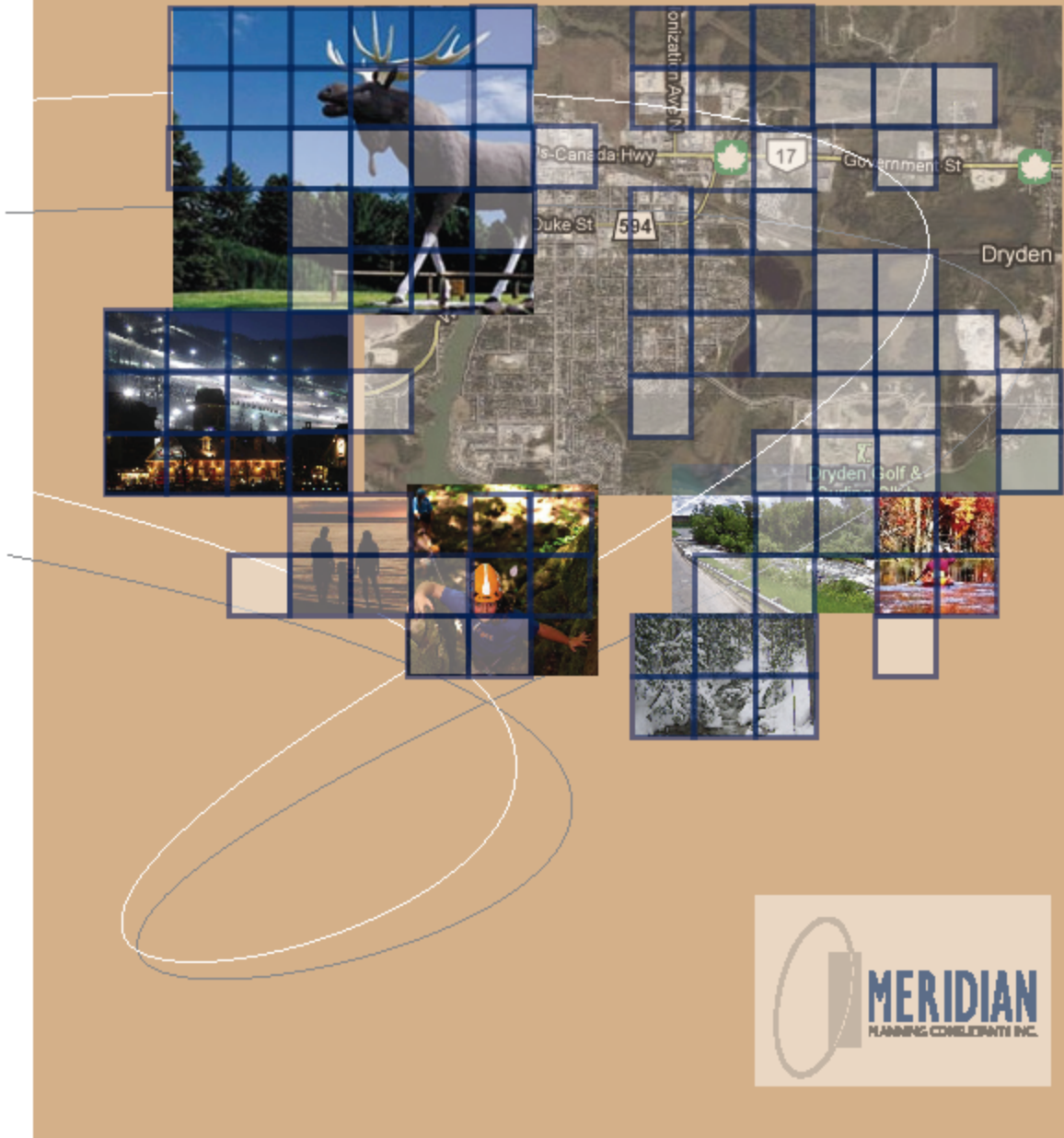


# PLANNING DIRECTIONS REPORT

Official Plan and Zoning By-law Update  
City of Dryden  
August 10, 2011



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## 1.0 INTRODUCTION

This report is intended to provide Council and members of the public with an overview of recommended changes to the City of Dryden's Official Plan and Zoning By-law as the result of background studies and public consultations as part of the 2011 Official Plan and Zoning By-law Update. The recommendations contained in this report have been developed by:

- Workshop # 1 - Future Vision for Dryden, March 21, 2011
- Review of 2005 Provincial Policy Statement
- Review of The Growth Plan for Northern Ontario
- Review of Ministry and Agency Comments
- Discussions with Council and staff
- Workshop #2 - Objectives and Direction, July 12, 2011



This report defines the vision and direction for the City of Dryden, reflecting a vibrant community that includes improvements to transportation infrastructure and trails, protection of environmentally sensitive features, and an economy that is self sustainable.

## 2.0 OFFICIAL PLAN

### 2.1 Section 1 - Purpose of the Plan

This section provides a rationale for the update to the Official Plan and the intentions of the Plan for the next 25 years. The majority of this Section will remain the same. Regard for the 2005 Provincial Policy Statement and the Growth Plan for Northern Ontario will be added. Some important elements of these plans include: economic diversification, the intensification of land use, and development of infrastructure.

### 2.2 Section 2 - Basis of the Plan

This is the first Official Plan Update since the Official Plan was originally approved in 2002.

The basis of the Plan needs to be revised to reflect the information that has been used to determine the requirements for the update. Included in that information should be the following:

1. Growth targets and additional housing needs

Year	Population	Additional households required
2015	8 760	185
2020	8 833	214

2. Growing partnerships with First Nations people in both the economic and social aspects. The Métis Nation of Ontario would also like to be consulted with for development applications that may impact their community.

