

THE TOWNSHIP OF  
**SOUTH ALGONQUIN**

**OFFICIAL PLAN**



Approved August 2012  
Updated by Council 22-04-2025  
Modified by Ministry of Municipal Affairs and Housing 29-10-2025

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# **PART I: INTRODUCTION AND BACKGROUND**

## **1.0 Background**

An official plan describes a municipality's policies on how land in that community should be used. It is prepared with input from local residents and other stakeholders with the intention of ensuring that future planning and development decisions will meet the specific needs of the community. Although South Algonquin was created in 1998, through the amalgamation of the geographic townships of Airy, Sabine, Lyell, Murchison, and Dickens, it has not had an official plan in place to provide guidance for local planning and development activities before the adoption of this document.

In July 2007 the Township of South Algonquin formally commenced the process of creating its first-ever official plan. This plan was produced through a unique partnership between the Township of South Algonquin and the Department of Geography at Brock University, and was intended to ensure that South Algonquin's official plan reflects, as much as possible, the values, goals, and objectives of the Township's residents. The Township has had an Official Plan since 2012.

The original Plan specified the Township's planning objectives for the period between 2012 and 2032, as well as the policies intended to assist in achieving these ends. The Township has had an Official Plan in effect since 2012.

In 2022 Council initiated a formal review and update of this Official Plan under Section 26 of the Planning Act, to bring the South Algonquin Official Plan into compliance with the Planning Act and consistency with the Provincial Planning Statement, 2024. This Official Plan was amended by South Algonquin in 2024, for a planning horizon to 2049.

## **1.1 Context for the Plan**

### **1.1.1 Location and Geography of South Algonquin**

The Township of South Algonquin is located in Northeastern Ontario, directly adjacent to the world-famous Algonquin Provincial Park. It is accessed from the east and west by Provincial Highway #60 and from the south by Provincial Highways #127 and 523. South Algonquin is the southernmost municipality in the District of Nipissing. To the south it borders Hastings County, and to the west and east, respectively, it borders Haliburton and Renfrew Counties.

South Algonquin can generally be described as a remote and sparsely populated municipality. Located on the Canadian Shield, the Township is comprised mainly of forested areas, as well as numerous water bodies. Approximately 80% of the Township's land base is composed of provincial Crown land

This Official Plan acknowledges that the Township of South Algonquin is situated on unceded, and un-surrendered territory of the Algonquin Anishinabee. It is also acknowledged that there may be other First Nation interests in the Township.



### **1.1.2 Economic Characteristics of South Algonquin**

Council recognizes that the economic base of the Township is dependent upon a mix of forestry, other resource-based industries, tourism, and service and retail commercial. It is Council's intent to establish an environment which encourages new economic growth and new employment generation while sustaining existing economic strengths.

Due to the Township's location on the eastern edge of Algonquin Park, along with its own abundance of natural and recreational amenities, tourism has come to play an important role in the local economy.

It is a goal of this Plan to strengthen the existing economic base and to broaden the Township's employment opportunities. To realize this goal the following objectives are established:

1. To sustain and to build on and diversify the existing strength of the resource-based industries and Forestry sectors of the economy.
2. To sustain and to build on the existing strength of the recreational and tourism sectors of the economy.
3. To undertake initiatives to stimulate new employment generation.
4. To work cooperatively with senior levels of government and community groups in promoting and undertaking economic development activities.

The Township recognizes that scattered rural residential development generally does not generate positive net financial return for the Township and may result in incremental increases in municipal services.

The Township is fortunate to have an abundance of public crown lands. These lands represent an opportunity for a wide range of economic and resourced based activities and support the Township's forestry and tourism industries.

### **1.1.3 Social and Demographic Characteristics**

The Township acknowledges that South Algonquin is situated on the unceded Traditional Territory of the Algonquin Anishinaabeg people, specifically the Matouweskarini (people of the Madawaska River). We further acknowledge that the Algonquin People have been stewards of this land since time immemorial and we strive to treat the land along with the flora and fauna it supports, the people, their customs and traditions, with honour and respect. Today, this area is home to people of all walks of life, and we acknowledge the shared opportunities and responsibilities to live, work and survive within this beautiful territory. It is acknowledged that historically significant places that hold sacred importance for Indigenous communities exist within the Township of South Algonquin.

The Township of South Algonquin recognizes the need to strengthen its relationship with Indigenous people. Through this recognition we acknowledge that municipal government leaders and staff can support Indigenous communities, and be part of the healing, learning, and restoration needed to support reconciliation with our Indigenous friends, neighbours, and communities. The township recognizes the Truth and Reconciliation Commission's (TRC's) 94 calls to action and will strive towards addressing those areas which we as municipal governments can address. Specifically, the municipality believes it has impact role to Play in the following

#### Calls to Action.

- #3 We call upon all levels of government to fully implement Jordan's Principle.
- #17 We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.
- #47 We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.
- #57 We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
- #77 We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.
- #87 We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
- #88 We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.

The Township will continue Actively listen to our Indigenous leaders, elders and community, The Township will continue to Educate its staff and elected on Indigenous history, perspectives and rights under the Canadian Constitution and treaty as it is finalized, the Township will continue to speak up in support of Indigenous peoples and the Township will continue to work collaboratively with our Indigenous community.

Council recognizes that there may be a need to undertake a formal review and update of this Official Plan following the completion of land claim settlements with Indigenous communities, in order to reflect and acknowledge a new vision for the community.

Since 2001 South Algonquin has experienced a 17% decline in permanent population, with a 2021 Census total population of 1,055. Population decline in the Township can largely be attributed to the out-migration of youth, who tend to leave South Algonquin after graduating from high school. . These trends and a corresponding decline in the number of children living in the Township have combined to result in South Algonquin's seniors' population (65+) representing roughly 35% of the total population.

The population trends Identified above – an aging population and significant youth out-migration – pose a number of planning and development challenges. The aging of the population

suggests the need for land use planning policies that will support the provision of suitable and affordable housing, especially within the Villages of Whitney and Madawaska, to meet the needs of local seniors. It is also important to ensure that the Township's planning policies support the retention and expansion of community services routinely needed by the elderly and other local residents, such as medical facilities and a pharmacy. A lack of such services can have serious transportation consequences for residents, particularly those who do not have easy access to an automobile. The issues identified above are important planning considerations as they can all have a significant impact on residents' quality-of-life.

In recent years, a large share of residential development in South Algonquin has been concentrated along the Township's water bodies. This has led to several concerns regarding lake capacity, privacy, and impacts on the natural environment. Accordingly, there is a need in this plan to balance both environmental and social factors with respect to future development.

While South Algonquin must address numerous planning challenges, a number of development opportunities are available within the Township for residents and non-residents alike. For example, while the remoteness of the area has in some cases limited development, it also serves as an asset to the community. Residents enjoy the strong rural character of the Township, which provides a quiet and private atmosphere. Additionally, Algonquin Park contributes to the wilderness setting and provides opportunities for outdoor recreation and for the development of tourism-related businesses.

During the process of formulating this plan, it became clear that local residents often did not share the same vision of what South Algonquin might look like in the future. For some, the relatively unspoiled natural environment was something to be preserved, even if it meant placing restrictions on future development. For others, the desire for secure and well-paid employment was vital and, as a result, new development was actively encouraged. The goal of this plan is to find a balance that respects both of these visions. Overall, the main challenge has been to create policies that encourage community and economic development while also preserving South Algonquin's many positive attributes.

## **1.2 Title and Content of the Plan**

- 1.2.1 This document shall be known as "The Official Plan of the Township of South Algonquin" and shall apply to all lands within the Township of South Algonquin. The Plan consists of the written text of the Plan and Schedules A, B, and C.

## **1.3 Township Responsibilities**

- 1.3.1 The Township of South Algonquin has the responsibility to:
- a) prepare an Official Plan;
  - b) review the Official Plan after 10 years after an existing official plan has been repealed and replaced or five years after an update by official plan amendment;
  - c) advise and secure the views of the public, local authorities, agencies and boards with respect to its Official Plan and any proposed amendments; and

- d) review, consider and recommend local legislation, such as zoning by-laws, which implement the policies of the Official Plan.

1.3.2 The Township Council will work towards building a constructive, cooperative relationship through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use planning processes and informed decision-making.

1.3.3 The Township shall undertake early engagement with local Indigenous communities and shall coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal and treaty rights.

1.3.4 The Township shall engage directly with relevant local Indigenous communities on all land use planning applications, changes, and decisions (e.g., consents, subdivisions, zoning amendments, re-designations, community improvement plans, etc.). Local Indigenous communities include (but are not limited to):

1. Algonquins of Ontario (AOO), which represents Algonquin people in 10 communities throughout the lands of the Algonquin Land Claim and will represent the following nine of the communities for engagement purposes:
  - Whitney and Area Algonquins
  - Bonnechere Algonquins
  - Algonquins of Greater Golden Lake
  - Kijicho Manito Madaouskarini Algonquin
  - Mattawa / North Bay Algonquins
  - Ottawa Algonkin Community
  - Snimikobi Algonquin
  - Shabot Obaadjiwan
  - Antoine Nation
2. Algonquins of Pikwakanagan First Nation (AOPFN), which is a member of AOO, but is recognized under the federal *Indian Act* and will be engaged directly.
3. Curve Lake First Nation
4. Métis Nation of Ontario
5. Nation Wendat

## **1.4 Approval Authority**

1.4.1 The Ministry of Municipal Affairs and Housing is the approval authority for the Township's Official Plan. The Township of South Algonquin has been exempted from Minister's approval of official plan amendment applications under section 22 of the *Planning Act*, and has been delegated approval authority for consents, validations, subdivision and condominium applications.

## **1.5 Plan Objectives**

1.5.1 The policies and land use designations contained in the Plan are based on achieving the following objectives. In the event that clarification of the intent of these policies is required, the objectives listed in this section should be considered.

