be located and constructed in accordance with the D-5-5 Technical Guideline for Private Wells: Water Supply Assessment (as updated) and applicable legislation.

5.8.2 WATERSHED PLANNING

The Manitouwadge area is located within a drainage divide, with most of the area located within the Pic River tertiary watershed of the Lake Superior drainage basin. The White Lake tertiary watershed located in the southeastern corner of the Manitouwadge area also forms part of the Lake Superior drainage basin. Along the eastern edge of the Manitouwadge area are the Upper Kenogami and the Nagagami tertiary watersheds of the Hudson Bay drainage basin. Within the Pic River tertiary watershed, including the Pic and Black Rivers, drainage is generally from north to south towards Lake Superior. Tributaries to the Pic River include White Otter River, Nama Creek and Macutagon Creek. Within the White Lake tertiary watershed, drainage is generally to the south along the Gum River. Drainage in the Upper Kenogami and Nagagami tertiary watersheds is generally towards the northeast.

The region is not within a jurisdiction of an Ontario Conservation Act Conservation Authority and thus watershed-based data is not readily available to inform development decisions.

Therefore, any major new development that triggers a provincial or federal Environmental Impact Assessment (EIA) or a local Environmental Impact Study (EIS) related to riparian features will also have to include delineation of the appropriately-scaled watershed(s) where appropriate, in consultation with the Ministry of Northern Development, Natural Resources and Forestry (NDMNRF), and potential negative impacts. See section 5.12.1.6. for EIS requirements.

5.8.3 SHORELINE DEVELOPMENT

Shoreline development practices should seek to reduce phosphorous loading to the receiving waterbody for all development and re-development of shoreline properties, including limiting or prohibiting development on or upstream from lakes that are at capacity in accordance with the Lakeshore Capacity Assessment Model. This model is used to determine the maximum allowable development that can occur on the shorelines of a lake without impairing water quality.

A 30-metre minimum natural vegetated buffer from the normal high-water mark and minimizing the clearing of natural vegetation elsewhere on the site should be implemented for all development.



The Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDNRF) is the approval authority under the Public Land Act for shoreline development (docks, waterfront structures and marinas), and as such should be engaged for comment on any shoreline development proposals.

Shoreline development practices should seek to reduce phosphorous loading to the receiving waterbody for all development and re-development of shoreline properties, including:

- limiting or prohibiting development on or upstream from lakes that are at capacity in accordance with the Ministry of Environment, Conservation and Parks (MECP's) Lakeshore Capacity Assessment Model;
- locating structures and on-site sewage systems where native soils are deepest and at the furthest distance possible from the shoreline. A minimum setback of 30 metres for all structures and sewage systems;
- providing a natural vegetated buffer of at least 30 metres from the normal high-water mark and minimizing the clearing of natural vegetation elsewhere on the site;
- reducing lot grading and hard surfaces;
- using grassed swales and/or vegetated filter strips on lots that require ditching to control runoff;
- directing roof leaders to rear yard ponding areas, soak-away pits or to cisterns or rain barrels;
- sump pumping foundation drains to rear yard ponding areas and infiltration trenches; and any other best management practices found in the MECP Lakeshore Capacity Assessment Handbook, 2010.

5.8.4 SNOW DISPOSAL

Snow Disposal should occur without adverse effects to receiving water bodies. A watershed scale should be considered where feasible. The Township shall address location, design, and maintenance of snow deposit sites that are in accordance with the MECP Guidelines on Snow Disposal and De-icing in Ontario.

5.8.5 FLOOD RISK MANAGEMENT

No development shall be permitted within floodplain areas, with the exception of flood and erosion control works, dock, marinas and boat launches, and passive park uses that will not affect flood flows and where a permit, if required, has been issued by the Ministry of Northern Development, Natural Resources and Forestry (MNDNRF).



Development on lands affected by floodplain areas must be accessible in accordance with the MNDNRF guidelines.

Site alteration is not permitted in areas that would be rendered inaccessible to people and vehicles during times of hazard.

Additional studies may be required to delineate floodplain areas.

Property owners are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding in order to minimize social disruption.

Where logical, flood risk areas will be included in the Hazard Land or Environmental Protection land use designation.

5.8.6 STORMWATER MANAGEMENT

The management and removal of stormwater is the responsibility of the property owner and must be managed to the satisfaction of the MNDNRF, the Federal Department of Fisheries and Oceans and the Township in accordance with the Drainage Act, if applicable.

No development shall be permitted which would interfere with or reduce the drainage capacity of any natural watercourse or where the watercourse represents a hazard to the proposed development.

Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the MNDNRF in accordance with provincial legislation.

All new applications for plans of subdivision or condominium, commercial, industrial and institutional developments shall include stormwater management plans and possibly Master and/or lot grading and drainage plans which are intended to minimize stormwater volume and contaminants, prevent loss of life, minimize community disruption and property damage, and maintain and enhance surface and ground water resources.

Proposed developments may be required to increase or maintain the extent of vegetative and pervious surfaces which will be implemented through site plan approval and/or other tools, as needed.

5.8.7 DEVELOPMENT HAZARDS, PLACEMENT AND DUMPING OF FILL



Proposals for development or placement or removal of fill shall not be permitted in any hazardous site or land that could be unsafe as a result of naturally occurring processes or contamination, unless it can be demonstrated, to the satisfaction of the Township that:

- the hazard can be safely addressed, and the hazard will not result in public health, safety or potential property damage;
- no new hazards are created, nor existing hazards aggravated;
- no adverse effects to protected features will result from the development;
- vehicles and people have a safe way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and,
- the development does not include institutional uses, essential emergency services or the disposal, manufacture, treatment, or storage of hazardous substances. Development in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards shall not be permitted unless it has been demonstrated that the site has access appropriate for the nature of the development and the natural hazard.

Expansions to existing uses will be discouraged.

However, in reconstruction and/or minor alterations to existing buildings and structures, and additions or extensions which are not likely to incur significant flood damage; and will not result in impediments to flow or floodwater storage, may be considered by the Township.

No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the province. Where required under the federal Fisheries Act prior written authorization from Fisheries and Oceans Canada must be obtained. Where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authority must be obtained where any development impacting such watercourses or water bodies is being proposed.

Site alteration and placement and dumping of fill shall be done in accordance with Township by-laws; and may require a drainage and grading plan.

All aspects of water control and grading impacts shall be considered when planning placement or dumping of fill and/or any other site alteration such as removal of topsoil, introducing or expanding impermeable surfaces, and changing of the grade/slope of the land.

Potential impacts to consider include:

- environmental impact on receiving waters;
- protection of the roads, ditches, culverts, boulevards and storm water drainage patterns; minimization of possible injury and property damage;
- land use conflict related to the Official Plan land use designation, Comprehensive Zoning By-law and other planning controls; and
- any other potential adverse effects.



All imported fill and soils regraded or distributed on any lands shall not have any chemical qualities or compounds that are greater than the native material on the site. There shall be no degradation of existing soil quality and groundwater quality as a result of any site alteration.

For commercial fill or where greater than 1000 m³ of fill is being dumped or where the resulting proposed grade will be greater than 3 metres above or below adjacent existing grade; Ontario Reg. 406/19 under the Environmental Protection Act “On-Site and Excess Soil Management Regulation” will apply.

Hazardous sites will be placed in the Open Space-Hazard Land land use designation.

5.8.8 SOLID WASTE DISPOSAL

The Township shall ensure that its waste management systems are of an appropriate size and type to accommodate the present and future requirements of the residents; and will facilitate, encourage, and promote reduction, reuse, and recycling by providing recycling facilities at waste disposal locations receiving domestic waste. All private waste management sites shall require an amendment to this Official Plan.

The Township has one active municipal waste disposal site, located eight kilometres west of the town of Manitouwadge, on Caramat Road, for which the capacity will be reached in approximately 2046 at the current growth rate.

The Township will need to work with the province to seek an expansion approval.

In planning for additional waste disposal capacity, the applicable environmental assessment process under the Environmental Protection Act shall continue to be followed.

There are two closed non-municipal waste management sites, one located in Gemmel Township, and the other on Lot 3 Concession 10.

Prior to the development of any of the above noted lands for other uses, or of lands within 500 metres of a waste disposal facility, the following provisions shall be addressed and satisfied:

- where development is proposed for lands that had been used for the disposal of waste within the last 25 years, approval must be obtained from MECP stating that the development satisfies the provisions of section 46 of the Environmental Protection Act;
- where development is proposed within 500 metres of an active or closed waste disposal facility, engineering studies prepared in accordance with MECP D-series Guidelines will be required to demonstrate that there will be no adverse effects, risk to health and safety, or negative impacts on the proposed development due to its proximity to the waste disposal sites. Such studies shall consider the hydrogeology of the site, gas migration, and



possible leaching from the site, the nature of the wastes that are contained in the site, vermin or other impacts;

- in accordance with MECP D-series Guidelines, where development is proposed beyond 500 metres of an active or closed waste disposal facility, engineering studies may be required where known hydrogeological conditions (as identified by MECP), or where engineering studies within 500 metres of active or closed waste disposal facility, identify the need for further study; and,
- development or operation of a private waste disposal facility as a commercial business shall require an amendment to this Official Plan and may not be supported as new uses of this nature are not generally encouraged within the Township. Required technical studies should also address impact of the proposed lot creation/development on the future expansion of the waste disposal site.

All waste disposal facilities shall have frontage on a publicly maintained, year-round road.

New housing developments or any other applications for approval will be considered against the capacity of the waste disposal site.

Solid waste disposal will be located in the Waste Disposal land use designation.

5.8.9 CONTAMINATED SITES (BROWNFIELD SITES)

Potentially contaminated sites or contaminated sites commonly known as “brownfields” typically involve lands that were previously used for industrial, transportation, or utilities purposes, including some commercial uses where fuel storage and/or dispensing occurred.

Such sites will be mapped by the Township; but will not be a separate Schedule to this Official Plan. On any site that supported one of the above land uses or where contamination is known or suspected to be present on a property that is the subject of a planning application, approval will be contingent upon the preparation and filing of a Record of Site Condition statement, either completed in advance of the relevant planning decision or established as a condition of the removal of a holding zone. Brownfield sites 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 effects.

If a holding zone has been used, to ensure that site contamination has been addressed prior to development, the holding symbol shall be lifted once the site has been remediated to the Ministry of Environment, Conservation and Parks (MECP) standards for the new use.



In any land use designation, where the land use is changing to a more sensitive use, or where a facility is proposed that will be used by youth, such as a community centre, a Record of Site Condition must be filed with the MECP.

A holding symbol shall not be used in situations where the extent of the suspected contamination is such that it is possible that remedial measures either cannot be implemented or would be impractical. In such instances, the Record of Site Condition shall be completed in advance of any land use decision.