3. The City may develop environmental sustainability policies or green energy policies to assist in meeting the growth target needs while keeping energy costs and servicing costs to a minimum.



4. The Plan will have to consider the expansion and re-alignment of Highway 17 and Highway 502.

5. Employment in the resources sector is cyclical. There is a need to plan for both cycles of high activity and low activity to ensure the City of Dryden has a strong economic base that is self-sustaining. At the time of the preparation of this Plan the forest industry experienced a low cycle but mining exploration has increased.

6. The airport has the potential for additional industrial and commercial related uses depending on availability of sewage and water services. The long-term economic role of the airport should be protected. Airports and sensitive land uses are appropriately designed, buffered, and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.

### 2.3 Section 3 - Objectives of the Plan

Through the workshop process, residents expressed their desire for the City to create places that establish a strong economy, outdoor amenity space, trail network, and improved transportation connection. Provincial policy directs the City to build complete, vibrant, communities. The recommended objectives for this Plan will:

- Create a vibrant, welcoming and inclusive community identity that builds on unique local features.
- Direct new residential development to the urban serviced areas of the City, away from significant or sensitive resources and areas which may pose a risk to public health and safety.

- Reflect recent upper tier government initiatives, such as, the provincial government focus on environmental sustainability through protection and wise use.
- Promote connectivity, mobility and accessibility within and between neighbourhoods, employment areas, downtown and the waterfront areas.
- Develop an integrated and welcoming waterfront community that includes housing, amenities, and connections to trail systems.



- Protect agriculture for the long-term. It should also include an objective of encouraging sustainable agricultural activities and promoting value added agricultural products and local consumption of those products in the Municipality.

- Place a strong emphasis on building northern economies to be competitive in the global market as outlined in the Northern Growth Plan. The objective will be to build a globally competitive economy and stimulate new investment and entrepreneurship by diversifying

traditional resource based industries and developing a highly educated workforce in both the trades and development of a knowledge based economy. It is also recommended that the City's economic investment be developed to be self-sustainable, provide jobs close to residents, encourage the buying food from local farmers, provide amenities close to residents, etc.

- Enable the First Nations to become more involved in land use planning decisions and provide the First Nations people with opportunities to join the economic sector and improved education.
- Recognize barriers for disabled people and provide accessibility features for current and proposed buildings.
- Develop a reliable transit system and policies supporting affordable housing in recognition of the fact that the baby boomer generation is getting closer to retirement age.
- Protect employment lands from conversion to non-employment uses.
- Protect the history and culture of the City by protecting historically significant buildings and areas in the City were possible.

## 2.4 Section 4 - Land Use Designations

The Land Use Designation Section needs to be updated to reflect Provincial policies and Ministry Guidelines. Since the approval of the 2002 Official Plan, many changes have occurred in the City of Dryden. When reviewing the designations it was determined that new designations will need to be created in order to accurately apply policies to different land uses. Currently, the Official Plan has eight land use designations. The new Official Plan will propose 10 land use designations:

Existing	Proposed
Downtown Core	Downtown Core
Regional Business Centre	Regional Business Centre
Future Commercial	Waterfront Mixed Use*
Heavy Industrial	Industrial
Stable Areas	Stable Areas
Future Residential	Residential
Rural	Rural
Open Space and Natural Areas	Open Space and Environmental Protection
	Shoreline Area*

\* Denotes a newly proposed land use designation

### Section 4.1 - Regional Business Centre

The Regional Business Centre designation will continue to develop as a retail commercial and light industrial use area to serve the residents of Dryden and the travelling public.



Dryden.

Policies to be added to this Section will include:

- Creating gateways to the Regional Business Centre through plantings, signage, and streetscapes to distinguish this area from the rest of

- Conversion of employment areas to non-employment uses will require a comprehensive review.
- Section 4.3.2.2 of the current Official Plan, which discusses maintaining the existing Trans Canada Highway through the City, will be replaced with: Plan for

the future development of Highway 17 and the current road becoming a local arterial.

- Existing driveways along Highway 17 shall be limited and should be consolidated wherever possible.
- The City may require, as a condition of approval, that developers provide a transformational analysis, to the satisfaction of the Ministry of Transportation and the City Engineer, indicating the effects of traffic from the proposed developments on Highway 17.
- Parking areas are to have internal connections.
- Streetscaping will be required.
- Industrial uses requiring outdoor storage will be required to provide visual screening or locate on lands that do not directly abut the Highway.

#### Section 4.2 - Downtown Core

The Downtown Core policies will remain relatively the same from the existing Official Plan with some added policies to improve the appearance and connectivity to the Downtown. The Downtown Core is a single designation for the area and does not designate specific commercial or residential areas within it. We believe this is an appropriate way to designate the lands. However, additional policies may provide for:



- Land use compatibility between commercial and residential uses in the communities.
- Section 4.3.1.5 of the current Official Plan states that multi-residential development shall be encouraged in the Downtown Core. Commercial uses on the street level shall be encouraged, enabling residential uses alone on some

lots. This should be clarified to encourage residential intensification in the Downtown.

- Policy 1.1.3.2 of the PPS states that land use patterns in settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; and minimize negative impacts to air quality and climate change, and promote energy efficiency. These policies do not appear to have been considered in the preparation of the current Official Plan. Additional policies are required to ensure that the proposed amendment is consistent with these policies.
- Enhancing the gateways into the Downtown area should be encouraged.
- Streetscape improvements to make the community more attractive.
- Develop new and emerging economic sectors that have the greatest potential to bring new jobs and opportunities to Dryden and optimize its competitive advantage in the global economy.
- Conversion of employment areas to non-employment uses will require a comprehensive review, which has to demonstrate that land is not required for employment purposes over the long term, and that there is a need for the conversion.
- Land use patterns shall be based on opportunities for intensification and redevelopment in accordance with the PPS.
- Designating specific buildings or areas as being culturally significant.
- The Municipal Cultural Plan for the City of Dryden identified the need for new jobs in education and growing cultural awareness of urban aboriginal populations. It is recommended that a policy be put in place which strengthens the cultural identity and character of the City as a whole by preserving and



enhancing existing heritage buildings or structures and creating new public spaces.

