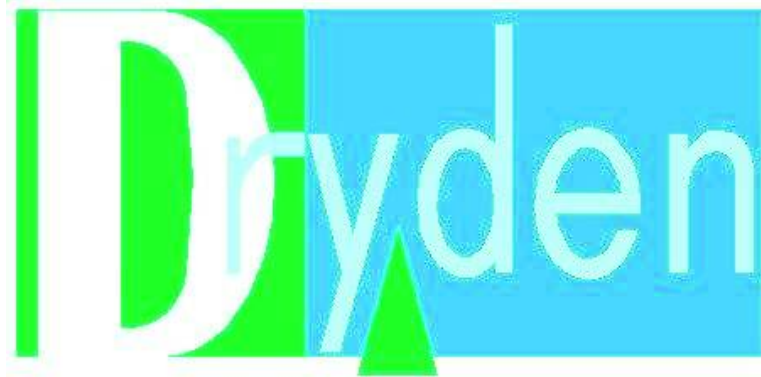


Official Plan For the City of



Adopted April 17, 2000
Minister's Approval – October 4, 2002

DISCLAIMER

This document is a consolidated version of the City of Dryden's Official Plan, prepared by City staff, and is intended for information and general research purposes only.

Any interpretation of the Official Plan Policies and Land Use Schedules should be verified by Planning staff.

A certified, official version of the Official Plan is available at the City Clerk's office.

OFFICIAL PLAN FOR THE CITY OF DRYDEN

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**THE CORPORATION OF THE
CITY OF DRYDEN
BY-LAW NO. 2739-2000**

The Council of the Corporation of the City of Dryden in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P13, c.1, as amended hereby enacts as follows:

1. THAT the Official Plan for the City of Dryden being the attached text and Schedules A and B is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the aforementioned Official Plan for the City of Dryden and to provide such information as required by Section 17 (7) of The Planning Act, R.S.O. 1990, Chapter P13 as amended.
3. THIS By-law shall come into force and take effect on the day of passing thereof subject to receiving the approval of the Minister of Municipal Affairs.

Enacted and passed this 17th day of April, 2000.

R. Valley
Mayor

C. Brosseau
Deputy Clerk-Treasurer

1.0 PURPOSE

- 1.1 This Plan is intended to provide guidance to Council, municipal staff and the public when making decisions about future land use and economic development in the City of Dryden.
- 1.2 This Plan establishes general land use designations that are intended to establish a pattern of development in the municipality for the next 20 years.
- 1.3 This Plan establishes policies that will be considered throughout the development approval process and when considering public works and other municipal services.
- 1.4 This Plan has been prepared having regard for the Provincial Policy Statement issued by the Province of Ontario.
- 1.5 To avoid land use conflicts and provide for the appropriate development of the community.

2.0 BASIS

This Section of the Plan identifies the primary factors that have been considered in the preparation of this Plan. Should any of these factors change significantly, the Plan should be reviewed to determine whether major policy or land use designation changes are warranted.

- 2.1 This Plan is the first Official Plan for the City of Dryden. The City is comprised of the former Town of Dryden and the former Township of Barclay. The former Town of Dryden has historically been a fully serviced urban community. The former Township of Barclay has traditionally been a rural municipality with some shoreline residential and commercial development along the shoreline of Thunder Lake and Wabigoon Lake. The amalgamation of the former municipalities into a single City provides opportunities for residents of both of the former municipalities in terms of services and resources.
- 2.2 The Rural area of the City is characterized by residential development adjacent to Wabigoon Lake and Thunder Lake, clusters of residential development and resource based activities. This character will be maintained over the lifetime of this Plan.
- 2.3 Growth in the urban serviced area has benefited from a progressive approach to planning and development. Fully serviced lands have been designated for future commercial and industrial needs in a manner that has minimized speculation and uncertainty. This Plan maintains that approach to planning by designating sufficient lands to meet the needs of the community for the next 20 years.

The following growth targets have been used in preparing this Plan:

	2001	2021	Growth
Population	8619	9939	1320
Households	3371	4135	764

- 2.4 Dryden is located one half of the way between Thunder Bay and Winnipeg on the Trans Canada Highway. As a result of this location, the City has developed as a centre for commercial and institutional growth. The maintenance of the Trans Canada Highway through the City is important to the economic well being to the community.
- 2.5 A pulp and paper manufacturing plant is the single most important economic force in the municipality. It is important to provide for the on-going development of this facility and related business in the City.

- 2.6 Over the lifetime of this Plan, the City of Dryden will continue to expand its function as an urban service centre, providing services to the travelling public and the residents of the District.
- 2.7 The urban area of Dryden has developed as a stable community with a variety of land uses existing in a compatible land use pattern. This land use pattern is unlikely to change to any significant extent over the lifetime of this Plan. Significant changes that have not been anticipated by this Plan will require an amendment to the document. However, amendments to this Plan will not be required for minor changes to land use within the existing urban area. The Zoning By-law will provide the primary planning instrument for dealing with changes to land use.