The Township may encourage and where possible assist in the identification and study of sites where contamination is known or thought to exist and where no current development proposal is involved. Sites, once confirmed as brownfield sites will be shown on Schedule B Development Constraints map as they are identified as a housekeeping amendment.

If a development application involves property previously used for industrial, commercial or institutional uses, submission of a Record of Site Condition in accordance with MECP may be required.

5.9 CROWN LANDS

The Ministry of Northern Development, Natural Resources and Forestry (MNDNRF) has the lead role for the care and management of Ontario's Crown land and water. The Township recognizes that resource management activities on Crown Lands are desirable for environmental, social and economic reasons.

The MNDNRF 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.

Authorization for occupation or use of Crown Lands is required from the MNDNRF.

Resource management activities shall be conducted in accordance with the standards and guidelines established by the MNDNRF as appropriate.

Development proposals on lands adjacent to Crown Lands shall be reviewed in consultation with the MNDNRF.

For any Crown Land that is shown on a Schedule to this Official Plan or the Manitouwadge Comprehensive Zoning By-law as designated or zoned, is aspirational only or it is reflective of the use that is subject to agreement outside of the Planning Act, such as Land Use Permit for example.



5.10 CLIMATE CHANGE, AIR QUALITY AND ENERGY CONSERVATION

5.10.1. GENERAL POLICIES

To encourage the economical and efficient use of energy within the Township, to improve or maintain good air quality and to reduce climate change and impacts, the following criteria should be considered when reviewing development proposals:

- development should be compact and contiguous with existing development;
- medium and high-density development is encouraged in the core areas of the Townsite, especially along major transportation corridors;
- existing underutilized areas, vacant lots and existing underutilized buildings are encouraged to intensify their use to promote more medium and high-density development;
- mixed land use developments with complementary, diverse and concentrated uses is encouraged. In particular, a closer integration of employment, education, recreation, shopping opportunities and other services should be within easy access of residential areas, thereby minimizing travel distances and, wherever possible, increasing opportunities for pedestrian and bicycle access. Concentrated, mixed use development of the downtown core area in the Townsite is, therefore, encouraged;
- major public facilities, employment and commercial services should be located in the Commercial Core Area or in major activity nodes where they can be easily accessed by public transit;
- shared parking facilities shall be encouraged;

- in the design of residential, commercial and industrial subdivisions, Manitouwadge shall encourage street layouts and the siting of buildings that provide for passive solar features, with particular regard for solar access on winter days for all solar collector panels and south-facing glass on existing and proposed buildings;
- the design of residential, commercial and industrial subdivisions, and pedestrian areas, the siting of buildings, and the location and type of vegetation proposed for a development should, whenever possible, have regard to proper wind orientation that reduces the energy consumption in buildings and provides acceptable comfort levels for pedestrians;
- the Township shall continue to promote energy conservation by taking steps to reduce consumption of energy, where feasible, in all municipally-owned and operated facilities and equipment, including garbage disposal, piped services and maintenance systems, and public building designs;
- development should be phased to effectively use existing facilities, services and resources and to create a cohesive urban form;
- building and site design concepts that incorporate energy conservation features shall be encouraged. Drawings submitted for site plan approval should indicate, where Council deems it necessary, such details as solar orientation, wind patterns, surfacing,



surrounding structures, pedestrian links, parking facilities and building design features that may affect the energy efficiency of the proposal and surrounding area; and,

- a public information program shall be pursued to educate citizens on energy conservation, community and site planning techniques and benefits.
- direct new rural development to existing roads;
- retain vegetation wherever possible;
- plan stormwater management, drainage, promotion of permeable surfaces, and protection of free ecological services such as natural flood and drought attenuation provided by in-tact ecological systems through shoreline and riparian protection measures; and
- encourage compatible opportunities and projects that foster alternative or renewable energy initiatives, both as a source of individual power service and as a commercial undertaking, and to encourage access to transportation and distribution systems for energy initiatives.

5.10.2 ALTERNATIVE ENERGY SYSTEMS

Alternative energy systems and renewable energy systems may be permitted in accordance with provincial and federal requirements.

These systems should be designed and constructed to minimize impacts on agricultural operations. Individual use of alternative energy supply through wind turbine or solar facilities (wind facilities of 3 kilowatts or less and solar facilities of 10 kilowatts or less) will be permitted in all Rural or Rural Residential land use designations, subject to the zoning by-law provisions regulating wind turbine and solar facilities. Anything larger will be subject to a site-specific amendment to this Official Plan, zoning and site plan approval.

Approvals for wind turbines shall also be in accordance with the Provincial Technical Guideline for Renewal Energy Approvals, Chapter 3: Required Setbacks for Wind Turbines.

5.11 FORESTRY AND WILDLAND FIRES

5.11.1 FORESTRY

Forestry resources are considered to be an important component of the Township's long-term economic development.

Innovative forestry management arrangements and practices will be encouraged as a means of maximizing economic benefit from forestry resources within the Township.



Harvesting of forest resources shall be a permitted use in the Rural land use designation, however, shall maintain 30 metres forest cover and/or riparian vegetation from the watercourse or waterbody high-water mark.

The NDMNRF administers the Crown Forest Sustainability Act under which a permit is required prior to harvesting timber on Crown Land or on private land to which the timber is reserved to the Crown.

5.11.2 WILDLAND FIRE

The Township is committed to protecting its residents from wildland fire risks and costs.

Accordingly, development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire, shown on Official Plan Schedule C MNDNRF Wildland Fire Risk Map.

Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the MNDNRF. The wildland fire assessment shall be required as part of the planning justification and complete application.

5.12 NATURAL AND CULTURAL HERITAGE INCLUDING ARCHAEOLOGY

It is the intent of the Township to:

- to protect the integrity of ecosystems by protecting natural heritage features, including: areas of significant wildlife habitat, habitat of threatened and endangered species, significant wetlands, fish habitat, and significant areas of natural and scientific interest (ANSI); and,
- To encourage the identification and conservation of significant cultural heritage resources, which include archaeological resources, rooted in engagement with local Indigenous communities.

Provincially and locally significant features will be in the Environmental Protection land use designation; and be protected from development in accordance with the policies specific to the protected value.

5.12.1 NATURAL HERITAGE

The Township is located within Ecoregion 3E (Lake Abitibi Ecoregion), with long, cold, snowy winters and short and warm summers. Ecoregion 3E falls within the Boreal Forest Region, where the vegetation includes black spruce, white spruce, balsam fir, jack pine, tamarack, white birch,



trembling aspen, and balsam poplar constituting the main forest species. As with the vegetation, the fauna of the ecoregion is typically boreal; with characteristic mammals, including moose, gray wolf, American marten, Canada lynx, snowshoe hare, red squirrel, beaver, and eastern red-backed vole.

Although rich in natural heritage, there are no Earth Science Areas of Natural and Scientific Interest (ANSI) or candidate ANSI within the Manitouwadge area.

Natural heritage features and areas shall be protected for the long term. Diversity and connectivity of natural features and the long-term ecological function and biodiversity of natural heritage systems shall be maintained, restored, and where possible improved; and should consider the nearby natural heritage features and areas, including watershed features, parks, conservation reserves/areas, hazards lands and open space during the review process for any planning approval.

The Township shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known values located within the Township.

In addition, data and maps of any land use designation or locally significant value within the Township shall be maintained as it becomes available for the planning review.

The Township may, where financial resources permit, regularly update its natural heritage mapping under the provisions of the municipal/provincial data sharing agreement.

5.12.1.1 Tree Canopy

Being a northern and rural municipality, tree canopy and natural vegetation will be maintained through the existing Official Plan policies that limit development, shoreline development policies, forestry limitation policies; the Environmental Protection land use designation and the Natural Heritage policies; while also limiting wildland fire risks.

5.12.1.2 Significant Wildlife Habitat

- Development and site alteration shall not be permitted in or adjacent to significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions;
- Adjacent lands to significant wildlife areas are defined to be 120 metres from the boundary of the feature;
- Preliminary ecological assessment may be conducted based on existing mapping, existing local knowledge, and/or site visitations when development and/or site alteration is proposed. If the proposed development is within or adjacent to a significant wildlife



habitat, the Ministry of Northern Development, Natural Resources and Forestry (NDMNRF) will be contacted for information and guidance for such assessment;

- Significant wildlife habitat can include but is not limited to: habitats of seasonal concentration of animals; rare vegetation communities or specialized habitat for wildlife; habitat of species of conservation concern; and animal movement corridors; and,
- Where preliminary assessment indicates the likely presence of significant wildlife habitat, an Environmental Impact Study will be required (see section 5.12.1.6. Environmental Impact Study).

5.12.1.3 Habitat of Threatened or Endangered Species

- Development and site alternation shall not be permitted in significant habitat of species listed on the Species at Risk in Ontario List as threatened or endangered species; and shall not be permitted on 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 habitat or its ecological functions;
- Adjacent lands for threatened and endangered species are deemed to be 120 metres unless there are other site-specific considerations such as species habits, type of development, and/or landscape characteristics that may warrant extension or retracting of this distance;
- Preliminary ecological assessment may be required when development and/or site alteration is proposed in order to determine if the initiative is in or adjacent to significant habitat of threatened or endangered species, and such assessment will typically be based on existing mapping and reference information, existing local knowledge, and field investigation;
- Where preliminary assessment indicates the present of significant habitat of threatened or endangered species an Environmental Impact Study (see section 5.12.1.6. Environmental Impact Study) will be required in instances where the Ministry of Environment, Conservation and Parks (MECP) indicates that the habitat may be impacted by the proposed activity; and,
- Consultation with the MECP shall occur where such habitat is being evaluated.

5.12.1.4 Provincially Significant Wetlands

Wetlands are areas where the land is wet either permanently or seasonally; and result in water-logged soils and the growth of water tolerant or water favouring plants. Wetlands typically occur along the edges of lakes and watercourses, or in areas where water pools for at least a part of the year; and approximate locations are shown on Schedule A and B maps. Those which are Provincially Significant have been evaluated using Ontario's Wetland Evaluation System.

No wetlands occurring in the Township have been evaluated.



Adjacent lands are defined to be lands within 120 metres of the boundary of a significant wetland.

Where development is proposed within 120 metres of a wetland feature, a preliminary or full evaluation will be required depending on the scale of the project and the proximity of the wetland in question.

All wetlands containing fish habitat and all lakes shall have a minimum setback of 30 metres from top of bank implemented through zoning. Development and site alteration shall not be permitted in significant wetlands unless it has been demonstrated through an Environmental Impact Study (see section 5.12.1.6. Environmental Impact Study) that there will be no negative impacts on the natural features or ecological functions.

5.12.1.5 Fish Habitat

Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. All streams in Manitouwadge are assumed to be cold water streams by the MNDNRF; and as such are protected with a 30-metre setback.

If a cool or warm water creek is identified, the setback will be less, in accordance with the “MNRF Natural Heritage Reference Manual” setbacks. All naturally occurring watercourses and waterbodies are considered to be fish habitat unless it can be demonstrated in a report by a qualified professional that the feature does not contain fish habitat as defined by the Fisheries Act.