- Improve pedestrian, cyclist and transportation routes between the downtown and other areas of the City, especially access to the waterfront.

- There should be strong support to enhance Dryden's performing arts centre.
- Develop and implement a public art policy that supports installation of public art in public facilities and community buildings.
- Encourage redevelopment of brownfield sites in the Downtown Core area.
- Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible to the travelling public.

### Section 4.3 - Waterfront Mixed Use

The Waterfront Mixed Use designation was previously called Future Commercial. This area has the opportunity to attract major tourist related commercial development. Policies for this designation should be as follows:

- Provide for a mix of uses that are located close to the shoreline and that connect to pedestrian and cyclist trails.



- Provide uses such as, hotels, convention centre, recreation and tourist related commercial purposes.

- Residential development should be medium density housing (either townhouse units or 3 to 5 storey buildings) to allow for more residents to enjoy living close to the waterfront and making efficient use of municipal services and docking.

- New development proposals should have architecturally pleasing

characteristics that complement the existing character of the community. Innovative building designs are encouraged and can provide a focal point or landmark to the area.

- Public recreational activities shall be encouraged, along with public open spaces to equally provide waterfront access to all residents and visitors to Dryden.

### Section 4.4 - Commercial

Commercial area is a new designation introduced in the update of the Official Plan to recognize commercial development opportunities and to identify those commercial businesses that already exist. Residential uses shall not be permitted in this land use designation.

## Section 4.5 - Industrial

Applications for Zoning By-law amendment to allow new or expanded industrial uses or new or expanded residential uses adjacent to an industrial area shall have regard to land use compatibility.

Proponents of a Zoning By-law amendment to establish or expand industrial uses shall be required to address the following matters:

- The compatibility with surrounding land uses, and in particular the possible effects of noise, vibration, odour, and other emissions on sensitive land uses;
- The adequacy of, and potential impacts on, existing roads and transportation;
- The adequacy of, and potential impacts on, waste disposal facilities;
- The potential impacts on ground and surface water quality and quantity;
- Financial impacts on the municipality;
- Potential impacts on the natural environment including, where applicable fish habitat and natural heritage features;
- Where the proposed use would be serviced by municipal water and sewage services, the adequacy of, and potential impacts on those services;
- Visual impact of the proposed use; and
- Proposed mitigation measures to address the matters identified above.

## Section 4.6 - Residential

The residential area policies will remain relatively the same. Section 4.2.9 will be removed since it refers to servicing that is already in place. The new Official Plan shall consider the following policies, most of which are related to the policies in the PPS:



- Establish minimum housing densities.
- Develop urban design guidelines that foster social interaction and engagement, and enhance Dryden's identity and character.
- Plan for intensification, infilling and redevelopment of existing developed areas while maintaining the character of those areas.
- The Province recently made changes to the Planning Act that allows for garden suites and secondary units in appropriate residential areas. This will support more affordable housing options and assist in the care of the aging baby-boomer generation. Therefore, this provision of the new Official Plan will be necessary.

- Establish minimum targets for the provision of affordable housing and create downtown zoning standards that will encourage affordable housing.
- Facilitate a compact form of development which will minimize housing costs.
- Create high quality places through enhancement of the streetscape, connecting trail systems, public art displays, and open spaces.
- Encourage green energy building designs or sustainability practices that are integrated in new and existing development.

#### Section 4.7 - Shoreline Area

The shoreline area policies will need to consider environmental protection of the shoreline. Since the last Official Plan was adopted, many new policies have been put in place by the Province to emphasize the need for the protection of the shorelines.



- The Shoreline designation permits commercial tourist development, recreation and open space uses, and residential dwellings. The Official Plan sets a minimum setback of 30 m from the high water mark for septic systems. New lots should be large enough to ensure that sewage systems shall not be within 300 metres of Thunder Lake.

- Currently there is no requirement in the Official Plan for a vegetative buffer area. New development shall ensure that there is a vegetative buffer between the shoreline and proposed buildings or structures in order to enhance and protect the shoreline character. Surface Water Quality policies should require a 10 m vegetative buffer between the water body and development. Many municipalities are now requiring a 20 m buffer or more. Consideration should be given to increasing the buffer area and providing policies about the use of native vegetation species to maintain linkages between the water/shoreline interface and back lands.

#### Section 4.8 - Rural

Section 4.4 of the current Official Plan deals with rural and agricultural uses. New policies have been put in place for the protection of agricultural land and to limit development in rural areas.

- Permitted uses in the Rural designations appear appropriate. It includes agricultural, residential, industrial, commercial and open space uses. The policies for residential development in Section 4.4.1 states that new lots shall only be considered if there is municipal services and shall be large enough to sustain private sewage and water systems.
- The current Official Plan allows for lot creation provided that the lot meets certain requirements, such as infilling, extension to existing built up area, and allows for up to two additional lots from an original 40-hectare parcel of land. More restrictive policies need to be in place. This includes: only allow a limited number of new lots for residential purposes and the need to expand new infrastructure should be avoided.
- New land uses shall comply with the Minimum Distance Separation formula. These policies should make it clear that MDS I Formula, separation between proposed new dwellings and existing barns should apply throughout the Municipality. MDS I should also apply to the creation of new lots for residential uses. However, MDS II, requires setback distances between barns and adjacent residential uses to apply in order to be consistent with the Provincial Policy Statement. Furthermore, MDS does not necessarily have to apply where the proximity of a dwelling on an existing vacant lot would not comply with MDS if that is the only and most reasonable location for a dwelling on that existing vacant lot. These policies should be updated. This matter may most appropriately be addressed in the Zoning By-law.
- Include a requirement that Council must be satisfied that there is a need for the development in order to meet housing demand.
- The current Official Plan does specifically address tourist commercial camps being permitted in the Rural Area. We believe that from an economic development perspective, eco-tourism in the Rural Area should also be a permitted use and special consideration be given to zoning provisions that permit wilderness eco-tourism camps to be located in areas that do not have road access or any form of municipal services or utilities.