- To ensure the preservation of the rural character of the Township.
- To provide cost-effective development and the efficient delivery of services within the Township.
- To stimulate economic development through the sustainable use of the Township's natural resources, by providing opportunities for future industrial and commercial development, and by encouraging the expansion of the local small business sector.
- To provide levels of service that enable economic development without placing undue strain on the Township's financial resources.
- To plan for healthy, liveable, and safe communities, by preparing for regional and local impacts of climate change.
- To establish a pattern of development that supports public health and safety by avoiding natural and human made hazards, and that is resilient to climate change.
- To accommodate an appropriate range of housing types and densities required to meet projected requirements of current and future residents, including additional residential units where appropriate.
- To accommodate new growth in the two Villages of Whitney and Madawaska, where appropriate in terms of servicing and other constraints.
- To accommodate growth in Rural and Waterfront areas.
- To allow residential lot severances within the Village, Rural, and Waterfront areas, as determined in accordance with this plan's policies.
- To create a safe, efficient transportation network within the Township.
- To protect the environment by preserving natural features, ecological systems and natural resources.
- To ensure that all significant cultural heritage resources in the Township are managed in a manner which perpetuates their functional use while maintaining their heritage value, integrity and benefit to the community.
- To protect people and property from environmental hazards that create risk to health and safety.
- To ensure that decisions of Council comply with the *Planning Act*, have regard to provincial interests as defined in Section 2 and are consistent with policy statements issued under Section 3 of the Planning Act.
- To ensure that decisions of Council conform to the Growth Plan for Northern Ontario.

## 1.6 Commitment to Comprehensive Planning Approach

1.6.1 In its efforts to achieve the objectives outlined above, the Township shall use a coordinated, integrated and comprehensive approach when dealing with planning matters. Accordingly, all planning decisions will involve consideration of:

- expectations of future population, housing and employment change;
- past, present and future development patterns;
- any development limitations presented by natural and human-made hazards; and
- the Township's approved Asset Management Plan.

1.6.2 The Township will also consider the possible impacts of planning decisions:

- on natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
- for the provision, maintenance and/or expansion of infrastructure, public service facilities and waste management systems; and
- on ecosystems, shorelines and watersheds.

## **PART II: LAND USE DESIGNATIONS AND POLICIES**

### **SECTION 2: GENERAL DEVELOPMENT POLICIES**

#### **2.0 Introduction**

- 2.0.1 Although this plan includes sections pertaining to specific land use designations, the policies outlined below set forth development standards that apply to the entire Township.

#### **2.1 Types of Development**

- 2.1.1 In order to encourage economic development, a broad range of development types will be allowed throughout the Township, provided that development proposals meet the standards set forth in this Plan, in all implementing by-laws, and in any other relevant federal and provincial legislation.

#### **2.2 Federal and Provincial Legislation**

- 2.2.1 Proposed development shall satisfy the requirements of all relevant federal and provincial legislation, and regulations and policies made thereunder, such as (but not limited to) the *Planning Act*, *Fisheries Act*, the *Canadian Environmental Assessment Act*, the *Species at Risk Act*, the *Endangered Species Act*, and *Public Lands Act*.

#### **2.3 Community Health and Safety**

- 2.3.1 Land-use planning decisions shape communities in many ways including walkability, access to public recreation areas, dark skies, protection of natural environment, access to nature, and preservation of First Nation and settler cultural history. Planning for a healthy community can support the physical, psychological, and social health of residents and contribute to reducing obesity, heart disease, and social isolation, and improving mental health, nutrition, and air quality.
- 2.3.2 Social determinants of health are recognized as being far more important to an individual's health than their genes and biology.
- 2.3.3 The Ontario Professional Planners Institute created a guide to planning for healthy communities called "Planning by Design: A Healthy Communities Handbook."
- 2.3.4 Community Health and Safety Objectives
1. To plan for healthy, liveable, and safe communities by preparing for regional and local impacts of climate change by promoting land use patterns that mitigate and maintain resilience to climate change, including energy efficient and water conserving building and landscape design, and the use and development of alternative and renewable energy systems where appropriate.
  2. To promote active and healthy lifestyles through policies that encourage physical activity, decrease the Township's impact on climate change, provide equitable access to spaces for recreation and leisure in building and natural environments,

preserve and protect the local food system from production to waste management, protect the population from health hazards, and increase opportunities for people to gather and build on the Township's sense of community

3. To conduct planning with an open process that engages all stakeholders, including those most vulnerable, producing policies which are fair in their distribution of benefits as well as equitable and inclusive to diverse groups.
4. To work with local agencies to help ensure population health is prioritized through land use and other public policies in this Plan, including health considerations in all policies to improve the health of all communities and people at a systemic level.
5. To help ensure equitable access to healthy food for all residents.
6. To incorporate vegetation and tree-planting in new, existing, and future developments to increase areas for shade and assist with dissipation of localized heat.
7. To encourage residents to compost food waste, thereby reducing the Township's greenhouse gas emissions by reducing carbon waste being directed to the landfill.
8. To develop and maintain sufficient parkland and trails, open space, and community facilities to meet the needs of the various age and socio-economic groups. This can be achieved in part through the provision of parkland acquired under the Planning Act.
9. To develop a supportive, welcoming environment for the attraction and retention of youth and young families.

## **2.4 Efficient Use of Infrastructure**

- 2.4.1 Proposed development shall be appropriate to the infrastructure which is planned or available within that area of the Township, and shall not result in the need for unjustified and/or uneconomical expansion of this infrastructure. Before considering the development of new infrastructure, Council shall ensure the use of existing infrastructure and public facilities have been optimized and opportunities for adaptive re-use have been considered.
- 2.4.2 Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning, to ensure the assets meet current and projected needs and are financially viable over their life cycle as demonstrated through asset management planning.
- 2.4.3 Any new infrastructure and public service facilities will be strategically located to support effective and efficient delivery of emergency management services and ensure the protection of public health and safety.

## **2.5 Land Use Compatibility**

- 2.5.1 It is the intent of this Plan to ensure that situations of land use incompatibility are not created by future development approvals. Major facilities and sensitive lands uses shall be planned to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects on public health and safety as well as on the major facilities. Specific policies related to contaminated sites are located in Section 6.4.1 of this Plan.
- 2.5.2 In reviewing any development application, the Township shall be satisfied that the proposed use will be, or can be, made to be compatible with surrounding uses in accordance with the Provincial Guidelines.



- 2.5.3 Residential and other sensitive land uses such as hospitals, nursing homes, education facilities, and day care centres will be protected from other land uses which exhibit undesirable air quality and excessive noise/vibration. Existing industrial and commercial uses shall also be protected from the encroachment of sensitive land uses.
- 2.5.4 Where different land uses abut, every effort shall be made to avoid conflicts between different uses. Where deemed necessary, buffering will be provided for the purpose of reducing or eliminating the adverse effects of one land use upon the other. A buffer may be open space, a berm, wall, fence, plantings, or a land use different from the conflicting ones, compatible with both or any combination of the aforementioned and sufficient to accomplish the intended purpose.
- 2.5.5 For the purposes of this Plan, compatible development means development that, although not necessarily the same as existing development in the vicinity, is capable of co-existing in harmony with existing developments without causing undue adverse impacts on surrounding properties. Compatibility should be evaluated in accordance with measurable and objective standards (e.g., MECP D-Series Guidelines) using a Land Use Compatibility Assessment.
- 2.5.6 For the purposes of this Plan, compatible development means development that, although not necessarily the same as existing development in the vicinity, is capable of co-existing in harmony with existing developments without causing undue adverse impacts on surrounding properties. Compatibility should be evaluated in accordance with measurable and objective standards (e.g., MECP Guidelines).
- 2.5.7 Noise and vibration impacts shall be addressed for new sensitive land uses adjacent to existing railway lines, highways, sewage treatment facilities, waste management sites, industries, or aggregate extraction operations, or other stationary or line sources where noise and vibration may be generated. Council shall require the proponent to undertake noise and/or vibration studies to assess the impact on existing or proposed sensitive land uses within minimum distances identified in Ministry of Environment, Conservation and Parks guidelines including NPC -300 Environmental Noise Guidelines. Noise and/or vibration attenuation measures will be implemented, as required, to reduce impacts to acceptable levels.
- 2.5.8 Notwithstanding policy 2.5.7 above existing and proposed agricultural uses and normal farm practices, as defined in the Farming and Food Production Protection Act, 1998, shall not be required to undertake noise and or vibration studies.

## **2.6 Industrial Development**

- 2.6.1 Industrial development shall especially be encouraged in, but not limited to, the Village designation.
- 2.6.2 Industrial development shall be permitted in the areas of the Township deemed to be most compatible with the proposed land use, based on an assessment of:

- The size of the proposed facility;
- The Class and type of industry;
- The expected adverse effects; and
- The correct separation distance, as determined by the policies for Class I, II and III industrial lands, set forth in Ministry of Environment, Conservation and Parks *Land Use Guidelines*.

## 2.7 Housing Policy

- 2.7.1 In the interest of ensuring that the housing needs of local residents are adequately served, and in order that residents are presented with suitable housing options as they move through the life-cycle, the Township shall permit an appropriate range of housing types and densities, as required to meet projected requirements of current and future residents.
- 2.7.2 For the purposes of this Plan, a dwelling unit is defined as a suite operated as a housekeeping unit, used or intended to be used as a place of residence by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- 2.7.3 It is likely that most future residential development will continue to be in the form of single-detached dwellings. However, other forms of residential development will also be permitted, including:
- semi-detached and duplex dwellings;
  - additional residential units (ARUs);
  - tiny homes and garden suites;
  - townhouses;
  - apartments;
  - condominiums;
  - modular homes placed on permanent foundations; and,
  - mobile homes.
- 2.7.4 The specific forms of housing permitted will depend upon the land use designation within which residential development is to take place and the ability to service the development with water and sanitary servicing.
- 2.7.5 **Additional Residential Units (ARUs)**
- 2.7.5.1 Additional Residential Units (ARUs) are an efficient and cost-effective means of increasing the supply of affordable accommodation for rental purposes and for providing alternative living arrangements for those, by virtue of their personal circumstances, who may require the support of others to live on their own.
- 2.7.5.2 Additional residential units are considered a self-contained residential use with kitchen and bathroom facilities that are within or accessory to a permitted single detached, semi-detached, or row house dwelling. Additional dwellings are also permitted as separate, detached dwellings. Additional residential units must comply with any applicable laws and standards including the building code, the fire code and property standards By-laws.

2.7.5.3 The Zoning By-law shall identify and permit the following provisions for ARUs:

- a. a second residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if all buildings and structures ancillary to the detached house, semi-detached house or rowhouse cumulatively contain no more than one residential unit;
- b. third residential unit in a detached house, semi-detached house or rowhouse on a parcel of land on which residential use, other than ancillary residential use, is permitted, if no building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units; or
- c. one residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse on a parcel of land, if the detached house, semi-detached house or rowhouse contains no more than two residential units and no other building or structure ancillary to the detached house, semi-detached house or rowhouse contains any residential units.