Development adjacent to fish habitat, where permitted by other applicable policies of this plan, may be permitted provided that the ecological functions of the adjacent lands have been evaluated and it has been determined that there will be no negative impacts on the fish habitat.

For the purposes of this policy, adjacent lands shall be considered to be all lands within 120 metres of the normal high-water mark of any watercourse or waterbody. Alteration, disruption, or destruction of fish habitat shall not occur unless prior authorization has been secured from Fisheries and Oceans Canada as required under the federal Fisheries Act. All wetlands, water bodies and natural watercourses should have a vegetated setback of 30 metres.

Setbacks may be increased or decreased based on results of evaluations.

5.12.1.6 Environmental Impact Studies

Where preliminary ecological assessment or screening indicates there is a potential for impact or adverse effect on any natural heritage value, an Environmental Impact Study (EIS) shall be



prepared by a qualified professional in accordance with Ontario regulation(s). The EIS shall include but not be limited to:

- A detailed description of the natural heritage features of the study area, including: terrain setting; soils; geology; groundwater and surface water resources; vegetation communities; fish and wildlife communities and habitat; and delineation of the boundaries of the natural heritage feature(s);
- A characterization of the existing ecological, hydrological and hydrogeological functions performed by the significant feature(s);
- A detailed description of the proposed development, including building type and density, servicing (sewage disposal, water supply) and infrastructure (roads, stormwater management, etc.);
- A prediction as to potential impacts (direct, indirect and cumulative) of the development on the natural and physical environment, including climate change, taking into account the watershed scale where possible;
- The identification and evaluation of measures/ options to avoid, reduce or otherwise mitigate impacts to meet the standard of no loss of feature and function (no negative impact);
- The selection of a preferred mitigation/rehabilitation strategy;
- A summary of predicted net effects after the application of mitigation compared to overall environmental targets and standards; and,
- An evaluation of the elements required and the need for a monitoring program to assess the effectiveness of the preferred mitigation/rehabilitation strategy.

To conserve significant natural heritage resources, the Township may utilize:

- zoning by-law;
- demolition control by-laws;
- interim control by-laws;
- subdivision development agreements; and,
- financial incentives such as Community Improvement.

Where an EIS is required, it shall be included in the planning justification; and may include the requirement for a peer review at the cost of the applicant.

5.12.2 CULTURAL HERITAGE AND ARCHAEOLOGY

Cultural heritage resources include archaeological resources, built heritage resources and heritage landscapes. This Official Plan uses PPS definitions.

The Township encourages the identification, conservation, protection, restoration, maintenance, and enhancement of significant cultural heritage resources.



New development shall conserve significant cultural heritage resources and shall incorporate these resources into new development plans.

Where applicable, planning justification for all new development must show that the project preserves and enhances the context in which any significant cultural heritage resources are situated; and in doing so, has considered the interests of Indigenous communities. Criteria for determining whether a cultural heritage resource is significant are recommended by the province, but municipal approaches that achieve or exceed the same objective may also be used.

The Township may require a heritage impact assessment conducted by a qualified professional whenever a development has the potential to affect a significant cultural heritage resource. Development and site alteration are not permitted on land adjacent to (i.e., contiguous with) a significant heritage property except where the proposed development and site alteration has been evaluated by a qualified person; and it has been demonstrated that the heritage attributes will be conserved.

To conserve significant heritage resources, the Township may utilize:

- zoning by-law
- demolition control by-law
- interim control by-laws
- subdivision development agreements
- financial incentives such as Community Improvement Plans
- heritage conservation easements
- grants and loans for heritage conservation.

A Municipal Heritage Committee may be established pursuant to the Ontario Heritage Act, to advise and assist Council on conservation matters relating to heritage resources.

The Township Clerk shall maintain a register of all properties designated under the Ontario Heritage Act. The register may also contain properties with heritage conservation easements and properties that are not designated, but which are considered by Council to be significant. The policies of this plan regarding the identification and conservation of significant cultural heritage resources also apply to the undertaking of municipal public works. The Township shall encourage local utilities companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not negatively impact cultural heritage resources. The Township may seek the acquisition of easements on properties with cultural heritage significance in order to assure the preservation of these resources in perpetuity.

5.12.2.1 Archaeology



The Township shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known archaeological sites located within the Township. In addition, Ministry of Heritage, Sport, Tourism and Culture Industries data and maps of any land use designation or locally significant heritage buildings or structures, mapped areas of archaeological potential and/or cultural landscapes within the Township shall be maintained as it becomes available for us in the planning review.

Where a development proposal or site alteration encroaches on lands with archaeological resources or is within an area considered to have archaeological potential, the Township shall require an applicant to undertake an Archaeological Assessment of the lands to determine the nature and extent of the resources on the site. Archaeological assessments are to be undertaken prior to any ground disturbing activities.⁵

The Township may, where financial resources permit, regularly updated municipal archaeological resource mapping under the provisions of the municipal/ provincial data sharing agreement. The Township with the advice of the Ministry of Heritage, Sport, Tourism and Culture Industries may undertake the preparation of an Archaeological Management Plan to identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Township having archaeological potential. The Management Plan may also outline policies, programs, and strategies to protect significant archaeological sites. The Township shall require archaeological assessment by archaeologists licensed under the Ontario Heritage Act in areas where there are known archaeological resources and/or areas exhibiting archaeological potential within the boundaries of Manitouwadge.

Alterations to known archaeological sites must only be performed by licensed archaeologists. Preservation of archaeological sites in an intact condition is the preferred means for the mitigation of impacts to archaeological sites. Excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.

The Township shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Heritage, Sport, Tourism and Culture Industries and the Ministry of Government and Consumer Services when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply. Provincial Criteria for determining archaeological potential:

- known archaeological sites within 300 metres
- water source (primary, secondary, ancient) within 300 metres
- elevated topography (e.g., knolls, drumlins, eskers, plateaux)
- unusual land formations (e.g., mounds, caverns, waterfalls)
- resource-rich area (concentrations of animal, vegetable or mineral resources)
- non-aboriginal settlement (monuments, cemeteries)
- historic transportation (e.g., road, rail, portage)
- property protected under the Ontario Heritage Act



- local knowledge
- recent disturbance (extensive and intensive)

Local knowledge has identified that at the time the Manitouwadge orebodies were discovered in the early 1950's there was an aboriginal family living at what is now known as Lion's. The current-day Lions Beach has likely been altered from the original but the site probably has high potential to contain some artefacts. Should any type of development/privatization take place, local Indigenous communities should be engaged.

5.12.2.2 Marine Archaeology

The Township recognizes that there may be marine archaeological remains from the pre-contact period through to the modern era up to the last 50 years. These marine archaeological resources may include the remains of ships, boats, vessels, artefacts from the content of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft, and other items of cultural heritage significance. The remains may currently be, or at one time, submerged under water. The Township may require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage significance are identified and impacted by shoreline and waterfront developments.

5.13 MINERAL AGGREGATE RESOURCES, MINERAL RESOURCES, AND MINING HAZARDS

5.13.1 MINERAL AGGREGATE RESOURCES

Mineral aggregate resources are defined under the Aggregate Resources Act, suitable for construction, industrial, manufacturing and maintenance purposes.

Areas of known mineral aggregate deposits are shown on Schedule B Development Constraints map.

The Township of Manitouwadge does not fall within the Designated areas under the Aggregate Resources Act (ARA) which means that private land aggregate operations are governed by municipal by-laws and agreements for either new or expanding permit/quarry operations.

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment or continued use or access to the resources shall only be permitted if:



- resource use would not be feasible; or
- the proposed land uses or development serve a greater long-term public interest; and,
- issues of public health and well-being, public safety and environmental impact are addressed.

Adjacent lands may also include those which fall in adjoining municipalities or unincorporated townships. Any new mineral aggregate or mining operations for which any adverse effects may impact Township resources and/or its residents shall include input from the Township based on the policies within this Official Plan.

New or expanding mineral aggregate extraction, including pit and quarry operations, shall be separated from sensitive land uses and screened from view to the greatest extent possible.

New or expanding mineral aggregate extractions, including pit and quarry operations of any size shall be undertaken in a manner which minimizes social and environmental adverse effects to a negligible level demonstrated through appropriate studies as part of the planning justification.

Studies shall include but not be limited to including traffic impact and safety, noise, vibration, dust and other contaminants/emissions, and ground and surface water impact studies to determine the influence area of the operation.

New or expanding mineral aggregate extraction operations shall not adversely affect existing and future adjacent land uses; and be subject to Official Plan amendments, zoning and site plan control, as determined by the Township.

Study requirements to support the development and ensure no adverse effects will be similar to those which may be required under the ARA; and shall include contingency plans for addressing adverse effects that may arise in the future; for example, noise, groundwater, dust, emissions, contamination, traffic, visual, vibration.

Where potential impacts or adverse effects cannot be appropriately mitigated, planning approvals will not be supported.

As a minimum, studies may treat pits and quarries as Class III industrial facilities in MECP D-series Guideline: Compatibility between Industrial Facilities and Sensitive Land Uses. Blasting operations shall be in compliance with MECP Guidelines NPC - 119 for Blasting.

The Township may enact by-laws under the Municipal Act to regulate aspects of operations such as, but not limited to road use, rehabilitation and noise creation. Any costs required for improvement to a public property or rehabilitation due to a new or expanded pit or quarry shall not be at public expense.

The Township and the developer may enter into a performance agreement that would address:

- arrangements for rehabilitation;



- the posting of a performance bond or letter of credit to ensure that rehabilitation is completed;
- provisions for buffering or screening;
- assurances that polluted water from washing or screening is not discharged into any creek, wetland or watercourse;
- timing of blasting operations and other noise and vibration creation;
- protection of the water table; and,
- traffic.

A Rehabilitation Master Plan shall be required. Rehabilitation to accommodate subsequent land uses and surrounding land uses shall be required and shall be completed in a timely manner progressively or after extraction and other related activities have ceased. Rehabilitation shall be required to promote land use compatibility, to recognize the interim nature of extraction and to mitigate negative impacts to the extent possible.

Comprehensive rehabilitation planning may be required where three or more operations are within 1 kilometre of each other.

Rehabilitation standards shall be consistent with those in the ARA.

Extraction operations should conserve resources including use of accessory aggregate recycling facilities within an operation where feasible.

Existing operations seeking to expand operations are subject to the policies of this plan, zoning and site plan control.

Any issues or assessment related to depth of extraction shall be addressed using the ARA as a standard.

Cultural heritage resources shall also be considered in the planning justification when new areas for aggregate operations are being considered. Prior to the establishment of a new aggregate pit or quarry or expansion of an existing operation, an archaeological assessment by a qualified professional shall be completed to the satisfaction of the province and any cultural heritage resources that may be identified on the site shall be conserved in accordance with the recommendations of an archaeological assessment. New aggregate extraction including pit and quarry operations are permitted in areas of known deposits through re-zoning and site plan approval.