- Section 4.4.3 policies are designed to protect existing agricultural operations. There is a need for additional agricultural protection policies. We would suggest that policies be added to encourage value added agricultural production and rural related commercial and industrial uses are able to operate in conjunction with agricultural operations in Dryden. Requiring that good agricultural lands and operations be preserved in large parcels, in order to ensure the viability of ongoing agriculture in the Municipality, could enhance the policy.

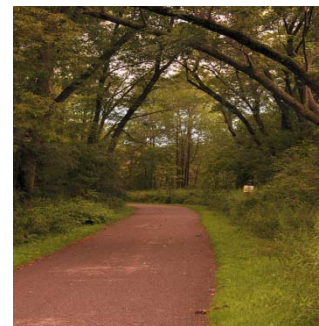
- Development of farmer’s markets should be encouraged in order to allow local farmers an opportunity to sell locally produced goods.
- Section 4.4.6 of the Official Plan states that resource and open space uses are permitted in Rural designations provided that they are compatible with surrounding land uses. We recommend that this policy be expanded to indicate that mineral exploration and mining are acceptable land uses in rural areas.

### Section 4.9 - Open Space

The current Official Plan has Open Space and Natural area designations combined in one Section. The two designations are very distinct from one another and it is possible that they be split into two separate categories. Open Spaces provide opportunities for public access and recreation throughout the City, while Environmental Protection areas should be preserved and should not be developed. Open Space policies to consider are as follows:



- Continuous trail connections to the downtown and waterfront areas.
- 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.
- Develop private sector recreational facilities in close proximity to residential areas.
- The City shall develop the waterfront areas for public open space uses wherever possible. Limited private development shall occur in order to ensure that the waterfront remains in the public domain and everyone can access it. It will create an attractive amenity area for the City.



### Section 4.10 - Environmental Protection

These areas represent lands that are environmentally sensitive and should not be developed. Protection of these natural features will preserve the ecological function of the areas such as floodplains and wildlife habitat.

- Wetlands within the City are identified on Schedule B of the current Official Plan, and are designated “Open Space and Natural Area” on Schedule A of the Plan. The schedule will have to be updated to reflect the “Environmental Protection” designation.
- Section 4.6.7 of the current Official Plan does not permit any development in wetland and hazard land areas. There is sufficient land within the City to provide a range of new development opportunities without encroaching upon environmentally sensitive areas.
- There is no change in flood plain elevation information from existing Official Plan. Some flood plain mapping was completed for a portion of Wabigoon River and Swanson Creek, which should be incorporated into the schedules.



- Wabigoon Lake is regulated under the Wabigoon and Eagle River System Water Management Plan.

- An Environmental Impact Study (EIS) will be required for all development proposed within 120 m of a wetland or significant wildlife habitat area. Environmental Impact Studies must be completed by

a qualified person to address impacts to significant wildlife habitat. The EIS will identify and assess any potential negative environmental effects and identify mitigation measures. The EIS must be accepted by the MNR.

- The Official Plan addresses significant fish habitat in Section 5.8. This Section needs to be updated to reflect the species at risk legislation that has recently been enacted.
- Significant Wildlife Habitat: during a development proposal, the planning authority will need to address;
  - 1) Whether the proposal has the potential to impact Significant Wildlife Habitat (SWH); and,
  - 2) Ensure any identified environmental impacts on this habitat are mitigated.
- While MNR is responsible for providing technical advice and approving the delineation of SWH, the ultimate responsibility for protecting SWH lies with the planning authority. Dryden will need to undertake the necessary studies or establish policies to ensure development proposals, identify, evaluate and mitigate impacts on significant wildlife habitat within its boundaries. MNR’s Significant Wildlife Technical Guide and the MNR’s Natural Heritage Reference Manual provide guidance related to the identification and evaluation of this

habitat. All species ranked S1 to S3 by the Natural Heritage Information Centre and species ranked special concern under the Endangered Species Act, as well as Federally listed threatened and endangered species are automatically deemed significant and must be considered Significant Wildlife Habitat.

- Depending on the results of the information search and discussion with MNR, further site investigation and or habitat mapping may be required to identify the nature and scope of habitat requiring consideration. MNRs Significant Wildlife Technical Guide is a key tool in informing this process.
- The Endangered Species Act (ESA) prohibits the killing, harming, harassment, capture or taking of a species at risk, and damaging or destroying their habitat. The protection of Significant Habitat of endangered and threatened species, especially habitat essential for reproduction or for survival at critical points in the life cycle, is fundamental for the recovery of these species at risk. Protection is necessary to prevent the extirpation of species of Ontario and to assist with their recovery.
- The MNR district office should be contacted to confirm the potential of the presence of an endangered species, after a preliminary screening through the Natural Heritage Information Centre has been completed. Habitat mapping and mapping of species distributions and or site investigations may be required to identify whether an endangered or threatened species is present near an area proposed for a development application. Planning authorities should require an appropriate level of ecological site assessment by a qualified person.

Suggested policies for Significant Habitat for endangered or threatened species include:

Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the *Endangered Species Act*. Development or site alterations must be considered in accordance with the provisions of the act.