3.0 OBJECTIVES

This section of the Plan establishes the fundamental policies that will guide future development in the City of Dryden. The Policies and land use designations contained in the Plan are based on achieving these objectives. In the event that clarification of the intent of these policies is required, the Objectives listed in this section should be considered.

The Objectives of this Plan are as follows:

- 3.1 To direct new residential development primarily to the urban serviced area of the City;
- 3.2 To limit development in the unserviced area in size and number, except where the development consists of a resource based industry that requires a large land area and is compatible with uses of the area;
- 3.3 To ensure that there are sufficient lands designated to provide for the expansion of existing industrial development and encourage compatible new industries that will diversify the City's economy;
- 3.4 To develop the City as a focus for industry, trade, commerce and services throughout the District and Northwestern Ontario;
- 3.5 To improve the quality of life for existing and future residents by improving parkland and recreational facilities, encouraging a high standard of property and building maintenance and providing opportunities for a wide range of employment;
- 3.6 To protect important natural resources such as wildlife habitat areas, wetlands and aggregates and to ensure the preservation of agricultural activities where they presently exist; and,
- 3.7 To provide a range of housing opportunities that will meet the physical and financial needs of an aging population and be able to respond to quickly changing needs associated with a resource-based economy.

4.0 LAND USE DESIGNATIONS

4.1 STABLE AREAS

The Stable Areas of the City include residential, commercial, industrial and institutional uses that presently exist in the City. The designation of the lands as Stable Areas indicates that there will be little change in these areas over the lifetime of this Plan. The following policies apply to Stable Areas:

- 4.1.1 Existing uses will be preserved and protected from incompatible uses.
- 4.1.2 The maintenance and improvement of the quality of the built form and infrastructure will be encouraged.
- 4.1.3 Linkages to recreation and open space areas will be created through the development of trails, parks, roadways and sidewalks designed to provide space for pedestrians.
- 4.1.4 Minor changes to land use that are compatible with existing land uses, do not result in significant increases to traffic or noise, are similar in scale to the surrounding built form and that improve the quality of life for area residents shall be permitted through an amendment to the Zoning By-law.

Applications for Zoning By-law amendment to provide for new or expanded industrial uses within the Stable Areas designation shall be evaluated in accordance with the requirements of policy 4.4.4 of this Plan.
- 4.1.5 Applications for Zoning By-law amendment to allow new or expanded industrial uses or new or expanded residential or other sensitive land uses within the Stable Areas designation shall be subject to policy 5.4 of the Plan, regarding Land Use Compatibility.
- 4.1.6 Policy 5.9 of the Plan applies to all lands within 300 metres of Thunder Lake.

4.2 RESIDENTIAL DEVELOPMENT AREAS

The Residential Development Areas have been established to meet the needs of new residential development in the City for the next 20 years.

- 4.2.1 Approximately 80 per cent of all new residential development in the City will occur in the Residential Development Areas on full municipal services.
- 4.2.2 Development in these areas will occur in a contiguous manner as a logical expansion of existing development.
- 4.2.3 A range of densities of development shall be encouraged to ensure a variety of housing forms. The Zoning By-law will establish increased setbacks between different densities of development to ensure that privacy and peaceful enjoyment of existing properties are not adversely affected by higher density housing.
- 4.2.4 In recognition of the future needs of the population, new housing should provide opportunities for affordable family housing and seniors housing.
- 4.2.5 In accordance with Section 6.0 Municipal Services, planning approvals to accommodate fully serviced development resulting in new connections to the sewage or water treatment plants shall be granted only where sewage and water treatment plant capacity is sufficient to support the proposed development.
- 4.2.6 New development shall include landscaping of the lands and the street in a manner that will result in a mature looking neighbourhood in a short period of time.
- 4.2.7 Local parks will be developed to serve the needs of new residents within the Residential Development Areas. Linkages to existing parks and open space areas will be required.

4.3 BUSINESS DEVELOPMENT AREAS

There are two distinct Business Development Areas that provide goods and services to residents of the City, the District and tourists. They are identified as:

- **the Downtown Core; and,**
- **the Regional Business Centre.**

The following policies identify how these two areas will develop over the lifetime of this Plan.