Site plans shall include the requirements under the ARA and the following:

- the legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
- the existing use of land and the location and use of all buildings and structures lying within 300 metres of the property that is the site of the extractive operation;



- existing and anticipated grades of extraction, extent of extraction area, setbacks from the limits of extraction to the property line, and screening and buffering;
- the location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property
- all entrances and exits;
- limits of development, road plan, water drainage, storage and management, location of stockpiles;
- the surface water bodies, groundwater uses, Wellhead Protection Areas, and any other features identified through the source protection planning process be shown on the plan; and,
- progressive and ultimate rehabilitation plan based on the Rehabilitation Master Plan including, but limited to topography, contours, grading, stabilization of banks, fill, drainage, and re-vegetation.

5.13.2 MINERAL RESOURCES

Significant areas of mineral deposits have been identified on Schedule B Development Constraints map. Mineral resources include all minerals not regulated under the Aggregate Resources Act. Mineral resources are regulated under the Mineral Resources Act administered by the Ministry of Energy, Northern Development and Mines (ENDM). Known mineral deposits and areas of significant mineral deposits shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Development and activities which would preclude or hinder the establishment of new operations or access to the resources in areas of known mineral deposits and significant areas of mineral potential or adjacent lands shall only be permitted if:

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

The MNDNRF shall be consulted with regards to development in or adjacent to the areas of mineral potential.

Federal, Provincial or joint Environmental Assessments may be required in order to develop mineral resources, followed by Federal and Provincial approvals.

New mineral resource operations shall use best practices and technologies to minimize impacts on sensitive land uses, and environmental, economic and environmental well-being, including public health.



New mining operations are subject to the same policies as new aggregate operations in section 5.13.1 above with respect to impact assessment, contingency plans, Rehabilitation Master Plan, Municipal By-laws under the Municipal Act, performance agreements, and costs.

Adjacent lands may also include those which fall in adjoining unincorporated townships. Any new mining operation proposal for which any negative effects may impact the Township of Manitouwadge resources and/or its residents shall include input from the Township based on the policies within this Official Plan. Influence areas and separation distances will be used to avoid incompatible land uses. An influence area is not a strict buffer or setback area where development is automatically prohibited. Within the influence area, development may be permitted where it is clearly demonstrated through planning justification supported by technical studies (see Section 7.10.1), that adverse effects will be mitigated; including demonstrating that the quality and quantity of ground water on adjacent properties will not be compromised where excavation occurs below the water table. A separation distance establishes a minimum horizontal distance between incompatible land uses. Proponents through planning justification should demonstrate how conservation of cultural heritage resources shall occur when considering the establishment of new areas for mineral extraction or when considering the establishment of new operations of the expansion of existing operations. Any adverse effects or negative impacts shall be mitigated. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible. New mineral extraction operations are permitted through rezoning the appropriate MNDNRF approval process.

The site plan shall include the requirements under the Mining Act and:

- The legal limits of the property, contours, dimensions, site area, location, and the extent of any adjacent property owned by the applicant;
- The existing use of land and the location and use of all buildings;
- Existing and anticipated grades of extraction, extent of extraction area, buffering; and structures lying within 300 metres of the property that is the site of the extractive operation;
- The location, height, dimensions, and use of all buildings or structures, and location of machines existing or proposed to be erected on the property;
- All entrances and exits;
- Limits of development, road plan, water drainage, storage and management, location of stockpiles;
- Completion of ground and surface water studies to assess the impact of the extraction operation (both during and post), any water taking, and the return of process water upon the areas water resources; and,
- Progressive and ultimate rehabilitation plan including topography, contours, grading, stabilization of banks, fill, drainage, and re-vegetation. Mine plan approval including a closure plan rests with NDMNRF prior to commencement of advanced exploration activities and/or mining operations.



5.13.3 MINE HAZARDS

Mine hazards are shown on Schedule B Development Constraints map.

Where abandoned mining operations exist as part of lands proposed for development or within 1,000 metres of lands proposed for development, Regional Land Use Geologist – Northwest will be consulted so that the most up to date information and advice can be provided to the Township in the interest of public safety. The Regional Land Use Geologist may involve other technical experts within NDMNRF as required to assist with evaluation of the hazard. Evaluation and remediation of the hazard will be undertaken as required by O.Reg. 240/00: Mine Development and Closure Under Part VII of the Mining Act. 3.9

5.13.4 ASPHALT AND CONCRETE PLANTS AND WAYSIDE PITS AND QUARRIES

5.13.4.1 Portable

Wayside pits and quarries, portable/temporary asphalt and/or portable concrete plants used on public authority contracts shall be permitted without the need for an Official Plan amendment, rezoning, or development permit under the Planning Act, in all areas, except where those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

Upon completion of the particular contract related to the portable facility, the facility will be removed; and the site will be appropriately rehabilitated.

Operation of a portable asphalt or portable concrete plant shall not occur unless the plant has an Environmental Compliance Approval (ECA) (Air) under the Environmental Protection Act for the equipment/ processing required to address air emissions, noise, particulate and odours.

5.13.4.2 Permanent

Permanent asphalt and/or concrete plants associated with private aggregate and/or quarrying operations will require specific rezoning recognition including an Environmental Compliance Approval (ECA) and will be considered on their individual merits through the zoning process subject to the policies of section 5.13.1.

5.14 AGRICULTURAL USES

The Township recognizes the importance of local food production in building a healthy, resilient community and region.



The Township encourages both urban- and rural-scaled agriculture in compatible locations with soil that has not previously been at a location utilized for industrial use or commercial use where contamination may have occurred.

There are no Prime Agricultural areas present in the Township as defined by the PPS; and no parcels of land large enough for traditional farming. It is the goal of the Township to create rural use lots to accommodate agriculture.

Urban-scaled agriculture refers to the production and harvesting of local food products within the townsite and includes small-scale commercial production, the growing of produce (i.e., fruits and vegetables) and flowers in community gardens including food forests and orchards, institutional gardens, greenhouses, and smaller scale household gardening on public and private land, in compatible locations where soil is free of contamination including on rooftops; but excludes the raising of any animals, livestock or poultry, including chickens. Limited animal husbandry may be permitted in community gardens subject to zoning.

Rural-scaled agriculture refers to all urban-scaled agriculture plus animal husbandry and full-scale farming activities such as those defined as agricultural uses, agricultural-related uses, on-farm diversification uses, and normal farm practices by the province, which require larger areas and setbacks in accordance with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Minimum Distance Separation formulae and guidelines.

The township encourages processing plants, distribution sites and open food markets in appropriate zones.

5.15 ECONOMIC DEVELOPMENT AND EMPLOYMENT

5.15.1 ECONOMIC FEASIBILITY

The Township shall consider the financial status of the Township and residents alike in the evaluation of development and improvement proposals. Every attempt shall be made to ensure that development and improvement projects are not premature and/or do not place a financial burden upon the Township, which may include the requirement for an Economic Feasibility Study to support a development application (see 7.10.1 Complete Application).

5.15.2 EMPLOYMENT AREAS

Employment Areas encompass lands where people presently work and lands where employment opportunities will be provided in the future.

The Official Plan Employment Areas include Commercial and Industrial Land use designations.



The Township's employment targets are 830 jobs by 2046.

There is currently sufficient area to support the target.

The Township shall ensure a supply of serviceable land in appropriate locations designed to meet the employment targets and to facilitate a positive climate for institutions, businesses, industries, and employees to locate, diversify and grow.

To that end, most locations in the Employment Area, shall be fully serviced, connected, and compatible with the surrounding area.

Site plan control may be used for larger-scale or complex development proposals which require measures to mitigate potential adverse effects (see section 5.4 Compatible Development).

5.15.3 HOME-BASED OCCUPATIONS AND INDUSTRIES

Home-based occupations and industries are an important component of economic development and diversification.

Home occupations are permitted in all residential areas. Home industries that may have adverse effects or require more space, such as transport truck or large machine parking, are directed to Rural Residential or Rural land use designations.

A home-based occupation industry is a private, legal business activity undertaken in the home that preserves the dominant character of the neighbourhood; is clearly secondary to a principal use; takes place entirely within the dwelling and an accessory building, and is compatible with the land and adjoining residential properties, particularly in terms of noise, vibration, dust, odour, visual impacts, contaminants or other emissions. It is operated only by a person residing within the dwelling unit.

The parking of service vehicles related to a home industry use shall be limited to a private garage. Transport trucks may not be parked or stored in residential areas.

Entrances serving home occupations, businesses or industry located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation; and that an additional entrance will not be permitted to accommodate home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.



Open storage and advertising are only permitted through appropriate zoning regulations.

Home-based occupation and industry policies are implemented through Zoning By-law regulations and site plan control where implementation of mitigation measures is required.

A home-based occupation or industry shall never be zoned commercial or become a legal non-conforming commercial use; but may be subject to a Township licence requirement.

5.15.4 COMMERCIAL DEVELOPMENT

Larger-scale commercial development is encouraged to be located in Corridor Mixed Use and Village Centre land use designations where it is compatible with the surrounding uses in order to meet the long-term requirements of the community and that of the travelling public and short-term residents.

The Township supports small-scale neighbourhood commercial development that is compatible with residential areas to serve the day-to-day needs of local residents, including short-term residents.

New commercial uses shall:

- ensure adequate space is available for efficient lot-level freight and traffic movement;
- be located on full municipal services in a location which satisfies the Plan objectives;
- ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management, drainage and implementation of any other mitigation measures;
- be supported by any other site-specific studies to evaluate and mitigate potential adverse effects (See section 5.4 and 7.10.1); and,
- be permitted through zoning and site plan control, as needed.

The number and level of detail of studies shall be appropriate to the scale, complexity and/or potential for adverse effects, as determined by the Township.

5.15.5 INDUSTRIAL DEVELOPMENT

The Township supports the maintenance, diversification and expansion of both light and heavy industries while ensuring compatibility with surrounding features. See section 5.4 Compatible Development.

Most industrial land will be serviced or have the potential to be serviced with a municipal water system or limited to a dry industrial use if in an unserviced area.



Industrial uses ranging from heavy to light will be placed in separate zones depending on the potential adverse effects. Lighter industrial uses will be permitted within the township. Heavy and extractive industrial will be directed to the areas outside of the township.

New industrial uses shall:

- ensure adequate space is available for efficient lot-level freight and traffic movement;
- ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management, drainage and implementation of any other mitigation measures;
- be supported by any other site-specific studies to evaluate and mitigate potential adverse effects (see Section 5.4 and 7.10.1); and,
- be permitted through zoning and site plan control, as needed.

The number and level of detail of studies shall be appropriate to the scale, complexity and/or potential for adverse effects, as determined by the Township.

