

AMENDMENT NO. 2

TO THE

OFFICIAL PLAN

FOR THE

CITY OF DRYDEN

**Prepared by
City of Dryden
October 6, 2008**

PART A – THE PREAMBLE

1.0 PURPOSE OF AMENDMENT

The purpose of this Official Plan Amendment is to amend the Rural policies of the Official Plan to allow solar parks to be established on properties within the “Rural” land use designation and to update the Official Plan to show the Provincial environmental assessment approved route for the Provincial Highway 17 . More specifically the Amendment identifies this right-of-way by telineation on the Official Plan mapping based on the Dryden Area Highway Planning Study and provides a policy to clarify the status of the rights-of way.

LOCATION OF AMENDMENT

This Amendment affects lands within the City of Dryden.

2.0 BASIS OF AMENDMENT

The Official Plan for the City of Dryden was originally adopted by Dryden Council in April 2000 and approved by the Minister of Municipal Affairs and Housing in October 2002.

Official Plan Amendment No. 1 was approved by the Ontario Municipal Board in March 2007. At the time Official Plan Amendment #1 was approved, the Environmental Assessments and the alignments of the Provincial Highway 17 had not been approved. Policies were added to OPA#1 to further amend the Official Plan once the Environmental Assessment process was complete to show in the Schedules the delineation of the Proposed Controlled Access Highway.

In March 2008, the Provincial Environmental Assessment for the realignment of Highway 17 and Highway 502 was approved. The City of Dryden Official Plan is now being updated to reflect the status of these road additions by:

- amending Section 7.10
- identifying the Highway 17 rights-of-way on Maps 1 and 2 of the Official Plan mapping
- provide policy to clarify the status of the rights-of-way.

Recently, the government created new incentives to “grow green energy” to build a sustainable energy future for the province. As a result of those changes and incentives, proponents for the generation of electricity have approached the City of Dryden to discuss proposals for electricity generation developments. Incentives for the development of renewable energy projects provides guaranteed pricing for the renewable generation and is intended to make it easier for small renewable power producers such as rural land owners and community groups to sell energy.

At present, the City of Dryden Official Plan has no specific policy for the development of a solar park. The City is proposing to further amend the Official Plan to permit the development of solar parks in “Rural” areas. The purpose of this amendment is to provide the energy industry with new opportunities and to promote new forms of development on rural lands in the City. This amendment will allow energy facility developers to locate solar parks within the Rural areas of the City of Dryden. It will also ensure that these uses will be permitted as the main use of the land, which will facilitate developments requiring the sale of excess power back into the electricity grid.

The 2005 Provincial Policy Statement(PPS) provides policy to permit energy systems, such as a solar project, under section 1.8. The amendment is consistent with Provincial Policy.

None of the lands within the “Rural” designation constitute prime agricultural lands as identified in the Provincial Policy Statement.

PART B – THE AMENDMENT

The Official Plan for the City of Dryden is hereby amended as follows:

1. Section 4.4 Rural Areas is amended by deleting the first sentence “ *Rural Areas include a variety of agricultural, residential, industrial, commercial and open space uses.*” And replacing it with the following:

“Rural Areas include a variety of agricultural, residential, industrial, commercial, solar park, and open space uses.
2. Section 4.4 Rural Areas is further amended to adding the following subsections:
 - 4.4.8** The development of solar energy parks for commercial electricity production to be sold to the electrical grid, generally known as solar parks shall be permitted.
 - 4.4.9** Solar parks shall normally be located on large parcels of rural land, having only limited existing residential development nearby. The sites shall be separated from sensitive land uses in order to reduce the potential impact of safety, noise and visual intrusion on these areas. The proposed sites shall have suitable access to a public road with the existing design capacity to accommodate construction and maintenance vehicles needed for the solar park. The sites shall have sufficient area to provide setbacks from sensitive residential and institutional land uses. The solar energy systems shall be designed, built, operated and maintained in accordance with health and safety standards that may be established by the Province.