4.3.1 The Downtown Core

- 4.3.1.1 The Downtown Core will provide the widest range of commercial and institutional uses in the City. The development of new specialty commercial, restaurant, entertainment and personal service uses is encouraged.
- 4.3.1.2 Parking standards will be relaxed in the Downtown Core to encourage private sector investment. The City will develop public parking where possible.
- 4.3.1.3 New buildings should be built to the street line with provision for parking to the rear. Where on-site parking is provided parking areas should be connected with adjacent uses wherever possible.
- 4.3.1.4 Improvements to public spaces such as trees, benches and lighting will be encouraged through redevelopment and public projects.
- 4.3.1.5 Multi-unit residential development and condominium development shall be encouraged in the Downtown Core. Commercial uses on the street level shall be encouraged.

4.3.2 *The Regional Business Centre*

4.3.2.1 The continued development of retail commercial and light industrial uses will be promoted in the Regional Business Centre in order to serve the residents of Dryden, the District of Kenora and the travelling public.

4.3.2.2 Maintaining the existing route of the Trans Canada Highway through the City is paramount to maintaining the economic health of the Regional Business Centre. In order to prevent conflicts between the function of the highway and the abutting uses, the following design criteria shall be considered when development is proposed:

- i) parking areas and access shall be linked wherever possible along Highway 17 within the former Township of Barclay. Along this portion of the Highway, the number of commercial entrances to Highway 17 will be reduced and access to the rear of the lots fronting onto Highway 17 will be provided;
- ii) through the use of site plan control, the City may acquire sufficient land to provide for a five lane cross section with sidewalks on both sides through the Regional Business Centre and provision for a parallel service road to the rear of the lots on the north and south sides of Highway 17 within the former Township of Barclay;
- iii) the City will require, as a condition of any planning approval, that developers provide a transportation 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 within the former Township of Barclay. Developers will be financially responsible for all recommended highway improvements required to accommodate development related traffic;
- iv) developments shall provide for pedestrian access and convenience. Landscaping, lighting and amenity areas will be included as components of development or redevelopment of this area;
- v) as a condition of development or redevelopment, outdoor storage areas except for the display of vehicles, equipment or other new products being sold on the lands, must be landscaped to provide visual screening; and,
- vi) industrial uses requiring outdoor storage or large vehicle parking areas will be encouraged to locate on lands that do not directly abut the Highway.

4.4 RURAL AREAS

Rural Areas include a variety of agricultural, residential, industrial, commercial and open space uses. Over the lifetime of this Plan the Rural Areas will experience limited change.

4.4.1 In Rural Areas new residential lots shall only be created in areas where the municipality and School Boards are presently providing services. New residential lots shall be large enough to sustain private sewage and water systems. The Zoning By-law will specify a minimum lot size

4.4.2 New lots may be created:

- i) as infilling between existing lots that are not more than 200 metres apart on the same side of the road; or
- ii) as an extension to an existing built up area provided that not more than two lots are created as such an extension; or,
- iii) to create up to two additional lots from an original 40 hectare parcel of land.

4.4.3 Development shall not be located in areas that would adversely affect existing agricultural operations. New land uses, including the creation of lots and new or expanding livestock facilities, will comply with the minimum distance separation formulae as amended from time to time.

4.4.4 Large scale industries that are unable to locate in the Regional Business Centre due to land area, open storage and transportation requirements may be permitted in the Rural Area designation provided that potential impacts can be addressed;

Proposals to establish new industrial uses or allow for the expansion of existing industrial uses within the Rural Area designation shall require a Zoning By-law Amendment.

Proponents of Zoning By-law amendments to provide for new or expanding industrial uses shall be required to address the following matters:

- i) compatibility with surrounding land uses, and in particular the possible effects of noise, vibration, odour, and other emissions on sensitive land uses;
- ii) the adequacy of, and potential impacts on, existing roads and transportation;

- iii) the adequacy of, and potential impacts on, waste disposal facilities;
- iv) potential impacts on ground and surface water quality and quantity;
- v) financial impact on the Municipality;
- vi) potential impacts on the natural environment including, where applicable, fish habitat and natural heritage features;
- vii) where the proposed use would be served by municipal water and sewage services, the adequacy of, and potential; impacts on, those services;
- viii) visual impact of the proposed use; and,
- ix) proposed mitigation measures to address the matters identified above.

4.4.5 Small scale commercial and industrial uses that meet the needs of the rural community be permitted by an amendment to the Zoning By-law provided that those uses are compatible with adjacent uses.

4.4.6 Resource and open space uses shall be permitted in all Rural Areas provided that they are compatible with surrounding land uses. New aggregate extraction uses, except for wayside pits, will require an amendment to the Zoning By-law. The City may require the operator to enter into an agreement relating to the operation of extractive uses, landscape buffering and transportation.

4.4.7 Policy 5.9 of the Plan applies to all lands within 300 metres of Thunder Lake.

4.5 SHORELINE DEVELOPMENT AREA

Shoreline Development Areas are located adjacent to Wabigoon and Thunder Lakes. These areas provide opportunities for residential and commercial development oriented to the water. This Plan provides for development of these areas provided that the lake environment is protected.