1. Each development or site alteration will require an appropriate level of assessment for habitat of threatened or endangered species. The assessment begins with at the Natural Heritage Information Centre Species at Risk Screening and discussion with local MNR representatives.
2. MNR is the lead agency responsible for approving the delineation of Significant Habitat for Threatened and Endangered species and administering the provisions of the *Endangered Species Act*.

## 2.5 General Policies

The General policies section will require some major changes to meet Provincial polices. Such changes include:

- There is a need for policies on lot creation. Currently the existing Official Plan does not have any policies regarding lot creation. In order to facilitate growth

such policies will need to be enforced to ensure proper and orderly development occurs.



- Section 5.2 of the current Official Plan discusses the general policies for contaminated sites. A brownfield redevelopment policy should be included in this section. Also, development adjacent to lands affected by mine hazards, oil, gas, or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation measures are

addressed and mitigate known or suspected hazards are under-way or have been completed. Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

- Section 5.4 discusses land use compatibility policies. This section will have to be updated to add a policy that addresses Ministry guideline D-1. Planning for land uses in the vicinity of airports shall ensure the long term operation and economic role of airports is protected and that sensitive land uses are appropriately designed, buffered and or separated from each other to prevent adverse effects from odour, noise and other contaminants. The Ministry's preference to use separation distances to mitigate the potential effects of one land use on another is further explained under the Ministry Guidelines D-2, D-4, and D-6.
- Section 5.5 discusses home industries but also needs to include home occupations or home professions. Entrances serving home occupations, industry or businesses located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future 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.
- Policies for development adjacent to watercourses and water bodies are outlined in Section 5.6 of the current Official Plan. Proposals for development within 30 metres of the high water mark of any watercourse or water body, or

farther depending on slope, will be evaluated for their potential impacts on fish habitat.

- Section 5.7 of the Official Plan discusses what an Environmental Impact Assessment shall include. It should also include when an Environmental Impact Study is required. An Environmental Impact Study (EIS) will be required for all development proposed within 120 m of a wetland or significant wildlife habitat area. Environmental Impact Studies must be completed by a qualified person to address impacts to significant wildlife habitat.
- Section 5.8 addresses the policies on fish habitat areas. This section should include the definition of a fish habitat area and shall ensure that any new development proposed adjacent to a fish habitat area has an area located outside of the sensitive fish habitat area for development of a dock or other such structures.
- A Section needs to be added for development along Wabigoon Lake. Information on water quality is primarily MOE mandate and should be directed to that Ministry. Wabigoon Lake, due to its shallow nature is susceptible to algal blooms with any increase in nutrient loads.
- Crown Land Use Policy Atlas (CLUPA) Policy Report G2531 and the existing Dryden District Fisheries Management Plan do not support any new dispositions of Crown land for tourism development which is directly dependent on an increased harvest of fish and wildlife resources. The Fisheries Management Plan does not support any new Crown land cottage subdivisions. Disposition of Crown land for other uses within Municipal Boundaries may be considered.
- Section 5.9 contains policies related to Thunder Lake. It is a coldwater lake and supports a lake trout fishery and is a designated a tourism lake. Development restrictions for this lake have not changed.
- Section 5.10 discusses the policies that apply to aggregate resources. The Official Plan needs to be modified to reflect where aggregate resource applications are being considered, where the appropriate studies are to be undertaken and provide setbacks and buffers that are recommended through the studies.
- The Official Plan was done at a time prior to the Aggregate Resources Act coming into force. With that Act now in force, this section needs to be revised to reflect the authority of the Ministry of Natural Resources.
- Section 5.11 of the Official Plan contains policies on wayside pits and quarries and portable asphalt plants but makes no reference to portable concrete plants.
- Section 5.12 gives the policies for Mineral Resources. Mineral resources are to be protected for the long term and should be protected from activities that

would preclude or hinder their expansion. New mineral values mapping has been prepared to assist Dryden in the preparation of the new Official Plan. This mapping should be incorporated into the schedules of the new Official Plan. The entire City overlies bedrock with substantial mineral potential. All maps are to indicate that all lands have moderate to high mineral potential. Currently, the Official Plan states that resource uses are permitted in areas with Rural zoning. Since this applies the greatest portion of high mineral potential, it is recommended that the wording be changed to indicate that mineral exploration and mining are acceptable land uses subject to the compatibility with adjacent uses.

- Section 5.13 addresses mine hazards well but a direct reference to the schedule where mine hazards are shown would be helpful. This section is further expanded by adding "...where development is proposed within 1000 meters of an Abandoned Mine Hazard Site, the municipality will consult with the Ministry of Northern Development, Mines and Forestry regarding the nature of the hazard and any remediation measures that may be required under the Mining Act. The Regional Land Use Geologist - Northwest in Thunder Bay should be the initial contact for inquiries."
- Section 5.14 discusses cultural heritage resources. This section could incorporate a policy to address the development of a cultural master plan for the community. Also there should be policy to address the need to preserve cultural heritage buildings.
- There needs to be a Section added that address Natural Heritage features to protect the long-term ecological function and biodiversity of natural systems. These areas should be maintained, restored or where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.
- Section 5.15 discusses hazard lands. This section addresses all the policies well but needs to expand the paragraph that states "Along the shorelines of Wabigoon and Thunder Lakes, hazard lands shall be defined by either the 15 meters setback from the top of the bank, or the elevation identified above, whichever is higher."
- A section will need to be added on alternative energy/renewable energy that reflects the Green Energy Act. According to the Act Official Plan policies and Zoning By-laws do not apply to most alternative energy projects. Alternative energy systems shall be permitted in settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements. In rural areas and prime agricultural areas, these systems should be designed and constructed to minimize impacts on agricultural operations
- For highway safety reasons, wind turbines located adjacent to a provincial highway will be setback 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.