2.7.5.4 In conjunction with a single dwelling, semi-detached dwelling, or rowhouse, ARUs will be permitted ‘as of right’ in certain zones by the implementing Zoning By-law or by amendment to the implementing Zoning By-law. Building permits for ARUs on lands less than 1 ha in size may require supporting information that the ARU can be serviced by private well and septic system, including the need for a hydrogeological study, as may be required.

2.7.5.5 Standards may be established in the Zoning By-law to govern requirement for year-round access, and servicing standards. The Zoning By-law may also include minimum standards for ARUs including (but not limited to): maximum dwelling unit area, minimum lot area, parking, and servicing.

2.7.5.6 Notwithstanding this policy, the implementation of ARUs does not supersede the need for all development to be in conformity with the natural hazard policies of this Plan. No new ARUs shall be permitted within lands identified as being floodplain or unstable slopes.

2.7.5.7 The zoning by-law shall generally prohibit ARUs in waterfront areas due to compatibility issues, environmental issues, and safe access concerns. ARUs may be considered through a site-specific zoning amendment if a hydrogeological and/or lakeshore capacity assessment demonstrates that servicing capacity exists for the additional waste produced by the ARU, and the additional waste would not affect water resource systems and/or surpass environmental lake capacity.

2.7.5.8 Mobile homes, travel trailers and recreational vehicles will not be considered as an ARU.

## **2.7.6 Garden Suites**

2.7.6.1 Garden suites are one-unit, detached, portable, self-contained residential structures that include bathroom and kitchen facilities. They are accessory to, and separated from, an existing and permitted residential dwelling.

2.7.6.2 Garden suites may be permitted in accordance with the provisions of the *Planning Act*.

2.7.6.3 Garden suites will be permitted only on lots containing single-detached or semi-detached

dwellings.

2.7.6.4 Garden suites will normally be permitted only in cases where:

- the property contains no more than two dwelling units in total;
- adequate parking can be provided on the lot, for both dwelling units;
- the existing sewer and water systems can accommodate both dwelling units;
- the garden suite is serviced through an extension from the existing dwelling unit.

2.7.6.5 Garden suites shall be portable and remain on the lot for no more than twenty years.

2.7.6.6 An agreement shall be entered into with the Township regarding the maintenance, alterations, improvements, and the eventual removal of a garden suite.

## **2.7.7 Townhouses**

2.7.7.1 Townhouses will be permitted as a building typology provided that they:

- respect the character of adjacent residential properties;
- contain a high level of amenity areas for residents including rear-of-dwelling private space for each dwelling unit;
- can be easily integrated with surrounding land uses;
- will not cause or create traffic hazards, or unmanageable levels of congestion on surrounding roads;
- are located on a site that has adequate land area to incorporate required parking;
- are designed to enable effective stormwater management; and
- shall be serviced by private water and sewage systems.

## **2.7.8 Apartment Buildings**

2.7.8.1 Proposals for the development of apartment buildings with more than 10 dwelling units are subject to Site Plan Control. Generally, apartment buildings will be permitted, provided that they:

- respect the character of adjacent residential properties in terms of height, bulk and massing;
- can be easily integrated with surrounding land uses;
- will not cause or create traffic hazards, or unmanageable levels of congestion on surrounding roads;
- are located on a site that has adequate land area to incorporate required parking, landscaping, and buffering on site;
- are designed to enable effective stormwater management;
- shall be serviced by private water and sewage systems;
- Generally apartments should not exceed four stories in height.

## **2.7.9 Mobile Homes**

2.7.9.1 A mobile home means any dwelling that is designed to be made mobile, and that is constructed or manufactured to provide a permanent residence for one or more persons. This may include a park model unit but does not include a trailer or travel trailer otherwise designed.

2.7.9.2 Mobile homes are not considered single-detached dwellings for the purpose of this Plan.

#### **2.7.10 Long-Term Care Facilities and Retirement Homes**

2.7.10.1 Long-term care facilities and retirement homes, may be permitted provided that the Township is satisfied that:

- a) the site has access and frontage onto a municipally-maintained roadway, as shown on Schedule A to this Plan;
- b) the site is large enough to accommodate the building, on-site parking and appropriate buffering in the form of landscaping, fencing and trees;
- c) the building is buffered from adjacent low density residential uses by setbacks, landscaping, fencing and trees to ensure compatibility of the use with adjacent land uses;
- d) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- e) private water and sewage systems are adequate and available.

#### **2.7.11 Group Homes**

2.7.11.1 A group home is a single housekeeping unit in a residential dwelling in which up to ten (10) persons, excluding staff or the receiving family, live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial Statute.

2.7.11.2 Group homes shall be permitted in all designations that allow residential uses, and shall be subject to the applicable policies found within this plan for the proposed form of dwelling.

#### **2.7.12 Affordable Housing**

2.7.12.1 It is a policy of this Plan to ensure that existing and new residents have access to diverse and affordable housing choices. Accordingly, the Plan will allow for a sufficient supply of housing which is affordable to low- and moderate-income households. The Township will also consider alternative requirements for residential lot standards which would support the provision of affordable housing provision.

2.7.12.2 The Township will place a particular emphasis on enhancing the supply of affordable housing available. However, the Township shall not necessarily provide such housing.

2.7.12.3 Efforts to create affordable housing opportunities will be undertaken primarily through redevelopment and intensification within the Villages of Whitney and Madawaska.

2.7.12.4 To provide affordable housing that meets the needs of residents in South Algonquin, the Township shall aim to:

- maintain an on-going inventory of potential and appropriate sites;
- give priority to such housing when disposing of municipally-owned surplus lands;

- require the development of affordable housing for moderate and lower income households, people with disabilities, and seniors in the design and development of subdivisions and in planning larger-scale housing projects;
- support the use of rehabilitation and affordable housing programs sponsored by the provincial and federal governments; and
- provide administrative assistance to community groups in their efforts to obtain funding allocations that will address local housing needs.

2.7.12.5 Council understands that it does not have the ability to address regional housing market demands to the same extent as communities developed on full municipal sewer and water services. That said, Council will strive to provide for affordable housing by enabling a full mix and range of housing types and densities to meet projected demographic and regional market requirements of current and future residents of the Township by:

- a) Monitoring the need for social assisted housing for households and seniors. Where specific needs are identified, Council will work with the Province, First Nations, and others to meet identified needs.
- b) Monitoring population projections and the residential development targets.
- c) Making provision for alternative housing types such as additional residential units.
- d) Encouraging cost-effective development standards and densities for new residential development to reduce the cost of housing.
- e) Council shall encourage a minimum of 10% of all new housing units to be “affordable” as defined by the Provincial Planning Statement.

2.7.12.6 Council may, where a need for affordable housing has been identified, undertake all or some of the following:

- a) Identify areas of the Municipality for intensification and infill, subject to consideration of neighbourhood planning issues, adequate servicing, and potential impacts and mitigating measures.
- b) Provide financial relief, in the form of waived or deferred municipal fees (building permit etc.), for affordable housing projects.
- c) Give a higher priority to reviewing proposals which provide an affordable housing component.
- d) Seek assistance from senior levels of government, where required, to assist in the delivery of affordable housing.
- e) Consider development proposals that use innovative design features and servicing standards as a means of improving land use efficiency and providing affordable housing.
- f) Surplus municipal land shall be evaluated for their suitability for the development of affordable housing prior to their consideration for any other uses. Any surplus municipal lands to be considered for affordable housing should meet the following criteria:
  - i. Lands are of an adequate size to support the use;
  - ii. Lands are not isolated from existing residential areas and are located in proximity to public uses and infrastructure, including schools, parks, libraries, and other

- community amenities; and,
  - iii. Lands provide an opportunity for a mix of housing types and do not concentrate affordable housing in a single area of the Municipality.
  - g) Council shall encourage the Federal and Provincial Governments to consider any government-owned, undeclared surplus land for affordable housing before any other use is considered.
  - h) Council will work with the District of Nipissing Social Services Administration Board (DNSSAB) to addressing housing needs.
- 2.7.12.7 Council shall prioritize the provision of housing that is affordable and accessible to low and moderate-income households. For the purposes of the policies in this Section, ‘affordable’ is defined as housing, either ownership or rental, for which a low or moderate-income household pays no more than 30% of its gross annual income. Income levels and target rents and prices shall be determined by the Township on an annual basis and shall be informed by available data from the Canada Mortgage and Housing Corporation (CMHC). This policy recognizes that the province and CMHC may from time to time, have changes to the definition of affordable.
- 2.7.12.8 The Township may undertake a Housing Study building on DNSSAB’s 2023 Housing Need and Supply Study to better understand the dynamics and needs of the local housing market.
- 2.7.12.9 When evaluating proposed developments for new residential development or redevelopment, the Township may require a proponent to provide a portion of the development as affordable housing units, in order to help meet Council’s minimum affordable housing target.
- 2.7.12.10 Council encourages the provision of non-profit housing by private or non-profit housing corporations at appropriate locations, consistent with good planning principles.
- 2.7.12.11 Council shall encourage and promote the achievement of the minimum affordable housing target by implementing innovative measures to support affordable housing in the Township. These measures may include:
- a) Implementing site-specific zoning standards in suitable locations and conditions;
  - b) Consideration of incorporating affordable housing in redevelopment opportunities;
  - c) Consideration of innovative housing designs or concepts, such as tiny dwellings;
  - d) Exploration of partnerships between the Township and public or private proponents in the provision of such housing;
  - e) Encouraging infill development where private servicing permits;
  - f) Encouraging additional residential units;
  - g) Using available incentive programs, such as grants available through a Community Improvement Plan or other tools permitted by the Planning Act or Municipal Act, in order to implement the policies of this Plan related to the provision of affordable housing; and,
  - h) Giving priority to processing of development applications from non-profit housing corporations and housing cooperatives, for housing intended for persons of low or moderate incomes.
- 2.7.12.12 Affordable housing is encouraged in the Township in the form of garden suites, additional residential units, and tiny dwellings, as well as other innovative forms of housing.

## **2.8 Mobile Home Parks**

- 2.8.1 The development of mobile home parks as an alternative to traditional forms of housing may be considered in appropriate locations.
- 2.8.2 All proposed mobile home parks will be subject to Site Plan Control.
- 2.8.3 Mobile home parks shall generally be developed, owned and operated as a single unit. Ownership and maintenance of internal roads, services, common elements, open space areas and buildings shall be the responsibility of the owner/operator.
- 2.8.4 In areas where the existing topography or vegetative cover affords only limited protection from adjacent boundary roads, tree screening and earthen berms may be required to supplement existing tree cover so as to buffer the proposed mobile home park development from traffic on boundary roads. Buffering shall be undertaken to create privacy and prevent the development from becoming a visually dominant element in the rural landscape.
- 2.8.5 Access points to and from a mobile home park development shall be limited in number and designed in a manner that will minimize danger to both vehicular and pedestrian traffic.