- 4.5.1 Permitted uses in Shoreline Development Areas include residential development, tourist commercial development uses, recreation and open space uses.
- 4.5.2 Wherever possible, septic systems servicing shoreline areas shall be located at least 30 metres from the high water mark of the abutting water body. New lots should be large enough to ensure that sewage systems shall not be within 300 metres of Thunder Lake.
- 4.5.3 New lots may be permitted by consent if the lots are considered as infilling or as minor extensions to existing developed areas. Where development exceeds three new lots, a Plan of Subdivision shall generally be required.
- 4.5.4 Commercial uses shall be designed to be compatible with surrounding uses. Developments which contribute to the tourism industry will be encouraged.
- 4.5.5 Lands designated as Shoreline Development Area shall be subject to Policy 5.6 of this Plan.

4.6 OPEN SPACE AND NATURAL AREA

Open Space and Natural Areas provide opportunities for public access and recreation throughout the City. Over time these areas will be connected to form a parks and trail system that links major recreational facilities and outdoor amenities. These areas also represent lands that are environmentally sensitive and should not be developed. Protection of these natural features will preserve the ecological function of areas such as floodplains and wildlife habitat.

- 4.6.1 The City will continue to acquire waterfront areas for public open space uses wherever possible. Parking, trails, launching and docking facilities will be developed as funding permits.
- 4.6.2 Open space uses and recreational facilities shall be designed to meet the needs of the residents of the City and tourists, while preserving the environmental features and functions of those areas.
- 4.6.3 A continuous trail system will be developed through the City to provide for year-round recreational activities.
- 4.6.4 The development of private sector recreation facilities is encouraged.
- 4.6.5 A major park facility should be developed in conjunction with the redevelopment of the Agricultural Fairgrounds and the adjacent Residential Development Area.
- 4.6.6 Wetlands within the City are identified on Schedule B, and are designated “Open Space and Natural Area” on Schedule A of the Plan.
- 4.6.7 Areas identified as Wetlands and Hazard Lands on Schedule B shall not be developed. There is sufficient land within the City to provide for a range of new development opportunities without encroaching upon environmentally sensitive areas. Where remedial measures can be undertaken to safely address flooding and erosion hazards in accordance with Policy 5.15 of the Plan, applications for Official Plan and Zoning By-law amendment to allow for development and site alteration in Hazard Lands will be considered.
- 4.6.8 Where development is proposed within 120 metres of a wetlands as identified on Schedule B, the proponent shall provide the City with an Impact Assessment, prepared in accordance with Policy 5.7, to address potential impacts on the wetland.
- 4.6.9 Significant portions of the habitat of endangered and threatened species, when identified, will be placed within the “Open Space and Natural Areas” designation by amendment to this Plan.

Significant portions of the habitat of endangered and threatened species will be identified through consultation with the Province. Development and site alteration will not be permitted within these areas.

As a general rule, where development is proposed 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 the habitat. Where warranted by site and species-specific factors, development proposals further than 50 metres from significant portions of the habitat of endangered and threatened species may require an Impact Assessment.

4.7 FUTURE COMMERCIAL

Future Commercial lands are intended to identify areas where a major tourist related commercial development is encouraged to locate in the City.

- 4.7.1 Lands in the Future Commercial lands Areas should be developed for hotel, convention centre, recreation and tourist related commercial purposes. Ideally, these uses will be planned as a comprehensive development under one ownership.
- 4.7.2 Residential development will not be permitted in conjunction with the commercial development unless Council is satisfied that the residential component is a necessary component of the commercial use.

5.0 GENERAL POLICIES

The following policies shall apply throughout the municipality.

5.1 DEVELOPMENT IN UNSERVICED AREAS

Prior to granting any planning approval for development dependant on groundwater, Council shall require the proponent to demonstrate that groundwater supplies are sufficient, in both quality and quantity, for the proposed use.

Prior to granting any planning approval for development in unserviced areas, Council shall require the proponent to demonstrate that the site is capable of supporting the proposed method of sewage disposal.

5.2 POTENTIAL CONTAMINATED SITES

Prior to granting a planning approval to allow development on any property which may have been contaminated by previous uses, Council shall require the proponent to submit a Record of Site Condition, prepared by a qualified consultant in accordance with Ministry of Environment guidelines and acknowledged by the Ministry of the Environment.

If site restoration is required, this shall be done prior to the adoption of the amendment or approval of the rezoning in accordance with a site remediation plan consistent with Ministry of the Environment guidelines.

5.3 MOBILE HOME PARKS

Any new mobile home parks permitted during the life of this Plan shall be directed to locations within the Urban Service Area, and shall be serviced with municipal sewage treatment and water supply.