4.4.10 Solar parks shall only be permitted by site specific Zoning By-law amendment in Rural Designations where the applicant demonstrates, through appropriate studies, undertaken by qualified professionals, that all issues related to the amendment application have been addressed. The proponent shall undertake one or more of the following applicable studies:

- i. Where required, a noise impact study shall be undertaken to determine setbacks from solar parks so that noise levels do not exceed the Ministry of the Environment(MOE) noise standards for sensitive land uses. In determining whether a noise impact study is required, reference shall be made to current MOE guidelines on stationary noise sources;
- ii. Where development is proposed within 120 metres of a wetlands as identified on Schedule B, or within 50 metres of significant portions of the habitat of endangered and threatened species, the proponent shall provide the City with an Impact Assessment, prepared in accordance with Policy 5.7, to address potential impacts on these features;

In addition, where development is proposed within 30 metres of the high water mark of any watercourse or water body, Council may required the submission of an Impact Assessment to address potential impacts on fish habitat. In accordance with Policy 4.6.9., where development is proposed further than 50 metres from the habitat of endangered and threatened species and where warranted, Council may require the submission of an Impact Assessment to address potential impacts on the habitat.

Where an Impact Assessment is required, it shall be prepared in accordance with Policy 5.7 of this Plan;

- iii) Where the proposed solar park is located within the Ministry of Transportation's permit control area, permits required under the Public Transportation and Highway Improvement Act will be obtained;
- iv) A visual impact study shall be undertaken to determine the impact and mitigation measures required for solar parks on the landscape as viewed from Wabigoon Lake, Thunder Lake, municipal roads, provincial highways, or other public access land. Visual impact shall also be assessed to determine the impact and mitigation measures required for the shadow or reflection of light coming from any part of the solar park on adjacent sensitive land uses and

roadways. For solar parks located adjacent to a provincial highway, the visual impact study shall be submitted to the Ministry of Transportation for approval;

- v) Where the solar collectors and/or foundation structures such as concrete pads exceed 600 square metres in lot coverage, the City may require a storm water impact analysis to assess the impact of the impermeable surface on natural infiltration and storm water run-off;
- vi) The site-specific Zoning By-law Amendment shall not be approved until the requirements of governing Provincial legislation have been satisfied. Solar parks shall be subject to site plan control, in accordance with the City of Dryden Site Plan Control by-law;
- vii) The following matters may be addressed through the use of a Site Plan Control Agreement:
 - decommissioning of the site;
 - the provision of vegetation and other landscaping features to provide visual screening from adjacent lands;
 - site maintenance practices, such as the use of vegetation or cover material to control dust creation where warranted;
 - and other matters as provided for in Section 41 of the Planning Act.
- viii) Where development is proposed close to the features noted below, additional policies of the Plan will apply, as indicated:
 - Policy 5.6 (proposals within 30 metres of the high water mark of watercourses and water bodies);
 - Policy 5.9 (proposals within 300 metres of Thunder Lake);
 - Policy 5.10 (proposals within or adjacent to aggregate resource areas and pits, as identified on Schedule “B”);
 - Policy 5.12 (proposals within areas of mineral potential, as identified on Schedule “B”);
 - Policy 5.14 (proposals within areas of archaeological potential);
 - Policy 5.15 (proposals on Hazard lands as defined by the Plan, including, in areas where there is no engineered flood plain mapping, lands below the specified flood elevations for Wabigoon and Thunder Lakes, and lands within 15 metres of the top-of-bank of any watercourse or water body); and
 - Policy 5.16 (proposals within 200 metres of the TransCanada Pipelines’ facilities, as identified on Schedules to this Plan).

3) That Section 7 Transportation be amended as follows:

i) Section 7.10 is hereby deleted and replaced by the following:

The proposed alignment for Highway 17 as set out in the Dryden Area Highway Planning Study, when designated, will be under provincial jurisdiction and subject to the Ministry of Transportation policies and regulations. In this regard, the Ministry of Transportation regulates building and land uses within 45 metres of the highway right-of-way and the areas within 395 metres of the center point of the intersections of Highway 17 and any intersecting road. In addition, the Ministry also regulates up to 400 metres from the limit of the highway for signage as well as the development of power lines, and up to 800 metres from the limit of the highway for any land use that will cause people to congregate in large numbers. All development proposals within these limits should be circulated to the Ministry of Transportation for comment and approval and be satisfactory to the City of Dryden.

ii) Schedule A – Map No. 1 and Map No. 2 is hereby amended to include the following:

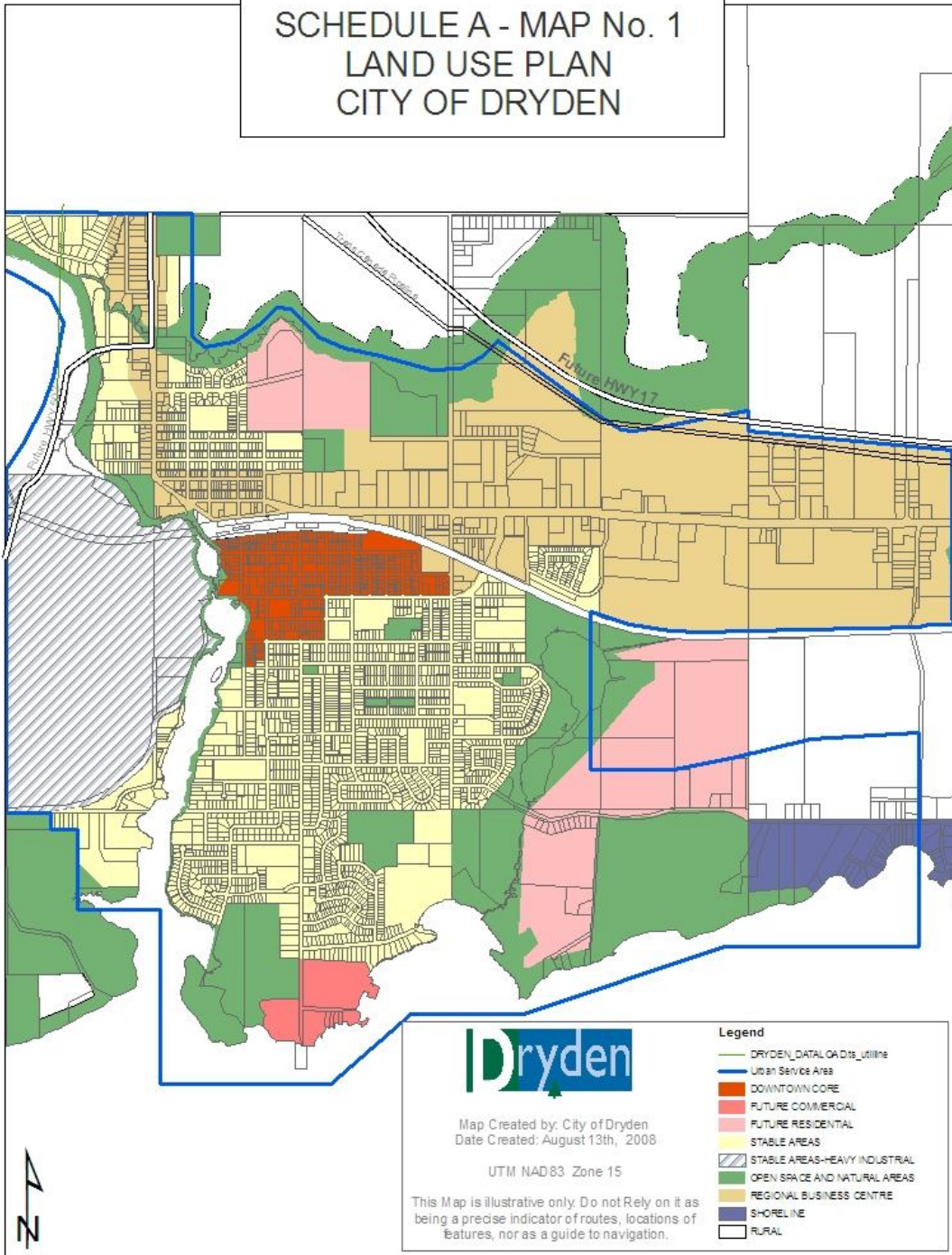
i. Identifying the Proposed Controlled Access Highway 17 alignment as set out in the Dryden Area Highway Planning Study

ii.

PART C – THE APPENDIX

The attached hereto does not constitute part of this Amendment. The Appendix contains planning considerations and public involvement associated with the Amendment.