5.16 INSTITUTIONAL DEVELOPMENT

The Township supports institutional development as a critical role in ensuring a vibrant and complete community.

Major institutional uses are generally directed to the Corridor Mixed Use land use designation and areas which are compatible.

Minor Institutional uses are generally directed to the Village Centre land use designation, but may also be permitted in the Residential land use designation to serve a local need.

New institutional uses shall:

- ensure adequate space is available for efficient lot-level freight and traffic movement;
- be located on full municipal services in a location which satisfies the Plan objectives;
- ensure adequate access, parking, landscaping, buffering, setbacks, safety features such as lighting and walkways, barrier-free access, storm water management, drainage and implementation of any other mitigation measures;
- be supported by any other site-specific studies to evaluate and mitigate potential adverse effects (see Section 5.4 and 7.10.1) and,
- be permitted through zoning and site plan control, as needed.

The number and level of detail of studies shall be appropriate to the scale, complexity and/or potential for adverse effects, as determined by the Township.



5.17 PARKS, RECREATION AND ACTIVE TRANSPORTATION

The Township supports the provision of sufficient lands, facilities and connections to meet the needs of the community for recreation and active transportation, and which are accessible to all ages and abilities.

New residential plans subdivision or condominium inside the townsite shall include sufficient land of suitable quality to meet the neighbourhood recreational needs, be connected by multi-use trails and/or sidewalks and/or dedicated bike lanes.

In the case of land dedication within the townsite, the following should be met for neighbourhood and community park facilities:

- Neighbourhood parks 0.5 hectares/1000 persons
- Neighbourhood playgrounds 0.5 hectares/1000 persons
- Community Parks 1 hectares/1000 persons

5.17.1 PARK LAND DEDICATION

The Township shall require, as a condition to the approval of a plan of subdivision or a severance, that land in an amount not exceeding, in the case of land proposed for commercial or industrial purposes, 2% or cash in lieu, or in the case of land proposed for all other purposes, 5% or cash in lieu, shall be conveyed to the Township for park or other public recreational purposes, including active transportation.

Where lands proposed for such dedication are of insufficient size or of poor quality, the Township shall not be obligated to accept such lands, and the ultimate decision as to the dedication of lands or cash in lieu shall be made by Council.

Where cash has been accepted as a parkland dedication, such funds shall be maintained in a separate account and utilized only for parkland acquisition or other public recreational purpose.

Council may choose to implement a Community Benefits Plan under Section 37 of the Planning Act.

Valuation of parkland dedication shall be determined the day prior to issuing of a building permit for payment in lieu; or the day prior to draft approval in the case of land dedication.

5.18 KENNELS

The Township recognizes the need for dog kennels. Kennels are not considered to be a home-based business, but may be permitted through re-zoning subject to on-site servicing capacity,



mitigation of potential adverse effects and the requirements of any applicable Township By-Law such as Noise and Property Standards.

Mitigation measures may include a minimum separation distance and/or visual barrier between a kennel and any adjacent land use which may be sensitive, physical noise barriers, limitation on the number of animals, and/ or limited times for pet pick-up and drop-off may be required to mitigate potential impacts.

All kennels must have sufficient land to accommodate onsite parking, vehicle movement, outdoor pet runs, and separation from drinking water source to avoid contamination from pet waste. Site plan control will implement any site design requirements and other mitigation measures, as needed.

5.19 TRANSPORTATION

The Township supports efficient and safe transportation for both people and goods which is compatible with land use and promote and serve orderly growth.

Roads should adequately serve the proposed development, with sufficient capacity to accommodate the anticipated traffic generated. Generally, uses that have the potential to generate large volumes of traffic should be located on arterial or collector roads to minimize the potential for traffic infiltration on local roads.

The planning of land uses in the vicinity of the airport shall protect its long-term operation and economic role by preventing the establishment of conflicting or sensitive land uses and ensuring land use conflicts are mitigated.⁶

5.19.1 ACCESS

The location of access driveways should not create a traffic hazard because of its concealment by a curve, grade or other visual obstruction. Access driveways should be limited in number and designed to minimize the dangers to vehicular and pedestrian traffic in the vicinity. Development shall only be permitted if access to and frontage on a public road is available or established as a condition of approval.

The location and orientation of vehicle access and egress should address matters such as the impact of noise, headlight glare and privacy loss on adjacent development or development on the opposite side. Uses that have the potential to generate a large amount of vehicular traffic should be located on arterial or collector roads.

When developing new subdivisions an attempt will be made to limit the number of roads which provide ingress and egress for the development onto any provincial highway or other major road.



5.19.1.1 Ministry of Transportation Access

Development shall only be permitted if access to and frontage on a public road, of adequate width and acceptable to the Ministry of Transportation (MTO) is available. No unopened road allowance will be opened by the Township until such time that Council considers it necessary and feasible. However, when the Township agrees that a road will be opened, the road shall be opened at the individual's expense and constructed to an acceptable standard. All new development shall have access to and frontage on roads maintained on a year-round basis.

Frontage along Provincial highways shall be subject to access limitations, in accordance with the MTO policies (see Section 5.19 Transportation below).

The location of access driveways should not create a traffic hazard because of concealment by a curve, grade or other visual obstruction. Access driveways should be limited in number and designed to minimize the dangers for vehicular and pedestrian traffic in the vicinity.

5.19.2 PARKING

The development should have adequate on-site parking to minimize the potential for spillover parking on adjacent areas. Opportunities to reduce parking requirement and promote increased usage of walking and cycling should be pursued.

Adequate parking facilities shall be provided for all uses within the Township. The implementing zoning by-law shall establish regulations for the amount, type and standard of parking facilities to be provided for various uses within the Township.

5.19.3 IMPROVEMENTS

It shall be the policy of this Plan that a continuous program of improvement to existing roads and bridges be undertaken within the Township. Provision shall be made in the zoning by-law for adequate set-backs for all new development having regard for the width and function of the abutting road. Where additional land is required for road widening, extensions or rights-of-way, such land may be obtained, by the appropriate agencies, in the course of approving plans of subdivision, development and redevelopment applications and consents for land severances. Council shall also attempt to preserve established roadside planting along roads in accordance with sound engineering practice.



5.19.4 CONVERSION TO PUBLIC ROAD

Unless it is clearly in the public interest, it is not intended that existing private roads will be assumed by any public agency. No responsibility for access, snow removal, maintenance or use by school buses is acknowledged. Before any private road or any new road in a plan of subdivision is assumed, appropriate standards must be met.

5.19.5 TRANSPORTATION NETWORK AND ROAD CLASSIFICATION

The Manitouwadge Transportation Network is shown on Schedule A of the Official Plan; and is intended to be compatible with the land use and to promote and serve orderly growth. The road pattern is designed to facilitate the safe efficient movement of people and goods for travel within and through the Township.

5.19.5.1 Road Classification

The roads of the Township, both existing and proposed, are classified according to their anticipated ultimate function.

Provincial Highways

Provincial Highway 614 will continue to provide a regional function as a major arterial route.

Direct access onto Highway 614 will be restricted. Proposals can be circulated to Ministry of Transportation to define exact requirements.

Development shall be encouraged to utilize local roads wherever possible. Where highway access is a possibility, it will only be considered to those properties that meet the requirements for the Ministry of Transportation's access management practices and principles.

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

Any new areas in the Township identified for future development that are located adjacent to or in the vicinity of a provincial highway or interchange/intersection within the Ministry of Transportation's permit control will be subject to the Ministry of Transportation's policies, standards and requirements.



Where a lot or unit creation is proposed or where planning approvals are required to facilitate a development of residential or other sensitive land uses in close proximity to provincial highways the submission of a noise impact assessment, to identify appropriate noise mitigation measures, may be required. Where required, such an assessment shall be completed by a qualified consultant; and shall describe noise levels anticipated and mitigation measures needed to achieve provincial standards for indoor noise levels.

A transportation study otherwise known as a traffic impact study may be required to address both the impact of new development on the provincial highway system, as well as any associated highway improvements that are required prior to approval of the development. Entrances serving home occupations, industry or businesses located adjacent to the provincial highways require the approval of Ministry of Transportation.

Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.

Outdoor storage and loading areas in the vicinity of a provincial highway must be visually screened or appropriately located so as not be visible to the travelling public.

The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a provincial highway.

Any new proposed access connection onto a provincial highway shall meet the Ministry of Transportation's access management practices and principles. Any proposals for snowmobile or trail crossings of provincial highways will require the prior approval of the Ministry of Transportation. Trails running along the right of way of a provincial highway are not permitted with the exception of those in accordance with the 2018 MTO Province-wide Cycling Network Study.

A drainage/storm water management report shall be prepared by the proponent; and reviewed and approved by the Ministry of Transportation for development located adjacent to or in the vicinity of a provincial highway whose drainage would impact the highway and/or downstream properties via the highway right of way.

For highway safety reasons wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade. All proposed development within 150 metres of a Provincial Highway right-of-way may be required to



undertake noise studies consistent with the requirements of the Ministry of Transportation and/or the MECP and shall implement the findings of such studies. In addition, all new development will be subject to the geometric, setback, frontage, and safety requirements of the Ministry of Transportation.

Major Township Roads

Major Township roads are intended to facilitate the movement of traffic between the Provincial Highway and Local Township roads and to provide access to some of the Rural areas within the Township. It is intended that consents and plans of subdivision that would provide a multitude of access points along Major Township roads be discouraged. A minimum right-of-way width for major Township roads shall be 20 metres.

Local Township Roads

Local Township roads are intended to carry local traffic and are primarily to provide land access to abutting properties in the townsite area of the Township. The movement of through traffic on these roads shall be discouraged. The minimum right-of-way width for local Township roads shall be 20 metres.



SECTION 6 - LAND USE DESIGNATION POLICIES

6.1 GENERAL

This section establishes the detailed development policies for each of the land use designations identified on Schedules A of this Plan.

This Official Plan employs land use designations as a means of describing an orderly, economical and functional land use pattern within the Township and as a means of implementing the Planning Objectives in Section 4 and General Development Policies in Section 5 relating to various land use activities.

Land use designations are also employed as a means of limiting conflict due to incompatible development and resulting adverse effects from land use activities and changes in land use activities.

The following land use designations are used in this Plan and are intended to represent dominant land use activity in the area to which they are applied. Accessory land use activities may also be permitted provided they are compatible and maintain and enhance the character and function of the surrounding residential use and natural environment:

Residential (R)
Rural Residential (RR)
Village Centre (VC)
Corridor Mixed Use (CMU)
Industrial (I)
Open Space - Parks and Recreation (OS)
Environmental Protection (EP)
Hazard Land (HL)
Rural (R)
Waste Disposal (WD)

A variety of land-uses or activities are considered to be compatible and consistent with the intent of all land use designations, including:

- roads, pathways, lanes;
- parks, open spaces, land use conservation;
- essential operation of municipal government relating to the delivery of public services;
- gas, telephone, electrical delivery systems and directly related infrastructure;
- slope stability and remedial flood protection;
- fish, wildlife, waterfowl habitat protection;
- landscaping, fencing, and natural vegetation; and,



- community gardens including forest foods and orchards and/or market gardens.