## **2.9 Travel Trailers**

- 2.9.1 In accordance with the general policies of this Plan, travel trailers are not acceptable substitutes for any of the dwelling types identified in section 2.8.3. This restriction does not apply to the placement of travel trailers on a property that has an existing allowable dwelling, whereby the trailer functions as an accessory building or is placed on a property for storage or for sale.
- 2.9.2 The Township may allow the temporary use of a trailer on a property where a building permit may be issued for the construction of a permanent dwelling allowed under Section 2.8.3. Such a trailer may be located on the subject property for the period required to construct the main dwelling, so long as the period does not exceed three years.
- 2.9.3 It is the policy of the Plan that travel trailers may not be rented for profit or gain and shall not be used as tourist commercial accommodation unless specifically permitted under the zoning by-law.

## **2.10 Bed-and-Breakfast Establishments**

- 2.10.1 Bed-and-breakfast establishments shall be permitted in single-detached dwellings where listed as a permitted use in the land use designations in this Plan, provided that the following criteria are met:
  - a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
  - b) the use is clearly secondary to the primary use of the dwelling as a residence;
  - c) the bed-and-breakfast establishment must be the principal residence of the owner and operator;
  - d) the character of the dwelling as a private residence is preserved;
  - e) unobtrusive signage is used;



- f) adequate parking facilities are available on the lot for the proposed use;
- g) the use will not cause a traffic hazard;
- h) the existing private sewage disposal system is acceptable to adequately service the principal residential dwelling unit and the proposed bed and breakfast establishment;

A bed-and-breakfast establishment shall not be classed as a short-term rental accommodation defined elsewhere in this Plan.

## **2.11 Property Standards**

2.11.1 Acceptable standards of property maintenance and occupancy shall apply to all properties within the municipality. Such will be established in the Township in the form of zoning, property maintenance and occupancy by-laws, and, where necessary, through site plan control.

2.11.2 Property standards to be developed with regard to the conditions of yards shall consider elements such as:

- the accumulation of rubbish or debris;
- the presence of proper on-site garbage containment facilities;
- the presence of abandoned and wrecked vehicles, boats and trailers;
- the unauthorized placement and storage of trailers;
- abandoned machinery and equipment;
- the storage of materials such as lumber, tires and pesticides;
- conditions contributing to pest infestation; and
- improper or inadequate site drainage.

2.11.3 Property standards to be developed with regard to the external and structural conditions of buildings, both principal and accessory, shall consider elements such as:

- abandoned or structurally unsafe buildings;
- lack of maintenance of exterior walls, roofs and other exterior features;
- improper or poorly maintained foundations;
- improper or poorly maintained porches, decks and exterior steps; and,
- conditions contributing to pest infestation.

2.11.4 The above reference to the storage or abandonment of such items as vehicles, machinery or materials does not apply to any properties where such activities or use of land is permitted, such as an approved wrecking yard.

## **2.12 Water and Sewage Services**

2.12.1 All development in the Township shall be on individual water and sewage services or communal services in accordance with the policies of this Plan.

2.12.2 It must be demonstrated that there is sufficient reserve treatment capacity for hauled sewage

for private individual or communal servicing to accommodate new lot creation, prior to the approval of any new development

## **2.13 Home-Based Businesses**

2.13.1 For the purposes of this Plan, a home-based business is defined as a privately operated legal business located within a residential dwelling and operated by an occupant or owner of that dwelling.

2.13.2 Home based businesses are an important means of realizing small business start- ups and stay-at-home self-employment. Home based businesses are permitted subject to the requirements of the Zoning By-law. The Zoning By-law may provide home based business regulations which:

1. Include a detailed list of permitted home based business uses;
2. Limit the number of employees, other than residents of the house;
3. Provide a maximum percentage of the floor area of the residence which may be used for the home-based business, or the maximum floor area of an accessory structure;
4. Ensure the external appearance of the residence is maintained and regulate outdoor storage and signage;
5. Do not cause excess noise, vibrations, dust, or traffic issues;
6. Provide appropriate parking standards for such uses; and,
7. Limit traffic impact, ensure safe access, and prohibit uses that are deemed to be significant traffic generators.

2.13.3 Permitted home based business shall be defined in the Zoning By-law and may include such uses as professional, administrative, and consulting services, office uses, telecommuting, knowledge-based businesses, computer technology uses, instructional services, distribution sales offices, and arts and crafts. As well, bed and breakfast tourist operations may be included as a form of home occupation that is detailed in the Zoning By-law.

2.13.4 Home based businesses shall be:

1. Clearly accessory, secondary, incidental, and subordinate to the permitted residential use;
2. Compatible with surrounding residential and/or non-residential uses; and,
3. Regulated by Council through provisions contained within zoning by-laws.

2.13.5 Home based businesses of an industrial nature, such as a contractor's shop, tinsmith shop, welding shop, light manufacturing, etc., may be permitted as an accessory use to a principal residential use.

## **2.14 Non-Conforming Activities**

Legally existing uses that do not comply with the land use designations outlined in this Plan at the time of its adoption may be continued. Also, limited expansion of such uses may be permitted provided that the objectives and 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.

### **2.14.1 Non-Conforming Uses**

- 2.14.1.1 The expansion of existing non-conforming uses located within areas that are subject to physical hazards such as flooding shall be discouraged. Where the expansion or replacement of existing buildings is permitted, the Township shall require the addition of measures to alleviate the hazard. Where strict compliance to flood-proofing measures required to alleviate flooding is not feasible, the Township may consider permitting minor additions with a lesser level of protection from the flood hazard.

### **2.14.2 Expansion or Additions to Existing Waterfront Development**

- 2.14.2.1 This Plan recognizes the right to repair, restore, or rebuild an existing legal non-conforming and non-complying building or structure provided there are no increases to height, size, volume, or extent of non-conformity or non-compliance of the use, building, or structure, except as is required in order to comply with provincial or federal requirements. That said, proponents will be encouraged to relocate their development outside of the 30 m water setback whenever possible.
- 2.14.2.2 Where expansions or additions to existing structures are proposed, such additions shall be permitted where all zoning provisions are complied with.
- 2.14.2.3 This Plan encourages those wishing to reconstruct or expand an existing legal building or structure which does not meet the 30 m setback, to demonstrate that every effort has been made to locate the addition to the rear of the existing structure and minimize the amount of development within the 30-m setback.
- 2.14.2.4 Additions which horizontally extend the existing dwellings into the shoreline setback will generally be discouraged. Expansions to the rear (i.e., landward side) of the existing non-conforming/non-complying structure are preferred. Approval for such expansions or additions may be sought from the Committee of Adjustment under Section 45(2) of the *Planning Act*.

## **2.15 Site Plan Control**

- 2.15.1 In order to implement these policies and other related policies of this plan, new or significantly expanded commercial, industrial, institutional and recreational uses may be subject to site plan control in accordance with the policies found within Section 12 of this Plan.

## **2.16 Cost of Studies and/or Assessments**

- 2.16.1 The cost of all studies and/or assessments that must be completed by qualified consultants/professionals as part of a development proposal shall be incurred by the proponent(s). The Township shall assume no financial responsibility for the cost of these studies and/or assessments.

## **2.17 Economic Development**

2.17.1 Council recognizes that the economic base of the Township is largely dependent upon a mix of forestry, other resource-based industries, tourism and service, and retail commercial. It is Council's intent to establish an environment which encourages new economic growth and new employment generation while sustaining existing economic strengths. Specific effort should be made to encourage economic growth in sectors that appeal to younger demographic in hopes of retaining a younger segment of the population to live and work locally.

2.17.2 It is a goal of this Plan to strengthen the existing economic base and to broaden the Township's employment opportunities. To realize this goal, the following objectives are established:

1. To sustain, and to build on and diversify, the existing strength of the resource-based industries and Forestry sectors of the economy.
2. To sustain and to build on the existing strength of the recreational and tourism sectors of the economy.
3. To undertake initiatives to stimulate new employment generation.
4. To work cooperatively with senior governments and community groups in promoting and undertaking economic development activities.

2.17.3 It is acknowledged that Council has not identified a specific employment area within the Township. Rather, employment opportunities are located throughout the Township. In addition to specific land use policies elsewhere in this Plan, Council will undertake several measures to sustain, strengthen, and diversify the economic base including:

1. Providing a policy framework which facilitates the planning and delivery of municipal services necessary for the development or redevelopment of lands for commercial, industrial, and other employment generating activities.
2. Expediting planning and other approvals necessary at the Township level to permit the development of lands or construction of new buildings associated with economic development.
3. Supporting community improvement programs.
4. Encouraging and facilitating employment in the development industry through expediting the planning approvals, encouraging the rehabilitation of heritage buildings, and encouraging the retrofit of the existing building stock.
5. Introducing a program of community promotion through better signage on Township roads.
6. Encouraging an "Open for Business" philosophy towards economic opportunities in the design of Township by-laws regulating and licensing businesses. This should also include an "investment ready" approach to the economic development of the Township.
7. Recognize the importance of resource-based industries such as forestry, mineral aggregate, and mining to the historic economic base of the Township.
8. Encouraging the development of home-based businesses.
9. Encouraging measures that will promote a year-round tourist season.
10. Encourage the development and redevelopment of Village downtowns and main streets through the use of Community Improvement Plans (CIP).
11. Support programs which focus on youth retention and employment opportunities for

young adults.

## **2.18 Short Term Rental Accommodation**

This Plan recognizes short term rental accommodation as a form of tourist accommodation in the whole or part of a residential unit which is marketed or brokered by a short-term rental platforms, and is not a rooming house, hotel, or bed and breakfast.

- 2.18.1 The Township may pass a by-law under the Municipal Act, S.O. 2001 and/or the Planning Act, S.O. 1990, to regulate and/or license short term rentals. Such by-laws may establish definitions of short-term rental accommodations and may place the use as permitted uses in certain zones, as well as set out site and building conditions that must be satisfied, identify ownership requirements, establish a renter code of conduct, set out licensing terms, detail enforcement and penalty provisions, and other relevant provisions.