SCHEDULE A - MAP No. 1
 LAND USE PLAN
 CITY OF DRYDEN



Map Created by: City of Dryden
 Date Created: August 13th, 2008

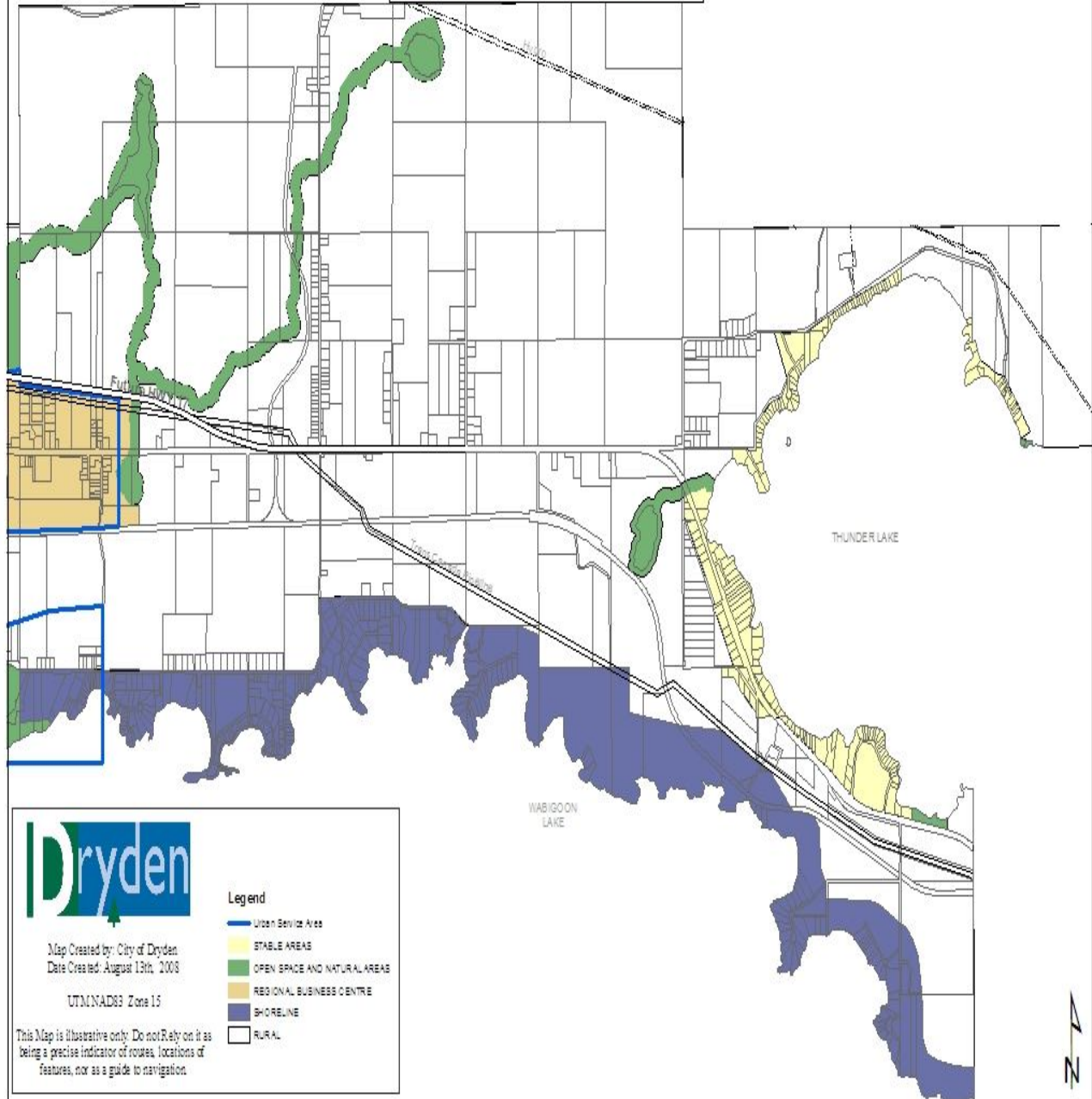
UTM NAD83 Zone 15

This Map is illustrative only. Do not Rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