Land use designations shall be implemented through zones and regulations in the Comprehensive Zoning By-law. Use of site plan control in accordance with the policies of this Plan shall be in effect where development proposals require implementation of mitigation measure to achieve land use compatibility/minimize adverse effects.

Each land use designation identifies the range of uses, intensity of development, and the form of development that may be permitted. It is important to understand that this full range may not be permitted on all sites. The Zoning By-law will determine what, within this broader range, is permitted and required, based on the policies of this Plan.

6.2 RESIDENTIAL (R)

The Residential land use designation is intended to encourage a variety of housing options including housing forms that are affordable, and fully serviced by municipal piped water and sewage services.

Single detached and all forms of multi-unit residential buildings up to three storeys are permitted a single zone to encourage intensification, community vitality and efficient use of resources.

Apartments greater than three storeys that have the potential for shading, will be directed to the Village Centre and Corridor Mixed Use land use designations on major Township roads.

Lodging houses will be directed to the Village Centre land use designation where services are located in close proximity.

Limited non-residential uses are also permitted in Residential land use designation which serve the local community and which are compatible.

6.3 RURAL RESIDENTIAL (RR)

It is the intent of the Township to balance residential intensification on existing municipal services with the new Rural Residential lots outside of the serviced area but within the townsite which are large enough to permit a single detached home with space for accessory buildings for storage of recreational vehicles and other compatible uses.

Rural Residential land use designation lots shall be large enough to support private, individual on-site septic and well water in accordance with the TBDHU.



Multi-unit residential development will not be permitted in the Rural Residential land use designation.

6.4 VILLAGE CENTRE (VC)

The intent of the Village Centre (VC) land use designation is to retain the townsite core as the central focus of business, service, cultural and retail uses within the Township; and to retain this core area as a vital community focus, a mixed-use concept, vertically within buildings in high intensity pedestrian activity areas, and through development of mixed land uses in horizontal proximity to each other. The mixed-use development concept promotes interaction between the uses of the core area through the proximity of diverse activities. This reinforces the viability of all uses.

Uses permitted in the Village Core area are a mix of retail shopping facilities, commercial enterprises, public and private offices, multi-unit housing, hotels, civic and cultural uses, community parks and gardens, minor institutional uses, tourism and recreation, and pedestrian activity areas.

To promote the concept of mixed, concentrated use in the Village Centre area, new commercial development should locate within, or adjacent to it. Non-residential development should not be allowed to infiltrate unnecessarily into the residential areas surrounding the core, other than in accordance with the policies of this Plan.

Residential Uses

Higher density residential developments such as apartments, cluster or stacked townhouses shall be permitted, as well as residential uses above other Village Centre uses.

Shopping Facilities and Commercial Uses

Retail shopping facilities, may be composed of single and multi-level malls, shopping arcades as well as shops fronting on small pedestrian streets.

A full range of compatible commercial development is encouraged to locate here. Larger format requiring additional vehicular movement and parking is encouraged to locate in the Corridor Mixed Use land use designation.

Community Services and Minor Institutions

It is intended that minor Institutional, community services and facilities, and a mix of public and private services should be located convenient to pedestrian routes, and preferably in multi-



service arrangements with emphasis on the integration of services and resources, also known as hubs.

Park and Community Gardens

It is intended that the open space located between the edge of the built-up commercial area and the shore of Lake Manitouwadge be maintained as a community park with passive community-oriented facilities such as walk and bicycle trails, park benches, playground equipment, display centres, community gardens including food forests and orchards, and water-oriented facilities. Adequate pedestrian and road access shall be provided to this park from other areas of the Township.

Circulation System

The circulation system in the core area shall include roads, pedestrian spaces and routes which together will provide a network throughout the core area, and provide access to the village centre from adjacent areas in the Township.

The active transportation system should consist of open and enclosed multi-use corridors (non-vehicular other than motorized devices for mobility compromised individuals), and public open spaces such as squares that connect to all major activity areas in the core area. Pedestrian crossings shall be provided at major road intersections in the core area.

Shopping facilities will be encouraged to develop along pedestrian walkways to provide a continuity of retail frontage and an ease of pedestrian access to retail activities. Street furniture and public art should be provided in pedestrian areas.

Roadways shall provide efficient access to major activity centres in the village centre. Traffic management measures such as one-way streets, traffic signalization or stop signs shall be provided to ensure the efficient movement of vehicles in the core area.

Loading, transport truck turn-around, access driveways and storage facilities shall be provided on site for those activities in the core area that require such uses.

Parking spaces shall be supplied in municipal or privately owned parking lots. Parking lot locations should maximize the opportunities for shared parking, such as lots that may be used jointly for office and retail parking uses.

Parking lots should be designed to minimize their visual intrusion on the pedestrian areas and views of the core area to maintain a pedestrian scale and land use continuity. Landscaping should be provided to minimize the negative visual effects created by parking lots.



Parking lots should be located on the periphery of the core pedestrian/retail mall area to help retain the pedestrian continuity of the core area. Access from these parking lots to major activity centres in the core should be provided by pedestrian walkways.

Revitalization

The renovation and refurbishing of buildings in the core area shall be encouraged. To enhance the character of existing buildings and downtown streets, plant materials, street furniture, display facilities, works of art, lighting and other fittings shall be provided; in addition to the recommendations in the Community Revitalization Study 2021.

6.5 CORRIDOR MIXED USE (CMU)

The Corridor Mixed Use (CMU) land use designation is intended to be located along major transportation routes in the townsite; and consist of establishments and uses oriented to servicing the travelling public, tourism and recreation, including, but not limited to, motels, restaurants, drive-in food outlets, automobile service stations, public garages and automobile sales and service dealers, charter aircraft operations and storage; and a full range of larger-format commercial enterprises requiring more space for vehicular movement and building footprint size than what is otherwise available in the Village Centre land use designation. Limited residential is also permitted in the form of high and/or medium density such as apartments, cluster or stacked townhouses or rowhouses, lodging or boarding houses. Institutional uses are also permitted which may need parking space, traffic movement, outdoor amenity space and a building footprint not otherwise available in the Village Centre such as educational facilities, hospitals, long-term care facilities, libraries, community centres, larger-scale health resource centres, municipal facilities, major provincial and federal facilities and other similar public or cultural-led services.

6.6 INDUSTRIAL (I)

The intent of the townsite Industrial (I) land use designation is for compatible light industrial uses with less potential for adverse effects, in accordance with the zoning and regulations.

The intent of the Industrial land use designations outside of the townsite is for both light and compatible (see Section 5.4) heavy industrial to avoid conflict with sensitive uses, in accordance with the zoning and regulations.

Since the industrial area south of Superior Avenue shown on Schedule A is to be developed on septic tanks, the uses are to be limited to dry non-effluent producing uses with water usage or discharges being of a domestic nature only.



Sleep camps may be permitted as use accessory to a mining operation where sufficient accommodations are not available in the townsite, and where potential adverse effects can be mitigated.

Potable water may not be available to the west on the Caramat Road.

6.7 OPEN SPACE – PARKS AND RECREATION (OS)

The intent of the Open Space – Parks and Recreation (OS) land use designation is to ensure that appropriate parks and recreation facilities serve both existing and proposed developments, in accordance with the policies Plan.

Uses such as but not limited to passive and active use parks and open space including waterfront area, community gardens including food forests and orchards, public and private recreational uses, picnic areas, cemetery, snow ski & board areas, golf courses, and compatible public utilities shall be permitted.

Cemeteries shall be permitted in accordance with the Ontario Cemeteries Act, R.S.O. 1990, c. C.4.

6.8 ENVIRONMENTAL PROTECTION (EP)

The Environmental Protection land use designation is intended to protect locally- and provincially- significant natural heritage features which are characterized on Schedule B Development Constraints Map.

In accordance with the Provincial Policy Statement, the Township intends to protect:

- the diversity, connectivity, and long-term ecological function of natural features;
- areas that contain significant archaeological or cultural resources; and
- areas of significant wildlife habitat, habitat of threatened and endangered species, significant wetlands, fish habitat, and significant areas of natural and scientific interest (ANSI).

Uses permitted within EP areas will be in accordance with the policies specific to the feature or value being protected (see General Development Policies relating to Natural Heritage) and may include compatible uses such as existing uses, shoreline and floodplain protection work, fisheries and wildlife management, conservation work, existing agriculture, passive recreation and parks, and forestry in the form of reforestation and regeneration, excluding commercial logging and managed woodlots.



Development in a locally-significant EP area is not permitted without an Environmental Impact Study demonstrating no negative impact.

At the time of Official Plan development, no Local or Provincially Significant features have been identified to be placed in the EP designation in Schedule A. However, the development constraints on Schedule B still need to be considered in the land use planning process if the subject area is subject to proposed development.

6.9 HAZARD LAND (HL)

Hazard land is defined as all lands having inherent environmental hazards, such as flood susceptibility, erosion susceptibility or any other physical condition which is severe enough to cause property damage and/or potential loss of life if those lands were to be developed upon, including both natural and human-made hazards.

Where the Hazard Land (HL) land use designation is in association with a human-made hazard(s), appropriate studies shall take place and mitigation measures implemented prior a change in use. See Contaminated Lands, Mineral Aggregate (rehabilitation), Waste Disposal and Water Resource Protection policies of this plan, as applicable.

The uses permitted on hazard lands associated with natural hazards shall be limited to conservation, forestry, wildlife management areas, passive public or private parks, or other similar uses in accordance with the policies of this Plan.

No buildings or structures shall be permitted in areas designated as Hazard Land except where such are intended for flood or erosion control or are normally associated with the water course protection works or bank stabilization projects or electrical power and are approved by the Council in consultation with the MNDNRF.

In the absence of more detailed hazard land mapping, the boundaries of the lands designated as Hazard Land on the Schedule A shall be used as guides for the preparation of the zoning by-law provisions which will implement the policies of this section.

An amendment to this Plan will not be required for changes to the Hazard Land boundaries, based on consultation with the province or based on results of a study conducted by a qualified person taking into count at a minimum:

- the existing environmental hazards;
- the potential impacts of these environmental hazards;
- the proposed methods by which impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and,



- the costs and benefits in monetary terms of any engineering works and/or resource management practices needed to overcome these impacts.

There is no public obligation, however, either to change the delineation of or to purchase any area shown as Hazard Land, particularly if the environmental hazard would be difficult or costly to overcome.

Where such changes occur, the appropriate abutting land use designation shall apply and the zoning by-law shall be amended accordingly. Council shall amend the Official Plan and implementing zoning by-law to incorporate more detailed hazard land mapping when it becomes available.