## 2.6 Section 6 Municipal Services

This Section addresses the services provided by the City of Dryden. Most of this section will stay the same. The only changes will be to the fire services, water and storm water services, and waste management.

- The fire department has requested that when new subdivision applications are submitted a sufficient supply of water flow is provided and roads can accommodate fire protection services.
- Dryden has now established a new sewage treatment plant. The new plant will have a capacity of 9,500 cubic meters per day and will accommodate spikes in water flow. This eliminates any previous limitations to growth due to servicing constraints; however, careful consideration should be given to how and where new development is permitted. Lot creation policies in relation to the availability of reserve sewage treatment and water system capacity, and capacity for hauled sewage will have to be included in the new Official Plan.
- The City may choose to use private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, where: municipal sewage services and municipal water services are not provided; and, the municipality has established policies to ensure that the services to be provided satisfy a certain criteria.
- Individual on-site sewage services and individual on-site water services shall be used for a new development of five or less lots or private residences where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided and where site conditions are suitable for the long-term provision of such services. Despite this, individual on-site sewage services and individual on-site water services may be used to service more than five lots or private residences in rural areas provided these services are solely for those uses permitted by policy 1.1.4.1(a) of the PPS and site conditions are suitable for the long-term provision of such services.
- Development should be serviced by full municipal sewage and water services wherever feasible. Where full municipal sewage and water services are not provided, and where site conditions permit, multi-lot/unit development should be serviced by public communal services. Where the use of public communal services is not feasible, and where site conditions permit, development may be serviced by individual on-site systems.
- Development on partial services will only be permitted where necessary to address failed individual on-site sewage services and individual on-site water services in existing development or within settlement areas to allow for infilling and rounding out of existing development on partial services.

- The Municipality has recently completed work on a new sewage treatment plant and has, as part of that process, prepared a long-term plan for sewage allocation. With this information development proposals can be comprehensively reviewed with respect to servicing.
- Where there is an application for development, it should be a policy requirement that a stormwater management and construction-mitigation plan be prepared. New development shall also consider the impacts of stormwater on the quality and quantity of water on lands and waters downstream.
- Any land use, now or previously for the purpose of waste disposal, be designated in the Official Plan such that development is not allowed. This designation is suggested to meet the requirements of Section 45 of the *Environmental Protection Act*, which restricts the use of such lands once use has ceased at the site unless separate approval of the Minister of the Environment is obtained for the development of such lands. The purpose of this provision is to reduce adverse impacts to the health and safety of individuals and the environment.
- The Ministry of the Environment shall be consulted on all developments proposed with private services, or expansions of current use, located within 500 meters of the boundaries of open or closed landfill sites. These proposals will require an Environmental Impact Assessment Report to demonstrate that the water supply of the proposed development is not negatively impacted and that other problems are not present (e.g., leachate, methane gas, rodents and vermin).

## 2.7 Transportation Policies

The Ministry of Transportation has made some comments on the transportation policies. They recommend dividing this section into two parts. One deals with Provincial highways and the other dealing with municipal roads. The recommendations are as follows:

- The alignments for the new Highway 17 and the re-aligned Highway 502 resulted from the Dryden Area Highway Planning Study. Both alignments were designated as proposed highways: the Highway 17 alignment as a Proposed Controlled Access Highway (CAH) and the re-aligned Highway 502 as a Proposed King's Highway. Since these alignments are now designated and registered in the Land Registry Office, they must be shown on the Official Plan schedules.
- Permit control provisions under the *Public Transportation and Highway Improvement Act* are applicable to the Proposed Designations and to the existing constructed highway. No development can occur within, or adjacent to, either of these alignments without the prior approval of this Ministry.



principles.

- Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of MTO's access management practices and principles.
- A policy on MTO's Permit Control Area should be added. "In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within MTO's permit control area under the *Public Transportation and Highway Improvement Act* (PTHIA), will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity, of a provincial highway or interchange/intersection within MTO's permit control area will be subject to MTO's policies, standards and requirements."

- Section 4.3.2.2 (iii) of the consolidated Official Plan discusses Transportation Impact Studies but should also be included in the transportation section. "A transportation study, otherwise known as a traffic impact study, will be conducted to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of any secondary plans, development plans, or subdivisions."
- MTO recommends adding a policy on the number of entrances. "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."
- There is no mention of right of way widths for provincial highways in the Official Plan. The Ministry is satisfied with this but suggests that the Official Plan indicate that ROW widths for a provincial highway will be determined by MTO.
- A section should be added to address proposed access connections to a provincial highway. "Any new proposed connection (ie public road or signalized intersection) onto a provincial highway shall meet MTO's access management practices and principles."
- Ministry of the Environment requires a noise study for sensitive land uses that are proposed within 50 m of a provincial highway right-of-way.
- Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway and front onto a local internal street.
- For drainage and stormwater management plans, a drainage/stormwater management plan/report shall be prepared by the proponent, and reviewed and approved by the MTO for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway and/or downstream properties.
- The Schedules to the new Official Plan should identify the roads owned by the Province, Region and Municipality. It should also identify whether it is an arterial, collector or local road.
- Planning authorities are to plan for the protection of transportation corridors. Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purposes for which it was identified.
- The Open Space designation mentions connecting trails across the City but there should also be policies in the transportation section that deals with the use of snowmobile trails or four season recreational vehicles. There should

also be a policy that encourages the creation of pedestrian and cycle trails utilizing old road allowances.

A new subsection on railroad corridors should be added to the Transportation Section of the Official Plan.