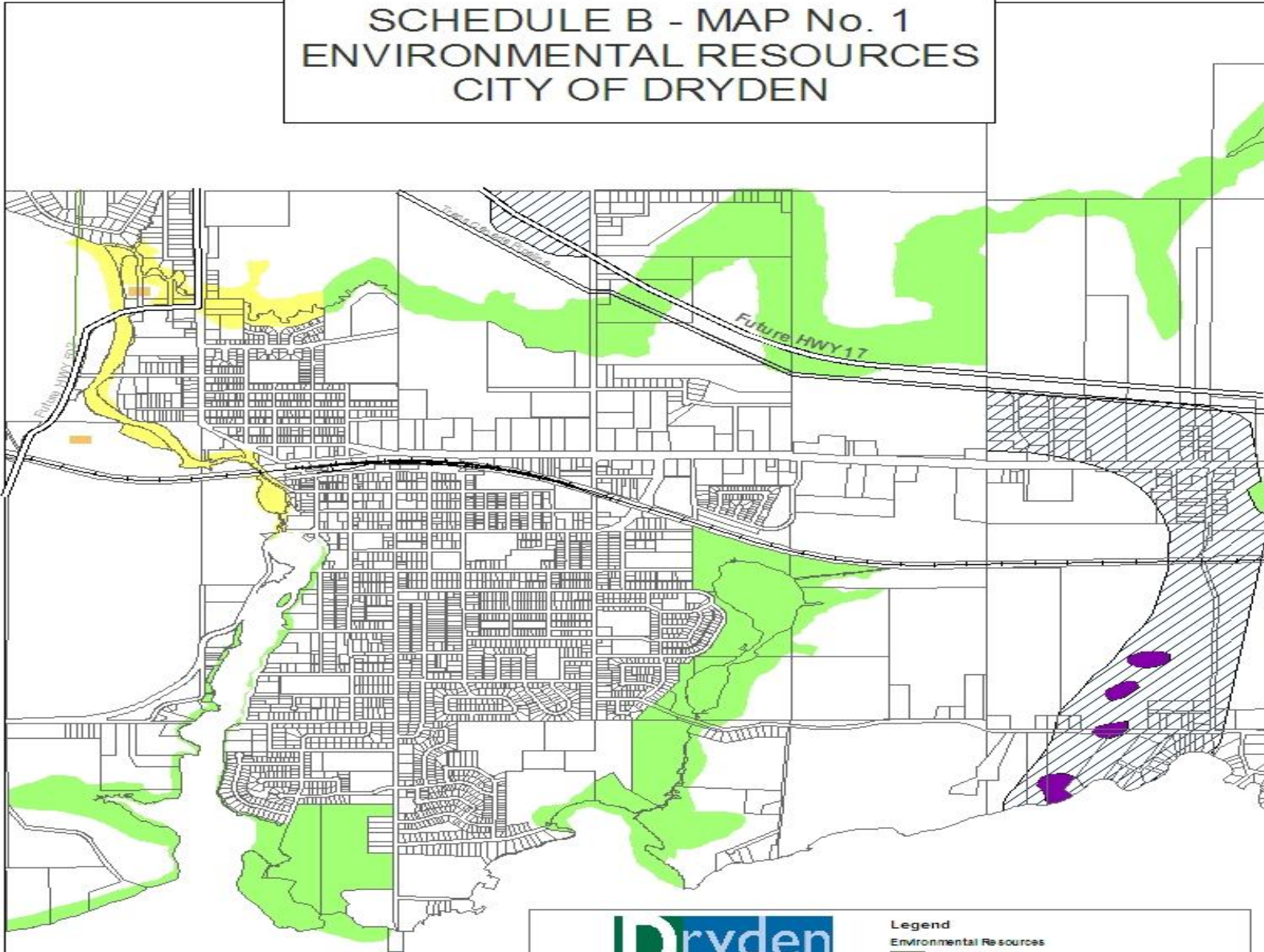
Legend

- DRYDEN_DATA\CA Dis_Utlines
- Urban Service Area
- DOWNTOWN CORE
- FUTURE COMMERCIAL
- FUTURE RESIDENTIAL
- STABLE AREAS
- STABLE AREAS-HEAVY INDUSTRIAL
- OPEN SPACE AND NATURAL AREAS
- REGIONAL BUSINESS CENTRE
- SHORELINE
- RURAL

SCHEDULE A - MAP No. 2
LAND USE PLAN
CITY OF DRYDEN



SCHEDULE B - MAP No. 1 ENVIRONMENTAL RESOURCES CITY OF DRYDEN



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NOTE:
 In addition to those lands shown, Hazard Lands shall include:
 - lands along Wabigoon Lake to an elevation of 370.13 meters above sea level (IGSC Datum)
 - lands along Thunder Lake to an elevation of 374.59 meters above sea level (IGSC Datum)
 - all Lands within 15 meters of the top of banks of any watercourses or waterbody