## **2.19 Dark Skies**

- 2.19.1 The high quality of darkness of the night skies and the ability to see stars is a defining element of the rural character of the Township of South Algonquin. Lighting that protects the night sky from light pollution, directs sufficient light downward, and minimizes light trespass and blinding glare (sometimes referred to as “Good Neighbour” lighting) will be encouraged. The resources of the International Dark Sky Association may be beneficial to the Township.
- 2.19.2 This Good Neighbor lighting enhances the safety of citizens and increases the security of property. Outdoor lighting is used to illuminate roadways, parking lots, yards, sidewalks and pathways, public meeting areas, work sites, homes, and building exteriors. Good Neighbor lighting increases the visibility of hazards, improves the safety of citizens, and provides a sense of security in the community.
- 2.19.3 The Township benefits from responsible, well-designed lighting in the following ways:
- it minimizes energy use;
  - it reduces operating and maintenance costs;
  - it increases the safety of citizens;
  - it maintains and enhances the quality of darkness of the night skies;
  - it can enhance property values and promote tourism.
- 2.19.4 Council may pass a by-law under section 129 of the Municipal Act in order to implement the following “dark skies” policies:
- a) Subdivision development applications, commercial/industrial site plan development applications, and new institutional developments may be required to include a photometric plan of the site showing the proposed design light levels, along with details of the exterior light fixtures proposed to be used at the site.
  - b) Light spillage from new development projects onto adjacent properties and roads shall be avoided. The target light levels at the development property’s boundaries shall be near 0.0 foot-candles.
  - c) All exterior light fixtures should be properly shielded to prevent glare and to direct light downwards and onto a property.

- d) Light wattages may have to be reduced where reflective surfaces on the site may cause secondary (reflected) glare and light trespass.
- e) These policies may be implemented through the Subdivision and/or site plan approval processes.
- f) The Township may enact a Dark Skies By-Law in order to further implement these policies. Such a by-law may include regulations associated with public education as part of the implementation strategy.

## **2.20 Accessibility**

- 2.20.1 The Township shall establish Accessibility Guidelines and Standards intended to promote enhanced accessibility in public buildings, community facilities, parks and recreation amenities, roads, walkways, and housing intended to meet the needs of persons with disabilities in a meaningful way. Such Guidelines are to consider all persons who may have a spectrum of disabilities whether it be mobility, cognitive, hearing or vision impaired, limited dexterity, or stamina.
- 2.20.2 The Township will attempt to remain current with technological advances and new construction practices, as well as with changes to barrier free design requirements of the Ontario Building Code and other applicable standards that may apply.
- 2.20.3 It is the intent of Council to incorporate these design standards for all newly constructed and retrofitted facilities owned, leased, or operated by the Township, to the extent practical.
- 2.20.4 Development, whether new construction or retrofitted, will be encouraged to design to these standards to the extent practical.
- 2.20.5 At a minimum, facility accessibility design standards shall be consistent with the Ontario Building Code, as amended.

## **2.21 Emergency Management**

The Township shall maintain and update its Emergency Management Plan in accordance with the direction from Emergency Management Ontario. Infrastructure and public service facilities will be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety. The Township will coordinate with neighbouring municipalities in the delivery of regional emergency planning services.

## **2.22 Biodiversity**

The Township shall promote biodiversity and conserve natural heritage features and recognize the economic value they provide with respect to natural storm water collection, water quality, sequestering carbon emissions, improving air quality, reducing localized heat, and preventing flooding.

## **2.23 Water Resources**

- 2.23.1 The Township shall strive to protect, improve, or restore the quality and quantity of water resources by:

- a) Using the watershed as the ecological meaningful scale for Considering the cumulative impacts of development;
- b) Minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;
- c) Evaluating and preparing for the impacts of climate change to water resources;
- d) Identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological function of the water resource;
- e) Maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features, including shoreline areas;
- f) Implementing necessary restrictions on development and site alteration to protect, improve, or restore vulnerable surface and ground water features and their hydrologic functions;
- g) Planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
- h) Ensuring consideration of environmental lake capacity, where applicable;
- i) Ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces; and,
- j) Work with Ontario Power Generation (OPG) to establish policies and procedures that recognize OPGs role in the management of the Township's water resources.

2.23.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

## **2.24 Parkland Dedication**

2.24.1 The municipality may prepare a parks plan and pass a by-law under section 42 of the Planning Act designating the whole or any part of the municipality as being subject to the conveyance of land for park purposes as a condition of development or redevelopment.

2.24.2 Parkland dedication shall not exceed 2% for commercial/industrial development and 5% of the gross area of the land proposed for all other types of development.

2.24.3 For development containing an affordable residential unit as defined in subsection 4.1 (1) of the *Development Charges Act*, the dedication will be calculated in accordance with subsection 51.1 (1.1) of the *Planning Act*. No dedication or payment in lieu thereof will be required for a non-profit housing development as defined in subsection 4.2 (1) of the *Development Charges Act*.

## SECTION 3: VILLAGES

### 3.1 Introduction and Description

As the location of most commercial activity and municipal services, the Villages of Madawaska and Whitney serve as focal points for community life in South Algonquin. In keeping with provincial planning policies, and in the interest of efficient land use planning, new development will be especially encouraged within these settings. At the same time, however, the plan recognizes that residents do not want to see the Villages grow to a point where they lose their rural character and that much of the Villages' potential for outward growth is limited by the presence of Crown land. There may be opportunities within Whitney and Madawaska for infill and intensification to support new development, however, Council is aware of the constraints on new development within the Villages due to existence of private servicing which may limit the scale of development.

- 3.1.1 As shown on Schedule A to this Plan, Whitney and Madawaska are designated as the Township's two Villages. The two Villages will serve as the Township's designated settlement areas. Accordingly, and in conformity with the *Provincial Planning Statement (2024)*, the Villages shall be the preferred location for new development within the Township, provided private servicing constraints are addressed.

### 3.2 Permitted Uses

- 3.2.1 In the interest of promoting cost-effective and environmentally sustainable land use patterns, the integration of different activities will be encouraged in the Villages. Permitted uses shall include:

- residential uses, including low- and medium-density housing, mobile homes, special needs housing, and group homes;
- home occupations;
- small- and large-scale industrial uses;
- commercial uses, including retail businesses and home occupations;
- tourist commercial uses, such as hotels, motels, resorts, and bed-and-breakfast establishments;
- institutional uses, such as schools, medical centres, post offices, and government offices; and
- community facilities, such as day care facilities, libraries, parks, community centres, and recreational facilities;

Generally, public service facilities should be encouraged to be co-located in community hubs and with parks and open space, where appropriate, to promote cost-effectiveness and facilitate service integration as well as access to active transportation.

### 3.3 General Development Standards for Villages



- 3.3.1 All development proposed for the Villages shall adhere to the General Development Standards outlined in Section 2 of this Plan.
- 3.3.2 The Township shall identify and promote opportunities for residential intensification and redevelopment within the Villages, where this can be accommodated and servicing is appropriate. A full range of housing densities, types, and tenure options will be permitted subject to the ability to provide appropriate water and sanitary services to support the development.
- 3.3.3 Notwithstanding the desire to integrate different activities within the Villages, large-scale commercial, industrial and institutional uses should normally be situated with direct access from an arterial road or the main road serving the Village.
- 3.3.4 Wherever this can reasonably be accomplished, the Waterfront policies of this Plan shall normally apply to lands in the Villages designation that are physically and functionally related to a shoreline.
- 3.3.5 All development within the Villages shall be in keeping with the objective of conserving, preserving and enhancing the rural character of the Township as a cultural resource, as outlined in Section 1.

### **3.4 Industrial Development in Villages**

- 3.4.1 Council's objectives for industrial development in Village area designations are as follows:
- To permit industrial uses which are compatible with the surrounding community;
  - To permit industrial development which can be appropriately serviced (i.e., dry industrial);
  - To help develop a range of local employment opportunities.
- 3.4.2 The following industrial uses shall generally be permitted in the Village area designation:
- Class I manufacturing and processing;
  - Warehousing and wholesaling of bulk products;
  - Other appropriate or compatible industrial uses;
  - Related and/or accessory commercial uses; and
  - Public utility facilities.
- 3.4.3 Notwithstanding the above list of permitted uses, the Township may exclude some industrial uses from the permitted use section where the location or scale of such uses can reasonably be considered to present environmental problems and/or where the presence of industrial uses is incompatible with the surrounding community.
- 3.4.4 Employment lands in the form of Class I, Class II or Class III industrial uses, as defined by the Ministry of Environment, Conservation, and Parks *Land Use Guidelines*, may be permitted in the Villages designation, provided that they are appropriately separated from existing and future residential areas, subject to available infrastructures and amenity space,

and subject to site plan control.

- 3.4.5 Site Plan Control, in accordance with the relevant policies in this Plan, shall apply to new or expanded industrial uses in order to regulate the physical character of industrial development and to ensure compatibility with established land uses. Particular attention will be placed on appropriate buffering of industrial use from adjacent land uses, as well as ensuring whenever possible that there is efficient and immediate access to transportation links separating industrial traffic from normal community traffic.

### **3.5 Boundary Adjustments to Villages**

- 3.5.1 Adjustments to the boundaries of a designated Village, other than minor changes, will be subject to an official plan amendment and will be implemented following the processes outlined in Section 12 of this Plan.

- 3.5.2 The Township may identify a new settlement area or allow for the expansion of a settlement area boundary only where it has been demonstrated that:

- There is a need to designated and plan for additional land to accommodate an appropriate range and mix of land uses;
- The infrastructure and public service facilities which are planned or available have sufficient capacity and are suitable for the development over the long term and protect public health and safety;
- The new or expanded settlement area provides for the phased progression of development; and,
- The new or expanding settlement area is in compliance with the MDS.

In determining the most appropriate direction for expansions to the boundaries of settlement areas or the identification of a new settlement area, the Township shall consider and apply all the policies related to natural heritage features, natural resource protection, cultural heritage protection, and protection of public health and safety.

- 3.5.3 Notwithstanding the policies of Section 3.5.2, the Township may identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available.

## **SECTION 4: RURAL AREAS**

### **4.1 Introduction and Description**

- 4.1.1 As noted earlier, the Township’s rural character is widely appreciated by residents and non-residents alike, and thus serves as one of South Algonquin’s most important qualities. It will be important to preserve this quality as planning and development activities take place over time. However, the limited availability of private lands available for development purposes within the Villages and the desire to prevent excessive development in the Waterfront areas both result in the need to accommodate some growth in the Township’s Rural areas. Accordingly, this Plan generally permits limited development in the Rural areas, so long as this conforms to the standards laid out in this Plan. Within the Township’s Rural areas, development in those locations where a previous history of settlement already exists – such as, for example, the Wallace settlement in Sabine Ward – will be particularly encouraged.