Parkland Dedication

Where new development is proposed in an area, part of which is in the Hazard Land land use designation, then such lands may or may not be acceptable as part of the dedication for park purposes as required under the Planning Act. All lands dedicated to the Township shall be conveyed in a physical condition satisfactory to the Township. When an open water course is involved, adequate space shall be provided for maintenance and operations.

Hazard Land shall be zoned in a separate classification in the implementing zoning by-law(s).

6.10 RURAL (RU)

The intent of the Rural (RU) land use designation is to support a wide range of rural uses outside of the townsite which enhance the economic stability and enjoyment of the natural surroundings of the Township, including and not limited to tourism and recreation such as remote cottages, campgrounds, trails and associated facilities, agriculture, agriculture-related uses, on-farm diversified uses and normal farm practices in accordance with provincial standards, portable asphalt and concrete plants and wayside pits and quarries, forestry and associated operations, fishing, hunting, trapping, airport, alternative energy systems and compatible public utilities, not including a sanitary landfill site and sewage disposal facility. Limited permanent, year-round dwellings may be permitted as a secondary use to agricultural uses and in compatible areas to accommodate a rural-based lifestyle.

To preserve the natural features and ensure compatibility with the resource base of the Township, land division is generally discouraged in the Rural land use designation.

Land division in the Rural land use designation shall be limited to uses that are compatible with the surrounding natural environment including and/or are directly related to the natural resource base of the area. These severances may include lots for recreational use on water or inland, in



accordance with the servicing, access, remote cottage, campground and other policies of this Plan.

6.11 WASTE DISPOSAL (WD)

The intent of Waste Disposal (WD) land use designation is to prevent incompatible uses on or adjacent to the site. Permitted uses in this land use designation include sanitary landfill site and sewage disposal facility with associated infrastructure and identified monitoring and/or attenuation or setback areas, in accordance with the Provincial Environmental Compliance Approval, and any other applicable regulations and/or policies of this plan.



SECTION 7 - IMPLEMENTATION

7.1 OFFICIAL PLAN

This Official Plan shall be reviewed pursuant to Section 26 of the Planning Act at a meeting of Council, where it shall be determined if changes to the Plan are necessary.

Council shall revise this Plan no less frequently than 10 years after it comes into effect and every five years thereafter, unless the Plan is replaced by another new Official Plan.

The Township shall monitor the following factors, among other matters:

- population change and development activity;
- progress towards achieving goals, objectives and targets; and,
- changes in Federal and Provincial policies and programs.

The Township may approve minor modifications to this Plan, its Schedules and Figures, or the implementing Comprehensive Zoning By-law without providing notice of, or holding a public meeting for, the following:

- formatting changes including changing section numbers or the order of text, provided that no sections are added or deleted;
- consolidating the Council-approved amendments to this Plan or implementing Comprehensive Zoning By-law;
- correcting clerical typographic, punctuation, grammatical or mapping errors which do not affect the intent or application of the policies or provisions of this Plan;
- rewording policies or re-illustrating maps only for the purpose of clarifying policies without changing the intent or purpose of the policies or mapping;
- mapping modifications that reflect new information identified by the province or studies such as wetland areas or areas of special concern, or those that reflect changes resulting from other master planning projects, such as, but not limited to, transportation plans and drainage studies;
- inserting footnotes or similar annotations to indicate the origin and approval of a provision; or,
- updating references to legislation or provincial ministry names to reflect changes or amendments to legislation or applicable authorities.

No developments or activities shall occur which contravene the intent and policies of this Plan.

Evaluation of alternatives shall be demonstrated in addition to the policies in this Plan.

Proponents of developments or activities considered beneficial to the Township, but not in conformity with the plan, shall require an amendment to the Official Plan before proceeding.



The Official Plan shall be amended to reflect other municipal policies that may impact on land use planning matters in the Township.

No privately initiated applications to amend the new Official Plan for two (2) years after its effective date will be permitted unless Council passes a resolution to allow applications during the two-year time-out.

The implementation of the Official Plan policies will be achieved primarily in the following ways.

7.2 ZONING BY-LAW

The Township of Manitouwadge shall update the Comprehensive Zoning By-law (CZBL) to reflect the principles, policies and land use descriptions contained in this Plan within three years of the approval of this Plan, in accordance with the Planning Act. The CZBL shall make provision for adequate development standards and ensure an orderly sequence of development through the rezoning process.

When Council receives an application for a development project which it considers at that time to be desirable, not premature, capable of being adequately serviced and in conformity with the policies and land use designations of this Plan, Council may pass an implementing amending by-law to the Comprehensive Zoning By-law.

The Township may, in the Comprehensive Zoning By-Law, zone lands into a Special Purpose Zone so as to provide site specific zoning recognition to a particular use of land, with consideration that such land use be a benefit to the community; and may provide such regulations as considered to be appropriate to such use.

Amendments to the Comprehensive Zoning By-Law may be considered for changes that are in conformity with this Official Plan and changes that are determined by Council to be desirable and good planning.

No privately initiated applications to amend the new Zoning By-law for two (2) years after its effective date will be permitted unless Council passes a resolution to allow applications during the two-year time-out.

The Township (approval authority) will have regard to all written and oral submissions received and include in Notices of Decision an explanation of the effect public input had on the planning decision.



The Township may use conditional zoning in accordance with Section 34(16) of the Planning Act including requiring that notice registered on title in order to implement the policies of this plan once provincial enacting regulations are in place.

The Township may, in a Comprehensive Zoning By-law, permit a use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions related to the use, erection or location.

The Township may require the owner of the land to which the by-law applies to enter into an agreement with the Township relating to the condition. The agreement may be registered against the land to which it applies and the Township may enforce the agreement against the owner subject to the Registry Act and Land Titles Act, any and all subsequent owners of the land.

7.2.1 MINOR VARIANCES

The Township may approve minor variances for relief from regulations to the Zoning By-law, in accordance with Section 45 of the Planning Act, the rules of procedure and regulations issued by the Minister under the Planning Act and the policies of this Plan.

No privately initiated applications for minor variances following the passing of an applicant initiated Zoning By-law Amendment for two (2) years after its effective date will be permitted unless the Township passes a resolution to allow applications during the two-year time-out.

7.3 HOLDING ZONE

Council may enact a zoning by-law that identifies the use of land but which further prohibits the actual development of such lands until a later date when identified conditions have been met.

Council may enact such by-laws in order to:

- identify future intended use;
- stage or phase development consistent with current subdivision agreements;
- provide for the installation of services prior to development occurring;
- allow for the execution of a site plan agreement or subdivision agreement between the Township and the developer;
- where site remediation requirements are known and feasible, ensure that site contamination has been appropriately addressed;
- Ensure that an archaeological assessment, to the satisfaction of the province, has been undertaken by an archaeologist licensed under the Ontario Heritage Act, and any significant archaeological resources have been conserved by removal and documentation, or preservation on site, to the satisfaction of the province.



Where a holding provision has been assigned to the zoning of lands, use shall be limited to the uses that are set out within the holding by-law, and typically shall include uses legally existing at the time that the holding by-law is enacted, and some limited range of uses from the Zoning By-Law list of otherwise permitted uses.

The holding by-law shall not serve to prevent accessory buildings, minor additions, or renovations/maintenance/upkeep.

Application of a holding provision may occur on the basis of:

- where existing infrastructure has been determined to be insufficient relative to a proposed development or use;
- where development is contingent upon other matters occurring such as the consolidation of land; the execution of agreements; or the carrying out of a determined study or review, and including the completion of any works that are recommended or determined as necessary by such study or review.

A holding by-law may be removed from all or from a part of the lands to which it applies upon the Township being satisfied that the matters causing the holding provision to have been applied have been adequately resolved.

7.4 INTERIM CONTROL BY-LAW

In order to control development in an area where the Township is reviewing its long-term planning, an interim control by-law may be passed, effective for up to one year and renewable for a further year so that the maximum period it is in effect is two years from its imposition. After that, at least three years must elapse before another interim control by-law may be passed covering any part of the same area. An interim control by-law must be preceded by a by-law or resolution, directing that a study be undertaken of planning policies in the affected area.

7.5 TEMPORARY USE BY-LAW

Council may pass a by-law under Section 34 of the Planning Act to permit a temporary use of land, building, and/or structures for a use that may otherwise be prohibited in the zoning by-law, whether such use is in conformity with this Official Plan, or not without the need to amend this Official Plan.

Such a by-law may be considered where:

- the intended use is to exist only for a short period of time;
- the use is to be monitored prior to being considered as a possible permanent use;
- the use of an existing building is being accommodated in conjunction with a planned development for a new use that is consistent with this Official Plan;



- the use is intended to exist pending the outcome of a study or the expansion of infrastructure or services; or
- the use involves a garden suite.

Council may establish temporary zoning to allow an applicant to consider a home occupation, business or industry in order to determine if a market exists prior to establishing a full zoning, or to explore the possibility that adverse effects may arise, and to facilitate remedial measures in a future full zoning.

Prior to enacting Temporary Use By-law, Council shall establish that:

- the lands can accommodate the intended use and any related accessory buildings, structures, or activity;
- appropriate and safe means of water supply and sewage disposal are available or are to be provided; and,
- the use will not prejudice future development or redevelopment of the lands or of the surrounding area.

Such a by-law shall define the lands to which it shall apply; set out appropriate regulations for the intended use; and establish an expiry date, which shall not be greater than three years from the passing of the date that the By-law was passed, except for a garden suite which may be up to twenty years.

Planning Act time periods may change from time to time as legislation changes. Council may extend a Temporary Use By-law provided that such extension would not jeopardize the long-term development potential for the lands or for the surrounding area. Where a Temporary Use By-law has expired, the use of land, buildings, and/or structures permitted in the Temporary Use By-law shall cease and the previously relevant zoning provisions and uses shall prevail and govern the future use of the property

7.6 SITE PLAN CONTROL AND AGREEMENTS

Site plan control will apply to the entire geographical area of the Township, also known as Universal Site Plan Control.

Section 41 of the Planning Act allows for site plan control agreements to be entered into in order to achieve the following:

- to obtain drawings of buildings and property layouts, including elevations, plot plans, parking, layout and the layout of driveways and aiseways, landscaping, lighting, retainer walls, signs, **all subject to the exclusions in section 41 of the Planning Act,⁷** and to ensure that such features are properly designed and constructed. In addition, agreements may be required to outline details of the property with respect to drainage and the management of snow and snow removal;



- to ensure that matters such as storm drainage, snow storage and removal, lighting, landscaping are addressed, and that ongoing maintenance is in place;
- to ensure that proper traffic provisions and flow are provided including bicycle parking facilities;
- to obtain easements;
- to identify, protect, and secure lands needed for road widening;
- to identify details of specific on-site features and to set out requirements relating to them; or,
- to identify and implement the findings of technical studies needed to support a development.