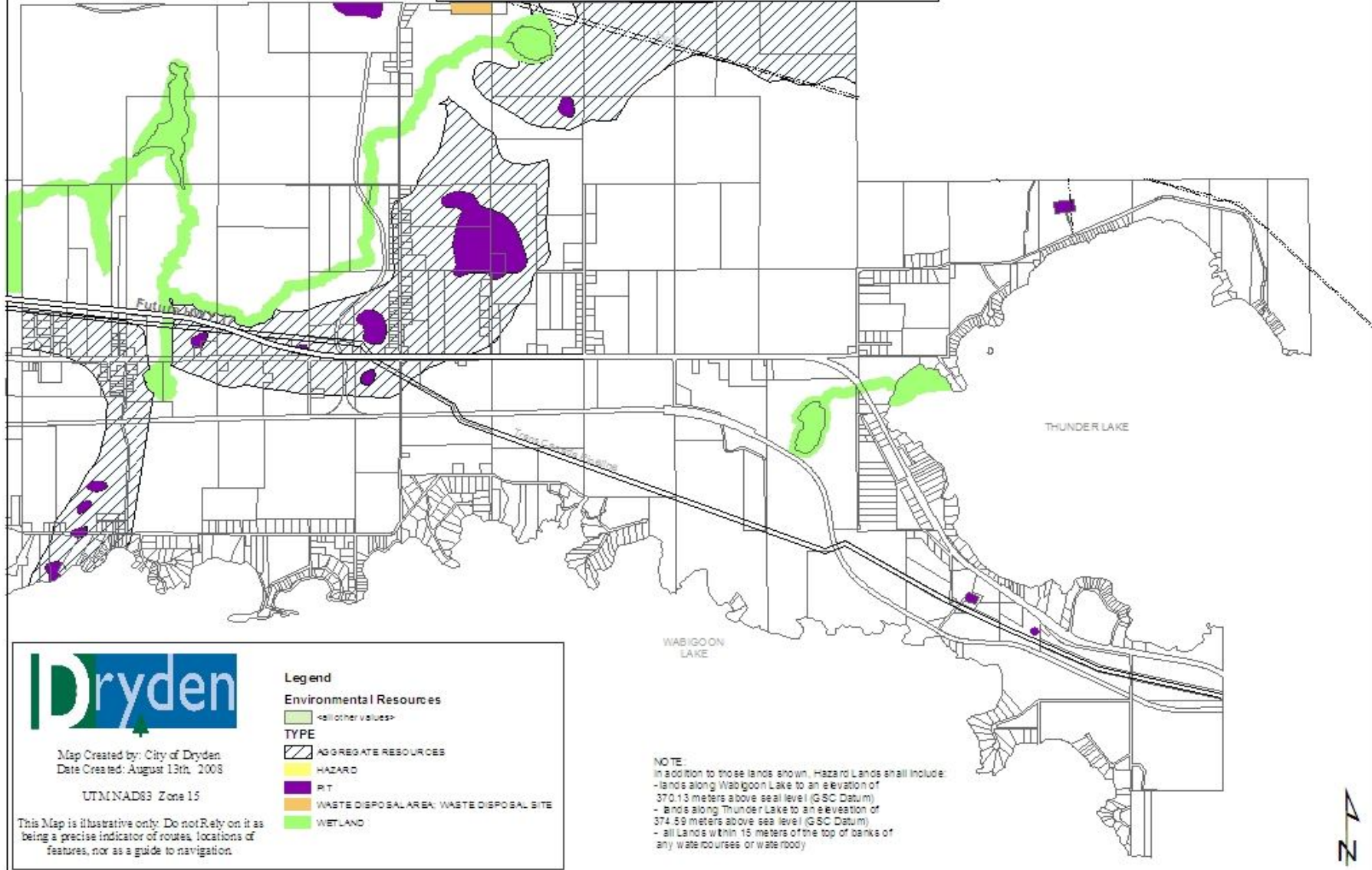
Map Created by: City of Dryden
 Date Created: August 13th, 2008