- Development adjacent to railway corridors and rail yards will be limited to industrial and commercial uses. Where planning approvals are required to allow for development or redevelopment near a railway corridor or rail yard, consideration shall be given to the impacts of noise and vibration.
- Except for infilling on existing lots of record, new residential development and other sensitive land uses shall not be permitted within 300 meters of a rail yard. Notwithstanding the above, where a planning approval is required limited residential development of a restrictive infill nature may be permitted provided:
  - i) It has been demonstrated by a site specific study to the satisfaction of Council in consultation with the railway, that there will be no negative impacts on the long term function of the rail yard;
  - ii) That the applicable policies and guidelines including the Ministry of the Environment noise assessment and land use compatibility guidelines, have been addressed; and,
  - iii) Council is satisfied that appropriate noise mitigation measures will be undertaken.
- Applications for planning approvals to allow for residential or other sensitive land uses between 300 and 1000 meters of a rail yard, or within 300 metres of a railway corridor shall be accompanied by a noise study, to the satisfaction of Council in consultation with the railway, demonstrating that applicable provincial policies and guidelines with respect to noise and land use compatibility have been addressed. Such applications shall be permitted only where Council is satisfied that appropriate noise mitigation measures will be implemented at the time of development.
- Where development is proposed within 75 meters of a rail yard or railway corridor, submission of a vibration study, prepared to the satisfaction of Council in consultation with the railway, and addressing the potential impacts of vibration and recommended mitigation measures, may be required. Where potential adverse impacts are identified, appropriate mitigation measures shall be implemented at the time of development.
- Implementation and maintenance of any required rail noise, vibration, and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the City in consultation with the railway.
- Appropriate safety measures, such as setbacks, berms, and security fencing, shall be provided in associational development proposals adjacent to rail yards or railway corridors, to the satisfaction of the City in consultation with the

railway. Where applicable, the City will ensure that sightline requirements of Transport Canada are addressed.

- In lieu of the site specific studies required the City, in consultation with the railway, may undertake a comprehensive study to determine appropriate noise mitigation measures to be incorporated into new development proposed in close proximity to rail yards and rail corridors. Any such study should be updated on a regular basis to reflect current rail operating conditions.
- The extent of the rail yards should be shown on the Schedules to the Official Plan. For the purposes of this plan, all other rail lines shall be deemed to be rail corridors.

## **2.8 Implementation Policies**

This section of the Official Plan needs to be modified to include provisions under Bill 51 of the Planning Act. Included in those provisions are:

### **1. Complete application.**

There needs to be policies in the Official Plan that outline what is required to fulfil the requirements for a complete application. The Planning Act now requires the Municipality to give notice of a complete application when an application is filed with the Municipality. These policies need to be included in Section 8 of the Official Plan.

### **2. Pre-consultation**

The Planning Act now enables municipalities to require pre-consultation prior to an application being submitted. There should be provisions in the Official Plan that provide for a degree of pre-consultation prior to applications being submitted in order that applicants are aware of the Municipality's requirements and the Municipality can provide early advice to people making applications regarding the likelihood of success of their application or, the information requirements necessary for Council to review in order to make a decision on the application.

### **3. Environmental Assessment Process**

The Ministry of the Environment requires that any major development projects may be subject to an environmental assessment. Municipal road as well as waste water and water projects should be screened under the Municipal Class Environmental Assessment.

### **4. Lot Creation**

Currently the Official Plan does not contain any lot creation policies. It is important to include the policies in the Official Plan to guide development.

5. Maintenance and Occupancy By-law

Section 8.4 of the Official Plan refers to the *Planning Act* to establish minimum standards. This has now changed. The *Building Code Act* now regulates the Maintenance and Occupancy By-law.

6. Community Improvement Plans

Section 8.5.2 should be changed to include the downtown area, the waterfront and the highway 17 and 502 realignment. These areas will be improved through façade improvements, signs, gateways and Brownfields.

7. Community Improvement Projects

This section will be modified to include:

- A connected trail system
- Downtown intensification
- Shoreline development along Wabigoon Lake
- Improved westerly access to the City core
- Locate shopping and amenities on the waterfront
- Senior housing located on the waterfront and in the downtown areas

### 3.0 ZONING BY-LAW

Under the provisions of the *Planning Act*, the Zoning By-law must conform to the Official Plan. The Zoning By-law is the law that implements the policy guidelines contained in the Official Plan. Therefore, continuity between the two documents is critical.

The Official Plan has designated areas in the Municipality based on future development occurring in areas that will change and areas that will not change or stable areas. The Zoning By-law provides a greater degree of specific identification of current and future land uses. For example, within the stable area of the Official Plan there are a multitude (three) residential zones that allow different densities and heights. Within the stable area there are also institutional, light industrial and commercial zones.

Much of the future development area is already zoned. All of the employment lands adjacent to Highway 17 are currently zoned with the use of a Hold provision. The Hold provision enables the Municipality to require Site Plan Approval, a Servicing Plan or an agreement with the Municipality prior to development occurring. By using the Hold, the Municipality avoids the necessity to amend the Zoning By-law to permit uses that are planned for the area in the Official Plan. Because of this approach, there have been few appeals to developments within the City of Dryden and the Zoning By-law has not needed to be amended on many occasions.

In recent years, the Province has taken steps to remove municipal zoning authority for a number of uses. The *Green Energy Act* was passed approximately two years ago.

This Act exempts Green Energy projects such as windmills and solar panels from zoning regulation. The Dryden Zoning By-law will need to be amended to reflect the provisions of this Act. Recently, the *Planning Act* was amended to remove the prohibition against second dwelling units within existing single dwelling units provided that adequate servicing can be provided to the added units. Provisions of the Dryden Zoning By-law will need to be amended to reflect these changes in legislation.

When the North Dryden Secondary Plan Area was approved, the Zoning By-law was not amended to reflect the uses in that area. It will therefore be necessary, should the City continue to wish to zone with a Holding provision, to place zoning on those lands that will reflect the future land use designations outlined in the Secondary Plan. This will require zoning of open space areas to reflect parklands, residential areas and new commercial areas located adjacent to the new roadway (Centennial Drive) parallel to the current Highway 17.