### **4.2 Permitted Uses**

- 4.2.1 Uses permitted in the Rural designation shall include:

- low-density year-round and seasonal residential dwellings;
- small- and large-scale commercial and industrial uses servicing the rural community;
- tourist commercial uses, such as hotels, motels, resorts, and bed-and-breakfast establishments;
- home occupations and home industries
- mineral exploration and extraction;
- mineral aggregate operations, including accessory uses such as crushing, screening and recycling operations, production of secondary related products, machinery storage facilities, and office space; and wayside pits and quarries;
- portable asphalt plants;
- forest management areas;
- conservation areas and parklands;
- fishery resource management;
- hunting and fishing camps;
- commercial fur harvesting;
- agriculture, including uses which are secondary to a principal agricultural use and which add value to agricultural products or support the agricultural resource use, including, agricultural-related uses and on-farm diversified uses;
- commercial dog kennels;
- utility corridors;
- recreational uses;
- small-scale institutional uses servicing the rural community;
- waste disposal, management and holding sites; and
- cemeteries.

- 4.2.2 Notwithstanding the inclusions identified above, any proposed development that will have an adverse impact on the rural character of the Township will not be permitted.

#### **4.3 General Development Standards for Rural Areas**

- 4.3.1 All development proposals for Rural areas shall adhere to the General Development Standards outlined in Section 2 of this Plan, as well as those set forth throughout this section.
- 4.3.2 New commercial, industrial, institutional and kennel uses shall generally be permitted only if Council is satisfied that the proposed new or expanded use:
- a) complies with all of the applicable policies of this plan, particularly those relating to the protection of water resources and the minimization of environmental impact;
  - b) is compatible with the rural character of the area;
  - c) will have little or no impact on agricultural uses;
  - d) can be serviced with an appropriate on-site method of water supply and sewage disposal;
  - e) will be accessed by public roads capable of accommodating the related traffic;
  - f) will not cause adverse impacts on the environment and abutting development;
  - g) is dark sky compliant;
  - h) will not cause a traffic hazard due to conditions such as inadequate sight lines at the point of access; and,
  - i) can be appropriately buffered or screened from adjacent sensitive or incompatible uses, such as residences.

#### **4.4 Protection of Agricultural Land and Activities**

- 4.4.1 Due to the scarcity of workable farmland in the Township, development shall not be located in areas that would adversely affect existing agricultural operations. When considering development proposals in the vicinity of agricultural uses, including new lots, the proposed use shall comply with the minimum distance separation formulae.
- 4.4.2 Existing and proposed agricultural operations and normal farm practices shall be governed by the Farm and Food Production Protection Act.

#### **4.5 Forestry**

- 4.5.1 When considering a development proposal, Council will consult with the province when forestry resources may be negatively affected.

#### **4.6 Aggregate and Mineral Extraction**

- 4.6.1 Wayside pits and quarries and portable asphalt and concrete plants used on public authority contracts shall be permitted throughout the Rural area, without the need for an official plan amendment, rezoning, except in areas of existing sensitive land use which have been determined to be incompatible, and in accordance with the policies of the Hazard Areas

designation (Section 6) and the Natural Resources policies identified in Section 10.

- 4.6.2 An archaeological assessment will be required for any ground disturbance activity associated with wayside pits and quarries if the subject property is located in an area of archaeological potential or near a known archaeological site.
- 4.6.3 Existing mineral aggregate (pit and quarry) operations are recognized on Schedule B.
- 4.6.4 Mineral aggregate operations should be undertaken in a manner which minimizes impacts on the physical environment, adjacent land uses, and landowners. Both surface and ground water shall be protected from adverse impacts of extraction.
- 4.6.5 Where a new pit or quarry is proposed or an expansion is applied for, appropriate studies will be required to ensure that the impact is acceptable. The nature of the studies will depend on the location and the uses in the surrounding area. For example, studies of the possible impact on natural heritage features, groundwater (quantity and quality), noise, dust, vibration and haul routes may be required. The Township may require a peer review of the studies to determine if the findings are acceptable. Only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations.
- 4.6.6 Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.
- 4.6.7 The Township may pass a by-law under the *Municipal Act* to regulate extractive operations. This by-law would require that the applicant enter into an agreement with the Township respecting the following matters:
- a) arrangements for the progressive rehabilitation and final rehabilitation of the site in accordance with the Aggregate Resources Act or Mining Act and the Provincial Planning Statement;
  - b) timing of blasting or crushing operations;
  - c) the provision of visual buffers;
  - d) haul routes and the use of access roads;
  - e) the retention or processing of waste water and other pollutants; and
  - f) the provision of detailed site plans of the area as it will appear during use and after rehabilitation.
- 4.6.8 Extractive uses, including peat extraction and mineral exploration, shall be adequately screened from surrounding uses.
- 4.6.9 Council may require that the proponents of extractive uses enter into agreements with the Township:
- to ensure that the development does not have an adverse impact on municipal roads;
  - to provide for visual abatement; and
  - to plan for the rehabilitation and after use of the site.

- 4.6.10 Progressive and final rehabilitation will be required to accommodate subsequent land uses, promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
- 4.6.11 Mineral mining operations and mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would preclude or hinder their expansion or continued use or which would be compatible for reasons of public health, public safety or environmental impact. For the purposes of this policy, the influence area and minimum separation distance for a sensitive use (such as a residential use) near an extractive operation shall respectively be 1000 metres and 300 metres from a class III industrial facility, and 300 metres and 70 metres from a class II industrial facility. The development of any sensitive use within the influence areas noted shall require noise and hydrogeological studies to confirm there will be no impact on the sensitive land use from the extractive operation. This policy will also apply in a reciprocal fashion in establishing or redesignating an extractive operation near an existing sensitive land use.
- 4.6.12 The removal or placement of fill may be permitted in conjunction with an established pit or quarry found within lands designated as Hazard Areas through an amendment to the zoning by-law. Applications for such activity shall only be approved after an environmental impact study, carried out by a qualified biologist/ecologist together with a hydrologist/hydrogeologist who are retained by the Township and paid by the proponent, has determined that the operation will not:
- a) alter the flood plain so as to cause detrimental impacts;
  - b) have a negative impact on significant habitat areas and other natural features and areas; or
  - c) affect the hydrogeological functioning of the feature.

#### **4.7 Protection of Mineral Aggregates and Mineral Resources**

- 4.7.1 Known mineral deposits and significant areas of mineral potential are identified in Schedule B as Mineral Inventory and Mineral Inventory Buffer. Areas of high potential for aggregate extraction that are identified in the aggregate study will be protected for future use.
- 4.7.2 In areas adjacent to, or in, known deposits of mineral aggregate and mineral resources, and areas of significant mineral aggregate and/or mineral resource potential, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
- a) the use of said resources would not be feasible; or
  - b) the proposed land use or development serves a greater long-term public interest; and
  - c) issues of public health, public safety and environmental impact are addressed.
- 4.7.3 Prior to considering development in areas of known aggregate resources, Council shall be satisfied that the proposed development will not affect the long-term availability of aggregate

resources in the Township and surrounding area.

- 4.7.4 It shall be a policy that “past producing extraction operations” are considered to be sites that are under temporary closure and where there is remaining mineral potential. Resumption of extraction may be permitted subject to the approval of the Province.
- 4.7.5 Development in areas of past extractive activity shall be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.
- 4.7.6 The Province has interest in any planning application that has the potential to restrict mineral exploration and mining activities. Any planning applications within 1 kilometer of a Mineral Deposit Inventory (MDI) point or any planning application affecting lands within the one kilometre Mine hazard Buffer Zone (AMIS Sites) as shown on Schedule B must be provided to the Province for review and comment.

## **4.8 Industrial Development**

- 4.8.1 The industrial uses of land in the “Rural” designation shall be for manufacturing, processing, servicing and storing of goods and raw materials.

Industrial development in the “Rural” area will be limited to those uses which require extensive amounts of space, serve the needs of the rural area, are considered incompatible uses in the Township’s Villages, and are dry industries. Dry industries are defined as those in which only the disposal of the domestic waste of employees is permitted and treated within septic systems, and into which the discharge of industrial liquid wastes, wash or cooling water or process wastes is prohibited unless otherwise permitted by the Province.

Industrial uses shall have frontage on a maintained municipal roadway. In addition, setbacks and buffering from natural features and sensitive land uses, such as residences, will be required as a condition of site plan approval.

Industrial uses shall screen areas of open storage from view and shall be compatible with adjacent commercial uses.

- 4.8.2 Where industrial uses generate noise, odours, dust, traffic or effluent that may adversely affect other land uses in the area, the development shall provide for buffering in the form of berms, landscaping or setbacks that will mitigate the impacts on neighbouring lands.

The retention, renewal and conservation of industrial buildings of historical and architectural merit will be encouraged if they are affected by an application for development or redevelopment. The impact of such development plans on the character of the surrounding area will also be considered.

## **4.9 Rural Commercial Development**

- 4.9.1 Commercial uses in the Rural Area shall generally include those uses that rely on tourist

traffic and highway access or provide goods and services to the travelling public and rural population.

- 4.9.2 Tourist and highway commercial uses may include such operations as tourist accommodation facilities, including campgrounds or trailer parks, spas, retreats, craft shops, service stations and restaurants.
- 4.9.3 As a condition for site plan approval, Commercial Tourist Camps and other tourist attractions shall be well screened from surrounding lands and roadways.

#### **4.10 Rural Residential Development**

- 4.10.1 In the interest of preserving the rural character of the Township, new permanent residential development within the Rural designation shall be encouraged to locate in the vicinity of other residential uses in the municipality where municipal services are already in place. Scattered or isolated development that would result in an increase in municipal servicing costs will be discouraged.

New rural residential development shall also be encouraged to locate in areas that:

- a) do not preclude the sustainable use of natural resources;
- b) do not have a negative effect on the Township's significant natural or cultural heritage and archaeological resources and features;
- c) have reasonable access to community facilities, such as schools and recreation centres;
- d) are accessible by municipally-owned and maintained year-round roads or roads owned and maintained by a registered Condominium Corporation; and
- e) do not consist of hazard lands and protected natural features.

- 4.10.2 New limited-services residential development shall be encouraged to locate in areas that:

- a) do not preclude the sustainable use of natural resources;
- b) do not have a negative effect on the Township's significant natural or cultural heritage and archaeological resources and features;
- c) do not consist of hazard lands and protected natural features.