UTM NAD83 Zone 15

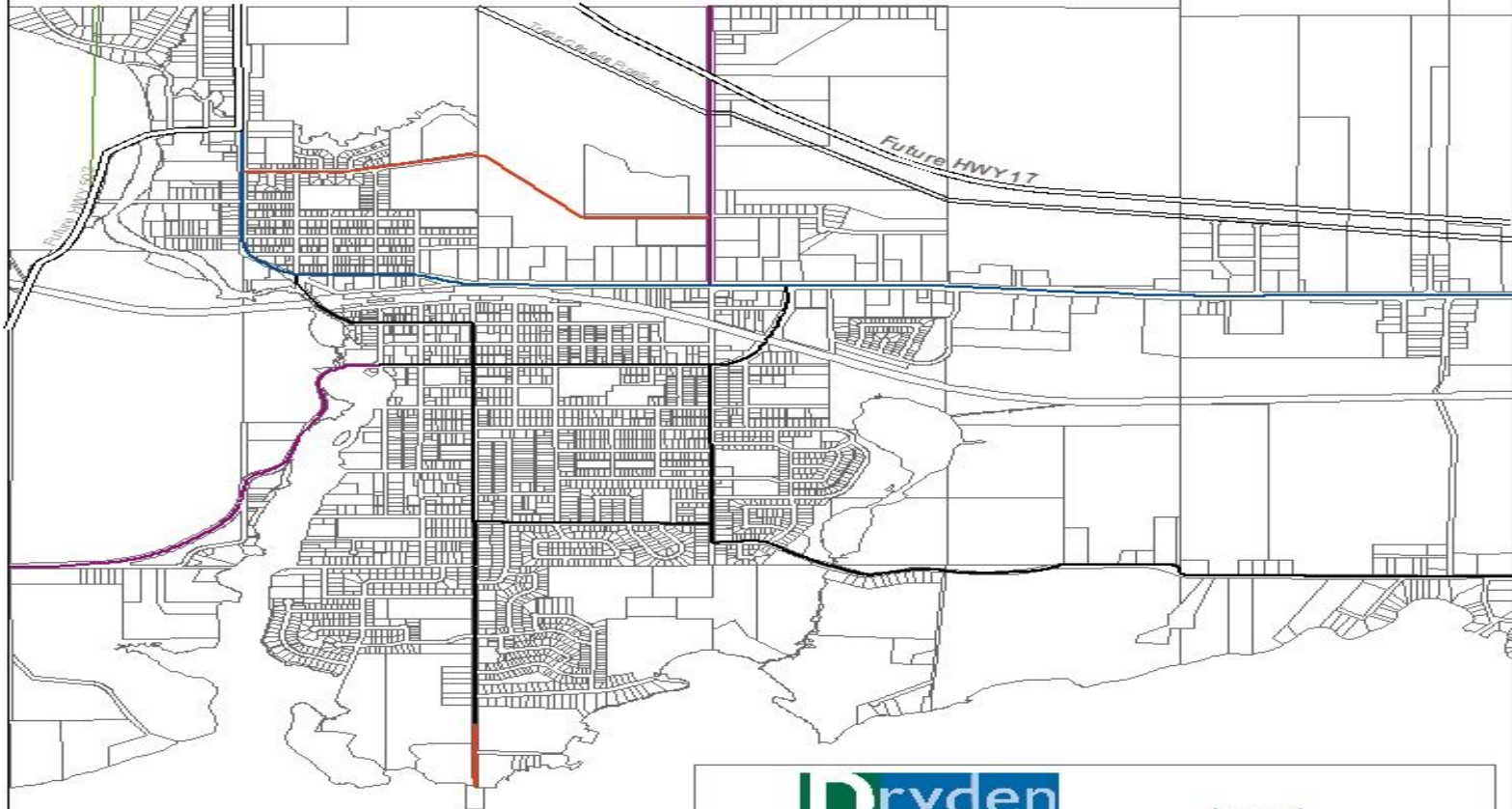
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| | |
|--------------------------------|--|
| Legend | |
| Environmental Resources | |
| -all other values- | |
| TYPE | |
| | AGGREGATE RESOURCES |
| | HAZARD |
| | PIT |
| | WASTE DISPOSAL AREA; WASTE DISPOSAL SITE |
| | WETLAND |

SCHEDULE B - MAP No. 2 ENVIRONMENTAL RESOURCES CITY OF DRYDEN



SCHEDULE C - MAP No. 1
ROAD CLASSIFICATION
CITY OF DRYDEN



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Map Created by: City of Dryden
Date Created: August 13th, 2008