The Township shall use site plan control for larger or development initiatives in any land use designation in order to address issues and concerns raised in the approvals process such as implementation of mitigation measures to ensure compatibility. Where site plan control is enacted no building permit shall be issued for new construction until such time as an appropriate site plan agreement has been entered into.

7.7 PROPERTY STANDARDS BY-LAW

Council currently has a Property Standards By-law and may establish a property standards committee.

All properties within the Township set out in the Property Standards By-Law shall conform to the standards and provisions that are set out in the by-law.

Council may with such a by-law, enact regulations intended to address:

- structural integrity and/or standards for occupancy;
- maintenance of yards and/or open spaces, and in particular to ensure that such lands are well kept, safe, free of debris and/or unsightly materials, equipment, and that the overall yard is in keeping with the surrounding property character;
- the cutting and/or storage of firewood;
- protection of natural and cultural heritage features defined in this Official Plan, and;
- notice requirements, enforcement, and/or administration, including the removal of buildings in accordance with the policies of this plan.

7.8 OTHER BY-LAWS

Council shall review its existing legislation pursuant to the Municipal Act and other relevant Provincial statutes and update, revise or introduce new legislation governing such uses as waste disposal sites, trailers, recreational vehicles, mobile home parks, salvage yards, signs and business licensing to ensure such uses are properly regulated and controlled.



7.9 COMMUNITY IMPROVEMENT

Council may participate in programs or other activities that have as an objective the improvement of one or more land uses, areas or other features within the Township and may partner with other levels of government and/or private interests in order to carry out and achieve the following:

- improvement of social, recreational, or other such community services and/or facilities which improve social well-being;
- improvement to the physical environment of the community including physical services and facilities, streetscape or the upgrading or rehabilitation of private property;
- promotion of new employment, new investment, and/ or new assessment; and,
- implementation of contaminated site considerations.

Specific objectives may include, but are not limited to:

- paved surfaces on streets serving residential, commercial, and institutional uses;
- improvements or access to existing parks, beaches, playgrounds, rest areas, tourism promotion areas, open space areas, or recreation/leisure facilities;
- upgrade or install lighting, public sewage and/or water services to property owners within residential areas;
- recover and/or re-utilize contaminated or abandoned industrial or commercial lands.

Council may also consider any lands within any land use designation as a potential Community Improvement Project Area and may, by By-law, designate all or part of such lands as a Community Improvement Area subject to the requirements of Section 28 of the Planning Act.

Community Improvement may be defined as activities that maintain, rehabilitate and redevelop the existing physical environment of an area to accommodate the social and economic priorities of a community.

7.10 THE DEVELOPMENT APPLICATION PROCESS

The Planning Act requires that a planning application include certain prescribed information as set out in Planning Act regulations, including information on the application and supporting studies and/or reports, and any related fee.

Having all relevant information and material (i.e., planning justification) pertaining to a particular planning application available early in the planning process is essential to making good land use



decisions within the timeframe provided by the Planning Act by providing opportunities to resolve potential differences prior to Council's consideration of the matter.

7.10.1 PRE-CONSULTATION AND COMPLETE APPLICATION REQUIREMENTS

Pre-Consultation Prior to the submission of an application for an Official Plan Amendment, Zoning By-Law Amendment, Plan of Subdivision or Condominium approval, Consent, Minor Variance or Site Plan approval, applicants are required to pre-consult with Municipal staff and complete the application checklist (as available) to determine as accurately as possible which, if any, supporting technical studies or information is required as part of the application and planning justification report, and what level of detail is required.

It is likely that a site visit will also be necessary to understand the physical landscape and what the applicant is proposing. Review of a draft application by staff is required prior to submission of a formal application.

The range and complexity of the supporting studies and planning justification shall be appropriate to the level of complexity of the proposed development and the potential for adverse effects, as determined by the Township.

7.10.1.1 Complete Application, Studies and Peer Review

Upon receipt of a formal planning application including the studies identified through pre-consultation and a mandatory Planning Justification Report, the Township shall determine if the required information has been provided, and whether or not the application is complete.

Where the application is considered to be complete the applicant shall be advised in accordance with the Planning Act.

Where an application is not considered to be complete, the applicant shall be advised, including the information lacking in the application.

All Planning Act applications must contain:

- The full legal description of the subject lands, municipal address, land use designation, zoning, existing land uses, survey sketch and a key plan.
- The surrounding land uses, land use designations and zoning.
- Development proposal, including desired land use designation or zoning/zoning amendment/minor variance, etc.

In addition to the prescribed information under the Planning Act (Sections 45, 51 and 53 with respective Schedules and any applicable Regulations), there may be supporting studies and other



documentation required by the Township, government bodies or agencies to constitute a complete application.

Depending on the potential adverse effects of the proposed development they may include, but are not limited to: a preliminary assessment (to determine if an Environmental Impact Study is required), Environmental Impact Study, Wetland Evaluation (to determine if a wetland is Provincially Significant), Wildlife Habitat Assessment, Fish Habitat Assessment, Groundwater Assessment, Hydrological Study, Hydrogeological Study, Servicing Options Statement, Master or Lot Grading and Drainage Plan, Well-Water Quality Report, Archaeological Assessment, Cultural Heritage Conservation Plan, Cultural Heritage Impact Assessment, Minimum Distance Separation Calculation, Septic and Well Water Capacity Assessment, Stormwater Management Study; Slope Stability Study, Traffic Impact/Safety Study, Noise Impact Study, Vibration Study, Engineering Study, Environmental Site Assessment, Record of Site Condition, Wildland Fire Assessment, Market/ Economic Impact or Feasibility Study (including impacts on surrounding existing uses), Lakeshore Capacity Assessment, area of influence or site specific aggregate/mineral resource study, visual impact/viewshed study, erosion and sediment control plan, public consultation strategy.

The triggers for these are primarily captured in the General Policies of this Official Plan or are contained in an application checklist where available.

Not every type of development can be anticipated; and in order to remain flexible and open to all types of compatible development, other studies not listed here may be requested by the Township as a condition of approval.

Peer Review Where a study is required, the study shall generally be completed by a qualified professional and such study may be subject to a peer review due to a small, generalized Municipal Staff. The cost of any study or peer review or the requirement for any information shall be at the sole cost of the applicant.

7.11 PUBLIC ENGAGEMENT AND NOTIFICATION POLICIES

The Township will follow the public notification procedures regarding planning matters that are contained in the Planning Act and its regulations.

Where mailed information notices concerning a Planning Act application are distributed to abutting property owners, the names and addresses as described in the latest, revised property assessment rolls will be used for notification.

In addition, the Township will use the following mechanisms to promote public participation and informed decision-making:



- the placing of signage on properties undergoing a planning approval process, (e.g., Official Plan amendment, Plan of subdivision, Zoning By-law amendment, Committee of Adjustment application);
- Engage Indigenous communities in the preparation of new Official Plan and in relation to any cultural heritage policies contained in this Plan;
- For applications for Official Plan amendment, zoning amendment and plan of subdivision or condominium, a proposed strategy for consulting with the public with respect to the request must be submitted with a complete application (O. Reg. 543/06 para. 26); and
- any other means that the Township deems appropriate including electronic communications.

7.12 TARIFF OF FEES

Council shall pass a by-law detailing and prescribing a tariff of fees for planning applications which establishes a fair and equitable fee structure based on actual and/ or anticipated costs incurred by the Township in the processing of applications. Council may review and update such costs from time to time and adjust the prescribed fees accordingly.



SECTION 8 - INTERPRETATION

8.1 GENERAL

This Plan generally provides a 25-year development framework to guide future growth of the Township of Manitouwadge. In determining whether or not an amendment to the Plan is required, special regard shall be given to the definitions and policies of each Land use designation under Section 6 and other General Development policies of Section 5.

8.2 LAND USE BOUNDARIES

The boundaries between land uses designated on Schedules "A" and "B" are approximate only, except where they coincide with major roads, railway lines, rivers or other clearly defined physical features. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not necessitate an amendment to this Plan, in addition, numerical standards contained in the text are not to be construed as being absolutely rigid. In this context, most of the suggested planning standards have been included as guidelines for Council to follow and should be periodically reviewed as to their adequacy in meeting changing circumstances.

8.3 AGENCY NAMES AND RESPONSIBILITIES

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

8.4 LEGISLATION

From time to time, Provincial legislation may be replaced by new legislation bearing a new name. In addition, every 10 years, all the Statutes in Ontario are revised and all sections of the many Acts of Legislation are renumbered to reflect any additions or deletions made in each Act in the previous decade. The names and sections of the various Acts used in this Plan are according to the Revised Statutes of Ontario as of the date of adoption of this Plan. It is not intended to amend this Plan each time an Act is renamed or when new consolidations of the Statutes are issued.



Rather, this Plan shall be interpreted so as to refer to those Acts of the Legislation named or to their successors, as conditions dictate.

8.5 EXISTING USES

Nothing in this Plan shall adversely affect the continuance of uses legally established on the date that the Plan was adopted, but Council, in co-operation with owners, shall attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies contained in Non-conforming Uses, below.

8.6 NON-CONFORMING USES

8.6.1 GENERAL

Nothing in this Plan shall limit the authority of Council, as outlined in Section 34(1) of The Planning Act, 1990, to pass a by-law permitting the extension or enlargement of any land, building or structure which is being used, at the time of passing such by-law, for a purpose which does not conform with the land use designation of the Official Plan. Such a by-law shall, however, be in conformity with the policies included in this section of the Official Plan.

8.6.2 POLICIES

As a general rule, any land use existing at the date of approval of this Plan which does not conform with the land use designations shown on Schedules A, in the long run, should cease to exist so that the land affected, may revert to a use in conformity with the intent of the Official Plan and the provisions of the implementing zoning by-law. In special instances, however, it may be desirable to permit the extension or enlargement of a non-conforming use in order to avoid unnecessary hardship, provided the application is in conformity with the policies of this section of the Plan to ensure the general welfare of the Township. Such extensions or enlargements shall be dealt with through the use of Section 34 or Section 44 of the Planning Act.

Before concurring with any application for the extension or enlargement of a non-conforming use, the feasibility of acquiring the property concerned at the time of the application or possibly at some future date and of holding, selling, leasing or redeveloping it, in accordance with the provisions of the Planning Act, as amended, shall be considered by Council.

Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may be zoned in the Comprehensive Zoning By-law in accordance with the existing use, after due consideration, provided that:



- a) The zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
- b) The use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
- c) There is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
- d) The use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and,
- e) Where the existing use is discontinued for more than one (1) year any rezoning may only take place in accordance with the policies of this Plan.

Non-conforming uses shall cease to exist in the long term.

Extensions or enlargements of the land, building or structure of a legal nonconforming use may be permitted by a minor variance to the Zoning By-law provided that:

- a) The proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
- b) The extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.

The repair or replacement of a legal non-conforming use may be permitted provided that:

- a) The repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
- b) The repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

-The End-