- 4.10.3 Where larger scale residential developments are proposed, such as plans of subdivision or condominium, they shall be encouraged to locate:

- within or adjacent to existing nodes of residential development;
- where extensions or major improvements to municipal services are not required; and
- where the density, use and layout of the development is compatible with the surrounding uses.

#### **4.11 Institutional Uses**



- 4.11.1 The expansion of existing institutional uses in the Township should reflect the growth of population and services in the municipality.

#### **4.12 Parks and Recreational Uses**

- 4.12.1 The Township is fortunate to have an abundance of public crown lands. These lands represent an opportunity for a wide range of economic and resourced based activities and supports the Township's forestry and tourism industries.

Recreational uses such as playing fields, skating rinks, and other uses that depend on a large land base shall be permitted in the Rural areas provided that:

- a) they are compatible with surrounding land uses;
- b) do not create traffic impacts; and
- c) do not place additional demands on municipal services.

#### **4.13 Recreational Commercial Uses**

- 4.13.1 Development of golf courses or other significant recreational facilities shall be done in a manner that ensures that ground and surface water resources are not adversely affected due to landscape alteration and the application of chemicals to the lands.

#### **4.14 Hunt Camps**

- 4.14.1 The Township of South Algonquin is an area with a significant number of camps used for hunting and fishing. This plan recognizes that these camps are important to the recreational and economic base of the municipality. The Council of the Township of South Algonquin may make specific provisions for hunt camps and fishing camps in any by-law implementing this Official Plan.

#### **4.15 Commercial Dog Kennels**

- 4.15.1 Commercial dog kennels may be permitted in Rural areas, subject to the following conditions:
- a) the size of the proposed dog kennel is appropriate for the area;
  - b) the building housing the dog kennel and the associated dog runs is set back at least 100 metres from lot lines;
  - c) the use is located at least 1500 metres from existing rural residential development and from the Villages of Whitney and Madawaska;
  - d) the noise emanating from the kennel will not have an adverse impact on adjacent properties; and
  - e) an appropriate animal waste management plan is put in place.

## **SECTION 5: WATERFRONT AREAS**

### **5.1 Introduction and Description**

- 5.1.1 It is well recognized that the Township's Waterfront lands have played, and will continue to play, an important role in the municipality's physical development. Many cottages have been standing for generations, many more have been built in recent years, and many are also being converted to year-round residences.
- 5.1.2 As in other municipalities, the Township's Waterfront areas are those where there is the greatest potential for the emergence of land use conflicts, especially if proper planning controls are not put into place. As demand for waterfront living (either seasonal or year-round) increases – due, for example, to a growing population of retirees and the escalation of cottage prices in other regions of Ontario (such as Muskoka and the Kawarthas) – there is the risk that unbridled construction of new dwellings on Waterfront lots may lead to a wide range of consequences. These include losses of privacy, noise, overcrowding, loss of the Township's beloved rural character, environmental degradation, water and sewage problems, the overburdening of municipal services, and lake capacity impacts. Accordingly, balanced policies are needed that will allow some new development, but only where this can occur in ways that are compatible with existing activities, both human-driven and natural.
- 5.1.3 The Waterfront designation is intended to include lands that are physically and functionally related to the shoreline. Generally, land that is on the shoreline or which physically or visually relates to the waterfront is included within this designation. The waterfront designation also includes commercial uses, such as resorts or marinas, that have a functional relationship with the waterfront.

### **5.2 Permitted Uses**

- 5.2.1 Permitted uses in areas designated "Waterfront" shall include:
- single-detached dwellings located on individual lots along the shoreline; and
  - commercial tourist development, such as lodges, hotels, bed-and-breakfasts, marinas, cottage resorts, and recreational activities.
- 5.2.2 Mobile home parks will not be permitted in the "Waterfront" designation.

### **5.3 General Development Standards for Waterfront Areas**

- 5.3.1 These policies shall apply to the creation of new lots or additions to existing lots, new development, and redevelopment of existing waterfront lands and buildings.
- 5.3.2 Development in Waterfront Areas shall occur as a single tier of development adjacent to the shoreline except where development takes the form of clusters that provide public or

private open space on the shoreline for the use of residents of the development.

5.3.3 Cluster forms of development shall be regulated through the subdivision or condominium approval process and site plan control. Where this form of development occurs:

- the shoreline open space should generally be provided at a rate of 8.0 metres (25 feet) of shoreline per unit;
- it should incorporate adequate buffers in the form of setbacks, berms, fences, and vegetation where it abuts a shoreline residential development in order to ensure that current landowners continue to enjoy their property;
- it should be setback a minimum of 30 metres from the water course or waterbody;
- it should involve the minimal disturbance of vegetation and soils; and
- a common dock should be generally used, which would accommodate up to 20 units and still allow room for swimming or other water activities.

5.3.4 The Township shall ensure that opportunities for public access to shorelines are provided.

5.3.5 No development will be permitted which would result in a waterbody being developed to a point of being over capacity as identified by the Province or Council. When reviewing development proposals, Council shall consider:

- a) the biological capacity of the lake in terms of the number of cottages, dwellings or tourist units that can be accommodated on a water body while maintaining sufficient levels of fish habitat, water clarity and water quality; and
- b) the recreational capacity of the lake in terms of maintaining a reasonable level of enjoyment on the surface of the lake for persons presently using the lake for recreational purposes.

5.3.6 New lot creation is not permitted on “at capacity” lake trout lakes identified in Appendix A. However, Council may consider the creation of new lots in certain circumstances where it can be proven to the satisfaction of council, in consultation with the Province, through detailed environmental studies; that development shall result in no negative impact on the lake. The Province shall be consulted in situations where one or more of the following conditions exist:

- a) the severance is to separate existing habitable dwellings, each of which has a separate septic system, provided the land use would not change; or
- b) all new septic dispersal beds are located such that they would drain into a drainage basin which is not at capacity; or
- c) all new septic dispersal beds are set back at least 300 meters from the shoreline of the lake or permanently flowing tributary to the lake; or
- d) the effluent pathway from a tile field would flow in a manner for a distance of at least 300 meters to the lake. This must be supported by a report prepared by a qualified professional that is a licensed member of the Professional Engineers of Ontario who is qualified to practice geoscience; or
- e) where a site-specific soils investigation prepared by a qualified professional

demonstrates that phosphorus can be retained in deep, native, acidic soils on-site, to satisfaction of the Province.

The Township of South Algonquin has a number of lakes managed for lake trout by the Ministry of Natural Resources Forestry (Appendix A).

In the case of lake trout lakes at their biological capacity, lot creation and land use changes which would result in a more intensive use will not be permitted. Consultation with the Ministry of the Environment, Conservation and Parks and Ministry of Natural Resources and Forestry is recommended to determine if a special case, as spelled out in Section 5.3, exists. This policy applies to lake trout lakes that have already been provincially identified to the Township for public information are found in Appendix A.

Any additional lake identified as being at biological capacity either by the province ordering the assessment of a development proposal will also be subject to this policy.

5.3.7 Lake trout lakes classified by the Ministry of the Environment and Ministry of Natural Resources as “not at capacity” can sustain additional development subject to the following criteria:

- a) development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water of the lake with non-disturbance of the native soils and vegetation;
- b) modeling of the lake to determine whether it can accommodate additional development;
- c) stormwater management via infiltration galleries, redirection of surface water runoff away from the lake;
- d) large development proposals (i.e., greater than five lots or resort/condominium developments) must be supported with a study by a qualified consultant. This study is an impact assessment of a proposed development on a water body to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.

The classification of lakes in the Official Plan is subject to change and may change in the future based on factors such as an assessment of new water quality data and/or changes in water quality standards. Therefore, the possibility exists that a lake trout lake that is classified in the Official Plan as “not at capacity” or “at capacity” at a certain point in time may change during the life of the Official Plan. At capacity lakes shall be identified in Appendix A to this Official Plan and may be updated from time to time without an amendment to the Official Plan.

5.3.8 It is the responsibility of the property owners, including proponents of development proposals, to ensure that they are aware of the current classification of a lake at all times and, in particular, prior to submitting a planning application involving shore lands on lakes.

- 5.3.9 The Province the local municipality have the information on the current classification of a lake and it is recommended that either or both the Province and the local municipality be consulted prior to any development or site alteration on a waterfront property.
- 5.3.10 Should development be proposed which may bring a lake near the estimated biological or recreational capacity, Council shall only consider such a proposal after the developer has submitted an impact report prepared by a qualified professional, retained by the Township at the cost to the developer, that provides evidence to the satisfaction of Council that the development will not adversely affect the recreational and biological lake quality and meets the requirements of any lake capacity study endorsed by Council as a relevant basis for planning and development.
- 5.3.11 To maintain an appropriate balance between a natural shoreline and built form, shoreline activity should be focused within a defined area of the shoreline frontage of the lot and minimized in extent.
- 5.3.12 The Township may require a marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value exist or are discovered and could be impacted by shoreline and waterfront developments.
- 5.3.13 The Township recognizes that there are numerous existing waterfront dwellings and accessory structures which do not comply with the zone provisions set out under the existing Zoning By-law. Such buildings and structures are recognized as being non-complying as they relate to current performance standards (e.g., water setbacks, lot coverage, yard setbacks, shoreline area occupancy, etc.). Some structures are also legal non-conforming as they relate to current permitted uses (e.g. Environmental Protection (EP) zone). The Township anticipates that many landowners will seek to repair, renovate, reconstruct, and/or enlarge these existing structures over time. To guide such activities the Township has established the following Waterfront Development Policies to be consulted prior to the submission of any Planning Act application involving Waterfront development.
- 5.3.14 This Plan is committed to the establishment of a “30 metre setback” from water and the “15 metre vegetated buffer” along shorelines as the key planning tools to minimize negative development impacts on waterfronts. Commonly referred to as a “ribbon of life”, this 30 m setback area is intended to be a strip of unaltered, naturalized land abutting the shoreline, with provisions for a modest shoreline access path through this area. Within the 30 m setback, the first 15 m abutting the shoreline is to be a natural, vegetative buffer of land. The 30 m setback and 15 m vegetative buffer are intended to help achieve the Official Plan’s broader Waterfront Development and Environmental policies. It is understood that on numerous waterbodies, the shore road allowance constitutes a portion of the 30 m setback.
- 5.3.15 Generally, this Plan strives to limit expanded development within the 30 m setback and 15 metre buffer areas (the first 15m back from water in the 30 m setback), particularly where

other preferred development options may exist on the property. Expansions of development within the 30 m setback will require the approval of the Committee of Adjustment.