UTM NAD83 Zone 15

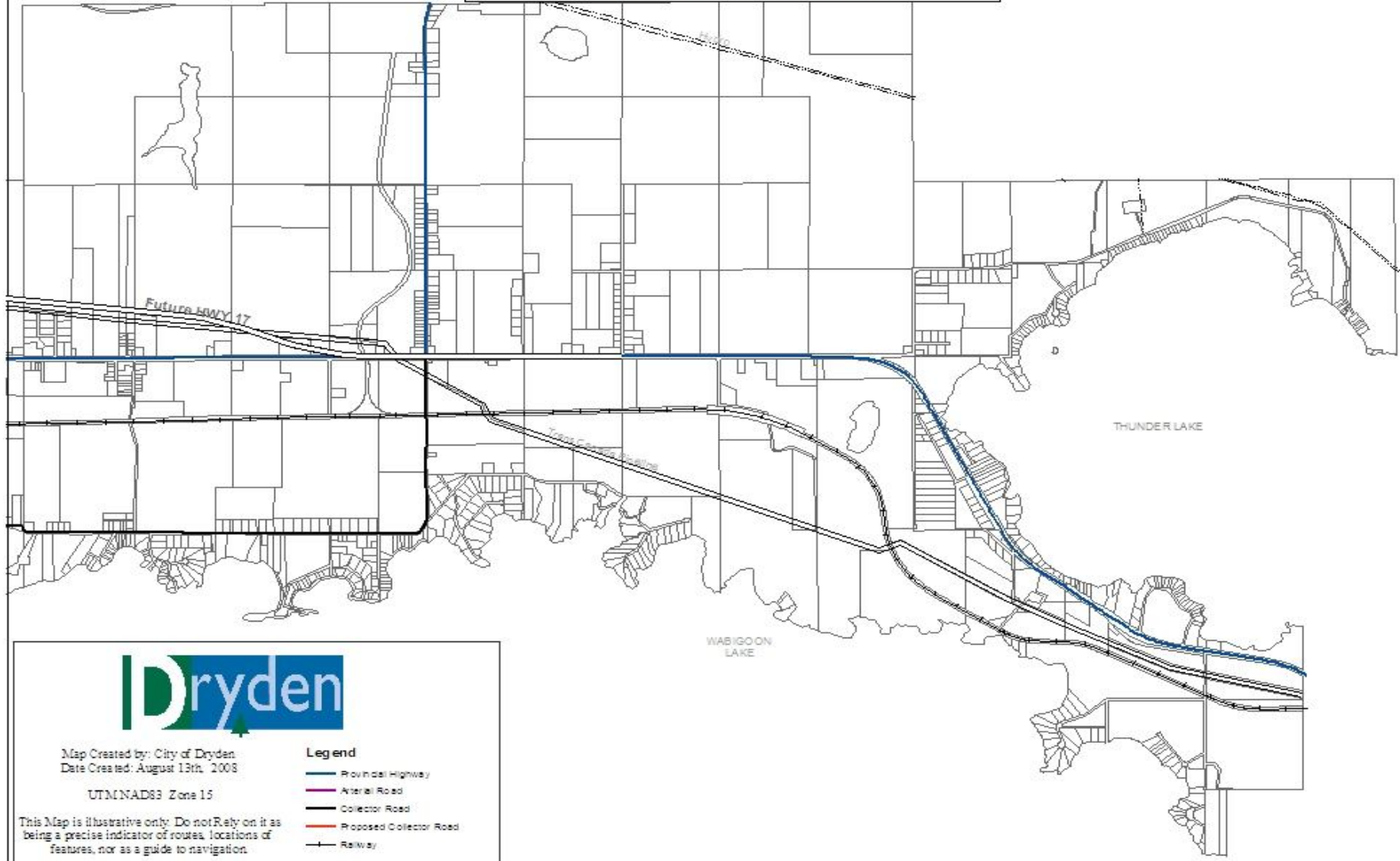
This Map is illustrative only. Do not Rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Legend

Road Classification

-  Arterial Road
-  Collector
-  Proposed Collector Road
-  Provincial Highway

SCHEDULE C - MAP No. 2
ROAD CLASSIFICATION
CITY OF DRYDEN



Map Created by: City of Dryden
Date Created: August 13th, 2008

UTM/NAD83 Zone 15

This Map is illustrative only. Do not Rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

- Legend**
- Provincial Highway
 - Arterial Road
 - Collector Road
 - Proposed Collector Road
 - Railway