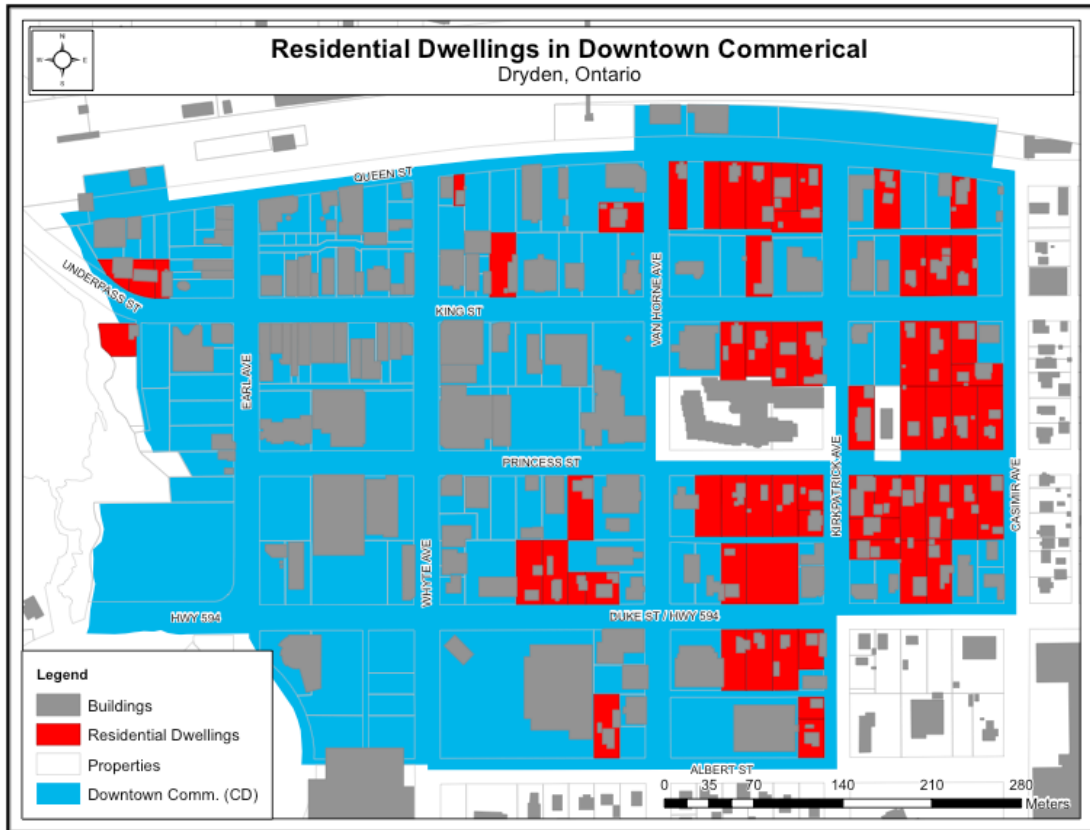
#### **4.0 SPECIFIC ZONES**

In the Shoreline Residential Areas there should be a required vegetative buffer between the shoreline and any development. It is recommended that this buffer be a minimum of 15 metres.

Within the Stable Area, consideration should be given for provisions that limit the height of accessory buildings to within one metre of the height of the adjacent buildings.

Provisions should be made for forestry and mining activities within the rural areas of the Municipality as these uses are not clearly permitted in the rural area. In addition, the road frontage requirements may not be necessary for these types of uses.

The Zoning By-law Schedules have been reviewed to determine the extent to which areas that are pre-zoned should remain the same. Some changes to the Zoning By-law Schedules appear to be warranted in order to permit suitable extensions of residential areas in areas currently zoned commercial or employment. In particular, there are areas in the Downtown designation that are Zoned C2 but are single detached dwellings. Many minor variances have been requested in these areas. Zoning to reflect the residential uses would be more appropriate to encourage redevelopment and improvements to the existing building stock.



The Waterfront Mixed Use Area should be zoned in order to implement the Concept Plan and the proposed Official Plan policies. The zoning should implement a Holding provision as described above.

The Planning and Building Department provided a list of a number of issues related to the Zoning By-law that have caused difficulty for people wishing to develop in Dryden in the past. Some of these matters are addressed below.

In Dryden, accessory building provisions need to provide for larger and taller buildings due to the number of people that have boats, snowmobiles, ATV's and other equipment that needs to be garaged when not in use.

There have been numerous requests for permission to build larger accessory buildings, consideration for those larger accessory buildings, particularly in the shoreline area should be given.

Clarification of provisions for temporary buildings, including "tent structures" should be included in the Zoning By-law to confirm that they are considered buildings under the provisions of the building code.

Provisions for home occupations and home industry need to specify the types of uses that are permitted in each.

Provisions should be made to identify drive-through facilities and consideration for precluding drive-through facilities in the downtown area should be included in the Zoning By-law.

Clearer definitions of decks, patios and balconies should be provided in the Zoning By-law.

The Zoning By-law should make use of tables to identify zones that have Holding provisions or temporary use zones.

## **6.0 SUMMARY**

With these proposed changes to the Official Plan and Zoning By-law, the documents will be brought up to a current, 2011 state of the art, Official Plan and Zoning By-law. With the subject comments received from the public on this Planning Directions Report, the appropriate Official Plan and Zoning By-law Amendments will be prepared.

Respectfully Submitted,

**Meridian Planning Consultants Inc.**

A handwritten signature in blue ink, appearing to read 'Jim Dymont', with a long horizontal flourish extending to the right.

Jim Dymont, BES, MCIP, RPP  
Partner

Alex Lusty, BES  
Planner