5.4 LAND USE COMPATIBILITY

As much as possible, land use conflicts should be avoided. The encroachment of sensitive land uses (such as residential uses, educational and health facilities, and day care centres) and major facilities (including industries, transportation corridors, sewage treatment facilities, waste management systems and pits and quarries) on one another is discouraged. Where planning approvals are required to accommodate major facilities or sensitive land uses, buffering and separation distanced in accordance with Provincial guidelines shall be incorporated between these uses to minimize potential adverse effects.

5.5 HOME INDUSTRIES

Home industries may be permitted within the Rural Zone as provided by the Zoning By-law. Where permitted, home industries shall be secondary to the residential use of the property, and shall not generate adverse effects on surrounding properties. The implementing Zoning By-law shall contain regulations to ensure that home industries are adequately separated from residential or other sensitive land uses, both on and off the property. Home industries which can no longer be considered secondary to the residential use of the property shall be required to relocate to a site zoned to permit industrial uses.

Where contamination is suspected, the reuse of former home industry sites for alternative land uses shall be considered in accordance with the provisions of Policy 5.2.

Where required by the Environmental Protection Act, a Certificate of Approval must be obtained prior to the commencement of the home industrial use.

5.6 DEVELOPMENT ADJACENT TO WATERCOURSES AND WATER BODIES

Where permitted by all other applicable policies of this Plan, development and site alteration may be permitted within and adjacent to fish habitat, provided that it has first been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

Proposals for development within 30 metres of the high water mark of any watercourse or water body will be evaluated for their potential impacts on fish habitat. Council may require the submission of an Impact Assessment, prepared in accordance with Policy 5.7, to address potential impacts on fish habitat.

5.7 IMPACT ASSESSMENT

Where required an Impact Assessment shall be prepared by a qualified environmental specialist, and shall include:

- i) a description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
- ii) a description of the potential impacts of the proposed development on the natural environment;

- iii) suggested development alternatives that would avoid these impacts, or, if impacts cannot be avoided, recommended mitigation measures, including proposed implementation methods; and,
- iv) recommended monitoring activities.

Where required, no planning approval will be granted until an Impact Assessment has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of Impact Assessments.

5.8 IMPACTS ON FISH HABITAT

Where development will result in the harmful alteration, disruption, or destruction of fish habitat, prior authorization from the Federal Department of Fisheries and Oceans is required under the Federal Fisheries Act.

5.9 THUNDER LAKE

Due to the fact that Thunder Lake supports a sensitive Lake Trout fishery, new lot creation within 300 metres of Thunder Lake will generally not be permitted. The creation of new lots within 300 metres of Thunder Lake will be considered only where the proposal is supported by a hydrogeological report, prepared to the satisfaction of Council and the Province, that demonstrates that the proposed lot(s) are not within the drainage basin of Thunder Lake.

Any planning approval required to accommodate a change in use within 300 metres of Thunder Lake must be supported by a hydrogeological report, prepared to the satisfaction of Council and the Province, that demonstrates that the proposed development will not have a negative impact on the water quality of Thunder Lake.

Where new development occurs adjacent to Thunder Lake, an undisturbed 10 metres natural vegetated buffer will be required adjacent to the shoreline to minimize the impact of development on the water quality of Thunder Lake.

5.10 AGGREGATE RESOURCES

Aggregate resource areas shown on Schedule B should be preserved for future extraction. New development in the area of these resources should not restrict the future use of the natural resource.

Mineral aggregate operations will be protect from 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. Existing mineral aggregate operations will be permitted to continue without the need for Official Plan amendment, rezoning or development permit under the Planning Act.

Within areas of aggregate resources, as shown on Schedule B, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- i) resource use would not be feasible;
- ii) the proposed land uses or development serves a greater long term public interest; and,
- iii) issues of public health, public safety and environmental impact are addressed.

Progressive rehabilitation to accommodate subsequent land uses will be required.

5.11 WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT PLANTS

Wayside pits and quarries and portable asphalt plants used on public authority contracts shall be permitted throughout the municipality without an amendment to the Official Plan or Zoning By-law, except in areas of existing residential development or environmental sensitivity.

5.12 MINERAL RESOURCES

Mineral resources will be protected for long term use. Mineral mining operations will be protected from 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.

In areas adjacent to or in known mineral deposits, and in areas of mineral potential as shown on Schedule B, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- i) resource use would not be feasible; or
- ii) the proposed land uses or development serves a greater long term public interest; and,

- iii) issues of public health, public safety and environmental impact are addressed.

Rehabilitation to accommodate subsequent land uses will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible.

5.13 MINE HAZARDS

Development on, abutting or adjacent to lands affected by mine hazards or former mineral resource operations will be permitted only in rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed. Known mine hazards will be zoned with a Holding Zone. Uses permitted on such properties will be restricted to existing land uses until the hazard has been rehabilitated in accordance with the requirements of the Mining Act.

5.14 CULTURAL HERITAGE RESOURCES

Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural, village and urban districts or landscapes of historic interests.

Council shall participate, wherever feasible, in the conservation of built heritage and archaeological sites that are under municipal ownership and/or stewardship, conserving and mitigating impacts to all significant cultural heritage resources when undertaking municipal public works, and respecting the heritage resources recognized or designated by Federal and Provincial agencies.

Council will endeavour to protect the buildings in the municipality which may have historic or cultural significance. Such buildings may be designated under the Ontario Heritage Act, where such a designation will assist in the protection and preservation of important historical or cultural buildings or structures.

Where a development proposal encroaches on lands with significant archaeological heritage resources or is within an area considered to have archaeological potential, the City will require an applicant to undertake an archaeological heritage impact assessment as a condition of any development proposal. Archaeological assessment reports conducted by archaeologists are to be in compliance with Provincial guidelines, in addition to licensing requirements specified under the Ontario Heritage Act.

Council may maintain the integrity of archaeological resources by adopting zoning by-laws under the Planning Act, to prohibit any land use activities or the erection of buildings or structure on land which is a site of a significant archaeological resource.

Council may adopt further measures for the conservation and designation of significant heritage and archaeological resources, using other applicable Provincial legislation.

Council shall consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Commercial Relations (MCCR), when an identified human cemetery, marked or unmarked human burial is affected by land use development. The provisions of the Ontario Heritage Act and the Cemeteries Act shall apply.

5.15 HAZARD LANDS

Hazard lands, as defined by this Plan, include:

- i) those lands identified as Hazard Lands on Schedule B;
- ii) lands along the shoreline of Wabigoon Lake to an elevation of 370.13 metres above sea level (Geodetic Survey of Canada datum);
- iii) lands along the shoreline of Thunder Lake to an elevation of 374.59 metres above seal level (Geodetic Survey of Canada datum);
- iv) all lands within 15 metres of the top-of-bank of any watercourse or water body.

Along the shorelines of Wabigoon and Thunder Lakes, Hazard Lands shall be defined by either the 15 metres setback from top-of-bank of any watercourse or water body.

With the exception of docks, boat lifts and boat ramps, construction shall not normally be permitted on Hazard Lands. Hazard Lands as defined by this Plan shall be zoned as Hazard Lands in the implementing Zoning By-law; permitted uses shall be more specifically defined in that document.

For those Hazard Lands where a floodway has been defined through engineered flood plain mapping, no development or site alteration will be permitted within the floodway.

For Hazard Land area where there is no engineered flood plain mapping, and where Hazard Lands are defined by either elevation or the 15 metres

setback from top-of-bank, applications for Zoning By-law amendment to allow development and site alteration will be considered on an individual basis, provided that such proposals are supported by engineered designs, to the satisfaction of the City, demonstrating that the site is safe for development in spite of naturally occurring hazards, such as flooding and erosion.

Development and site alteration, including the erection and/or construction of buildings or structures, and the placement or removal of fill, may be permitted, subject to rezoning, where there is no defined floodway and it can be demonstrated, to the satisfaction of the City, that:

- i) the hazards can be safely addressed, and the development and site alteration will be carried out in accordance with established standards and procedures;
- ii) new hazards will not be created and existing hazards will be aggravated;
- iii) no adverse environmental impacts will result;
- iv) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies; and,
- v) the development will not include institutions uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

Where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authorization from the Province must be obtained.

Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansion to such uses will be discouraged, however, 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 City. Where required under the Lakes and Rivers Improvement Act or the Public Lands Act, prior written authorization from the Province must be obtained.

5.16 TRANSCANADA PIPELINES

TransCanada Pipelines Limited operates high pressure natural gas pipelines within its rights-of-way which cross through the City and is identified on Schedule A to this Plan. Any development within 200 metres of TransCanada's facilities may affect the safety and integrity of the pipelines.

TransCanada is regulated by the National Energy Board which, in addition to TransCanada, has a number of requirements regulating development in proximity to the pipelines. This includes approval requirements for activities on or within 30 metres of the right-of-way such as excavations, blasting and any movement of heavy equipment. New development can result in increasing the population density in the area which may result in TransCanada being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.

A setback of 20 metres shall be maintained from the limits of the right-of-way for all permanent structures and excavations. A reduction in the 10 metre setback will only be considered if it can be demonstrated, to TransCanada's satisfaction, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained.

In areas of urban development, the Town will encourage the development of TransCanada's right-of-way for passive parkland or open space purposes subject to TransCanada's easement rights.

6.0 MUNICIPAL SERVICES

The policies of this Section are intended to provide guidance to Council and the public when determining the extent of municipal services that will be provided in the City.

- 6.1 All development within the urban service area shall be serviced with municipal sewage treatment and water supply.
- 6.2 Lands outside the urban service area shall utilize private sewage disposal and water services. The use of municipal water and private sewage disposal services will be discouraged, except where necessary to address failed services. New development serviced by municipal water and private sewage disposal services will not be permitted. Where existing development is serviced by municipal water and private sewage disposal services the City may pass a temporary use by-law which would establish a maximum period for which the partial servicing may occur and limit the sewage effluent to 4500 litres per day.
- 6.3 Development supported by communal water supply or communal sewage disposal systems shall not be permitted within the City.
- 6.4 New development shall consider the impacts of stormwater on the quality and quantity on the lands and waters downstream. Stormwater Management Plans shall be required as a condition of development approval within the urban service area and for any large scale non-residential development or Plan of Subdivision within the City.
- 6.5 Allocation of sanitary sewage treatment capacity shall occur upon draft approval of a development or Plan of Subdivision.
- 6.6 Extensions and expansions to municipal services to accommodate new development shall be done at the cost of the developer. Where services are oversized to accommodate future development, the City may enter into an agreement with the developer to assist in the recovery of additional costs incurred as the result of oversizing services.
- 6.7 The extent of municipal services provided outside of the urban service area shall not be expanded unless it can be demonstrated to the satisfaction of Council that the additional servicing costs will be off-set by increased assessment or other benefits to the municipality.
- 6.8 Planning approvals to accommodate development on full municipal services shall be granted only where there is sufficient reserve capacity in the water and sewage treatment plants to serve the proposed development.

6.9 Where the sewage or water treatment plants are at or near capacity, Council will review the matter and, where required, take appropriate action to address the issue by increasing plant capacity prior to approving development proposals that will result in new connections to these facilities.

6.10 WASTE MANAGEMENT

The City's existing waste disposal site has sufficient capacity to accommodate projected needs over the 20 year life of this Plan.

7.0 TRANSPORTATION

The policies of this Section outline the requirements of the planned road network for the City and provide policies for future development of the transportation system.

- 7.1 Existing and future collector and arterial roads are shown on Schedule C Maps No 1 and 2. Local roads will develop through Plans of Subdivision.
- 7.2 Individual access onto arterial roads following the date of adoption of this Plan shall be restricted. New access shall be permitted only where there is no reasonable alternative access to an existing lot. The planned right-of-way for arterial roads is 30 metres.
- 7.3 Access onto and development adjacent to provincial Highways 17 and 601 will require approval from the Ministry of Transportation and will be subject to the Ministry's geometric and safety standards.
- 7.4 Collector roads are intended to provide efficient access through the City. New access to these roads should be minimized wherever possible. The planned right-of-way is 24 metres.
- 7.5 Local roads shall be constructed on a 20 metre right-of-way with curb and gutter and hot mix surface. These roads should be logical extensions of existing streets and wherever possible designed utilizing a grid pattern.
- 7.6 Where new development occurs in the Urban Area, sidewalks shall be constructed on one side of local roads and both sides of all other roads.
- 7.7 Bicycle and/or snowmobile lanes shall be provided in all new road way construction and, wherever possible through reconstruction and resurfacing projects.
- 7.8 All new lots shall front on public roads which are maintained year round.

8.0 IMPLEMENTATION

The following policies are intended to provide direction for the decisions of Council, the use of By-laws and Development Agreements which will implement policies outlined in this Plan.

8.1 ZONING BY-LAW

This Plan will be implemented through a new comprehensive Zoning By-law adopted under Section 34 of the Planning Act. The implementing By-law shall implement the policies of this Plan.

8.1.1 Non-Conforming Uses

Legally existing uses that do not comply with the Land Use designations outlined in this Plan may be zoned to permit the continuation of the use and may provide for limited expansion provided that the development policies of this Plan are met.

Where a non-conforming use changes, the new use shall be in keeping with the intent of this Plan.

8.1.2 Temporary Uses

Council may pass a By-law as provided for under Section 39 of the Planning Act to allow the temporary use of lands that do not comply with the Land Use designations in this Plan provided that:

- i) the temporary use does not require major capital investment or alteration to the existing landscape;
- ii) the proposed use is compatible with surrounding land uses;
- iii) the proposed use does not require the extension of municipal services;
- iv) the developer has entered into an agreement with the municipality specifying the conditions under which the use may be permitted; and,
- v) the By-law shall specify a maximum time period for which the use may be permitted.

8.1.3 Holding Provisions

Council may utilize Holding provisions as provided for under Section 36 of the Planning Act in order to establish zoning provisions prior to completing technical, administrative, or financial aspects of the development. Where Council uses a Holding provision, the use of land may be restricted to existing uses until one or more of the following conditions have been fulfilled:

- i) a Site Plan Agreement or Subdivision Agreement as may be required has been completed between the municipality and the developer;
- ii) all engineering plans and arrangements with respect to municipal services have been completed;
- iii) the financial requirements of the municipality have been satisfied;
- iv) existing mine hazards have been rehabilitated in accordance with the Mining Act;
- v) 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; and,
- vi) site contamination or other environmental constraints have been appropriately addressed.

8.2 SITE PLAN CONTROL

In accordance with Section 41 of the Planning Act, the City may utilize Site Plan Control to ensure that development in the Town is attractive and compatible with adjacent uses. Development at the entrances to City shall be designed to create a positive first impression to visitors and residents.

Site Plan Control may be applied to all commercial and industrial development in the City. The entire City shall be designated as a Site Plan Control Area.

Council may delegate Site Plan Approval to municipal staff in order to ensure that the process does not create undue delay or additional costs in the development process.

8.3 PUBLIC MEETINGS

Council shall hold public meetings for planning applications in accordance with the requirements of the Planning Act. However, Council may eliminate the requirement for public Notice of a meeting for a minor Official Plan Amendment or Zoning By-law Amendment which:

- i) changes section numbers or the order of text but does not add or delete sections;
- ii) consolidates amendments which have previously been approved;
- iii) corrects typographic, grammatical or mapping errors which do not affect the intent or application of the policies or provisions of this Plan; or
- iv) rewords policies or re-illustrates mapping for the purpose of clarification only without changing the intent or purpose of the policies or mapping.

8.4 MAINTENANCE AND OCCUPANCY BY-LAW

The objective of implementing a Property Maintenance and Occupancy By-law is to maintain property values and the enjoyment of private property. Council may pass a By-law under Section 31 of the Planning Act to establish minimum standards for:

- i) the physical condition of buildings and structures;
- ii) the physical condition of lands; and
- iii) the adequacy of sanitary facilities.

8.5 MONITORING

Following adoption of this Plan, the Clerk shall prepare an annual report outlining how the Plan is being implemented. This report shall include:

- the number of lots created in each designation and the proportion of lots created in the Urban Service Area in relation to the Rural Areas and the Shoreline Development Areas;
- the number of building permits issued for residential, industrial and commercial buildings; and
- a summary of applications for rezoning and amendments to this Plan.

8.6 PLAN REVIEW

Following approval of this Plan by the Ministry of Municipal Affairs and Housing, the basis, objectives and policies of the Plan shall be reviewed at least once every five years at a meeting of Council. Should economic or social changes occur which necessitate an earlier review, or should the monitoring of the Plan identify areas that need further consideration, Council may direct such a review to be undertaken.

8.7 PLANNING APPROVALS

In considering applications for Official Plan amendment, Zoning By-law amendment, Plans of Subdivision, Plans of Condominium, Consents, Minor Variances, and other planning approvals, Council shall have regard to this Official Plan and the Provincial Policy Statement issued by the Province of Ontario.

9.0 INTERPRETATION

9.1 LAND USE DESIGNATIONS

It is intended that the boundaries of the Land Use categories shown on Schedule 'A' of this Plan, shall be considered as general only, and are not intended to define the exact limits of such areas except in the case of roads, railways, and other physical barriers that provide definitive boundaries. Minor adjustments may be made to these boundaries for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than minor adjustments, no areas or zones, except as provided in this Plan, shall be created that do not conform with this Plan.

9.2 USES

Examples of permitted uses as included in this Plan are intended to illustrate a range of activities in each respective land use designation. Specific uses and related regulations shall be defined for land use designations by the implementing Zoning By-law.

9.3 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted.

9.4 AMENDMENTS TO THE PLAN

An amendment to Schedule 'A' or to the text of this Plan is required to permit the establishment of uses other than those permitted in this Plan. In considering an amendment to Schedule 'A' with a view of designating additional areas for a particular use, changing the designated uses of a particular area, or changing the policies of this Plan, Council shall have regard to the following criteria:

- i) the need for the proposed use;
- ii) the extent to which the existing areas designated for the use are developed, and the nature and adequacy of such existing development;
- iii) the physical suitability of the land for such proposed use; and,
- iv) the location of the areas under consideration with respect to;

- the adequacy of the existing and proposed roadway system;
- the convenience and accessibility of the site for vehicular and pedestrian traffic and traffic safety;
- the adequacy of the water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports which the Council shall request from the developer and subject to the approval of the Province, the Medical Officer of Health and any other appropriate authority deemed advisable;
- the compatibility of such proposed use with uses in the surrounding area; and,
- the potential effect of the proposed use on the financial position of the Municipality.