- 5.3.16 On warm and cool water lakes, new lot creation, development, including the septic system tile bed, must be set back a minimum of 30 metres from the highwater mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation. Reductions to alter the 30 m shoreline setback will generally be discouraged.
- 5.3.17 For existing vacant lots of record on warm and cool water lakes, new development should be set back 30 metres if possible, otherwise as far back as the lot permits recognizing physical topographical constraints and /or undersized lots.

## **5.4 Preservation of Vegetation**

5.4.1 The maintenance of shoreline vegetation is beneficial to:

- a) protect the riparian and littoral zones and associated habitat;
- b) prevent erosion, siltation, and nutrient migration;
- c) maintain shoreline character and appearance; and
- d) provide fish habitat.

5.4.2 Clearing of natural vegetation along the shoreline should be restricted to that needed for access, recreational use, limited view of the water and safety of residents. The shoreline frontage of the lot should be maintained in natural shoreline vegetation, including trees, in the water and upland along the water's edge. The extent of removal in the shoreline areas will be considered within the following parameters:

- a) A maximum of 30% of the shoreline frontage or up to 15 metres, whichever is the lesser, for shoreline/linear residential development;
- b) A maximum of 30% of the shoreline frontage or up to 30 metres, whichever is the lesser, for commercial development or waterfront landings;
- c) A maximum of 50% of the shoreline frontage or up to 45 metres, whichever is lesser, for marinas.

5.4.3 Projects involving development within the Waterfront areas area shall incorporate measures to achieve a 30 m setback and 15 m vegetative buffer.

5.4.4 New development and the expansion or redevelopment of existing development in the Waterfront area shall be sensitive to the preservation of tree cover and native vegetation so as to prevent erosion, siltation, and possible nutrient migration, as well as to maintain the complex ecological functions of the shoreline and littoral zone environment. Development shall be setback a minimum of 30 metres (98 feet) from the high-water mark. Site alteration and disturbance of vegetation within 30 metres (98 feet) of the shoreline shall be limited to low-impact small scale structures identified in the zoning by-law, minor alterations to accommodate access trails, water pumping equipment, or restoration work and limited limbing of mature trees for health and safety reasons.

5.4.5 As a condition of development or redevelopment, the restoration of the natural vegetation and shoreline characteristics may be required. In these instances, undisturbed shorelines of

the waterbody in question may be referenced as an example of how to restore and rehabilitate a disturbed shoreline.

- 5.4.6 The Zoning By-law implementing this Official Plan will include regulations that will limit lot coverage within 30 metres (98 feet) shoreline setback, require the vast majority of the shoreline area be maintained in a natural vegetative state, and prevent further encroachment into this area. The Zoning By-law will also provide an allowance for a limited amount of the 30 m setback area (i.e., 30% to a maximum of 15 m wide) to be cleared and/or occupied for access to the water, for walkways, and for permitted shoreline structures such as a boat ramp, boat house, and deck.
- 5.4.7 Any development within 120 m of a shoreline shall be subject to site plan control.

## **5.5 Waterfront Servicing**

- 5.5.1 All new residential development shall be serviced by a private potable water system and a wastewater system approved by the appropriate approval authority.
- 5.5.2 Private wastewater systems shall be located a minimum of 30 metres (98 feet) from the high-water mark of the nearest water body. On an existing undersized lot where the minimum setback cannot be met, a reduced setback may be considered through the Committee of Adjustment or Zoning By-law Amendment processes. The consideration of alternative servicing shall be explored when proposing development on waterfront lots which are physically constrained and/or situated in close proximity to sensitive natural heritage features or water resources. The Township may require specialized studies or reports from qualified professionals to identify all system-related options available to private landowners.
- 5.5.3 Where the lot size or configuration does not provide the opportunity for the installation of a septic system and there is an existing pit privy or holding tank, a replacement holding tank may be installed as long as it has been demonstrated by a qualified professional that no alternative system is feasible. Composting toilets are accepted as an alternative to pit privies where septic fields cannot be accommodated due to lot size and/or configuration and subject to the approval of the appropriate Approval Authority. Offsite disposal of the composted materials shall be required.
- 5.5.4 Holding tanks shall not be permitted for new vacant lot development.
- 5.5.5 Existing septic systems which are identified as being non-compliant with the requirements of the Township's Zoning By-law and/or the Ontario Building Code (OBC), may require replacement or upgrades when reviewed in conjunction with proposals to repair, renovate, reconstruct, or enlarge non-complying dwellings. Through its review of planning applications, the Township may require proof that an existing septic system is functioning properly. Additional information may be required to ensure the system is adequately sized and configured to comply with the requirements of the OBC.

## **5.6 Residential Development**

- 5.6.1 New Waterfront residential developments should generally have a minimum frontage of 60 metres (200 feet) and a minimum lot area of one hectare (2.47 acres). With council approval,

these minimum sizes may be increased:

- a) in areas of steep topography;
- b) in narrow bays and peninsulas;
- c) where there are significant natural heritage features discussed in Section 7 which require alternative development standards; and
- d) where the shoreline is not physically suitable for waterfront development.

5.6.2 Waterfront residential development on a lot area of less than one hectare may be permitted if a hydrogeological evaluation or other acceptable technical study supports a smaller lot area. Assessment of potential impacts on ground and surface water quality and quantity must be included in such a study.

5.7.3 Development and site alteration will be set back from all watercourses within the Township in order to protect the natural features and functions of the watercourse, provide riparian habitat, and minimize the risk to public safety and property. Buildings, structures and sewage disposal systems will be set back at least 30 m (100 feet) from the high water mark of all of lakes, rivers and streams.

5.7.4 One Guest cabin(also commonly referred to as a “bunkie”) will be permitted on a lot in the Waterfront designation so long as they remain secondary and incidental to the main residential dwelling on the lot. Guest cabins are not intended for occupation and gain, and shall not be utilized as rental accommodation or an additional residential unit. The zoning by-law shall contain provisions which limit the size of guest cabins and ensures that they are smaller than, and incidental to, the main dwelling. The zoning by-law shall also include provisions that require guest cabins to be dry/unplumbed and not contain plumbing and sanitary services.

## **5.7 Residential Conversions**

5.7.1 There is a substantial proportion of the population of the Township of South Algonquin that is identified as seasonal given that their principal residence is located elsewhere. Ongoing trends suggest that some second-home owners will likely be interested in locating in the Township at their part-time residence on a full-time basis. Applications for such seasonal residential conversions will be considered by the Township.

While it is anticipated that the number of actual seasonal residential conversions to year-round use will be low, there may be some land use implications that arise as a result of this action. Residents intending to convert their seasonal dwellings into year-round homes shall be aware that the conversion of a seasonal dwelling into a year-round home is insufficient, by itself, to encourage upgrading of municipal services to the home. The Township must evaluate all factors, including the costs to other taxpayers, before proceeding with any service upgrades. The Township may pass by-laws clearly identifying how such properties may be subject to limited services. The conversions of seasonal dwellings to year-round use shall require proof that an approved sewage system has been installed.



## **5.8 Tourist Commercial Development**

5.8.1 Tourist Commercial developments shall be allowed within the Waterfront designation, provided that the developer has proven to Council's satisfaction, through an impact study:

- a) that there will be no negative impact on natural heritage features and the environment on or adjacent to the subject property;
- b) that there will be no negative impact on surrounding landowners' property values and enjoyment of their properties; and
- c) that the development lands can be adequately serviced to the satisfaction of the proper authority with regard to parking and on-site sewage and water services.

5.8.2 Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the tourist commercial use, shall also be permitted. Residential accommodation shall also be permitted for the accommodation of the owner or caretaker or other staff members.

The developer shall also enter into a Site Plan Agreement with the Township in order to effectively manage the provision of water-based amenities, such as boat docking and launching facilities, and land-based recreational facilities, such as tennis courts or swimming pools.

Golf courses shall be located outside of the Waterfront designation.

Tourist commercial activities shall be buffered from dwellings on neighbouring properties through a combination of distance and vegetation.

Septic systems shall be located at least 30 metres (100 feet) from a watercourse or a waterbody.

Regard shall be had for the layout and design of resort commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.

## **5.9 Lake Plans**

5.9.1 Council supports in principle the preparation of Lake Plans that assess issues such as recreational carrying capacity, shoreline development, lake level management, fisheries, vegetation retention and health, shoreline erosion, cottage conversion and septic system maintenance and inspection, and other issues important to lake communities. Lake Plans may be used as a tool to establish and improve good land stewardship practices amongst those who share a lake community and to articulate lake-specific principles and goals outlined in this Plan. Such Plans are also encouraged to establish monitoring programs and/or remediation programs to be primarily implemented by local residents and stakeholders, such as provincial government ministries.

This Official Plan will continue to be the primary land use document to guide land use in the Township. Specific lake plans may be implemented as amendments to this Plan.

Any or all of the following components may be identified and addressed in a specific lake plan:

- location in relation to the watershed;
- drainage basin and related watercourses;
- size and shape of the lake;
- distinct areas or neighbourhoods on larger lakes;
- number and location of islands and narrow water bodies;
- topography, landscape, shoreline features and hazards;
- shoreline constraints and influences;
- natural heritage and habitat;
- allocation of water quality capacity;
- cultural heritage, built heritage, and historic development;
- existing land uses;
- access;
- open space, recreation areas and trails;
- natural areas and landscape features to be preserved;
- definition of character to be preserved; and,
- specific policies and standards for development.

## **5.10 Madawaska River Water Management Plan**

When making decisions regarding waterfront development, including land severances, along the Madawaska River and its tributaries from the Bark Lake Dam upriver to a point approximately 10 kilometres upriver of the Village of Madawaska, decisions should be based on the Madawaska River Water Management Plan, as mandated by Ontario Power Generation. This area is referred to as Reach 2 in the Madawaska River Water Management Plan.

This reach has a normal maximum water level at the Bark Lake Dam of 313.62 metres above sea level in the summer, and a normal minimum water level of 304.80 metres above sea level in the winter. This difference of 8.82 metres is drawn down annually to control flooding in the lower reaches of the Madawaska River.

It should be noted that all water-reliant habitats and species, including mammals, reptiles, amphibians, fish and invertebrates, are devastated on an annual basis by this drawdown and that minor changes due to waterfront development will have little or no additional effect whatsoever on these species.

## **SECTION 6: PROTECTING PUBLIC HEALTH AND SAFETY**

### **6.1 Introduction**

Constraints to development are primarily related to natural hazardous conditions such as the existence of floodplains, erosion hazards or the presence of unstable slopes, unstable soils and geological formations such as Karst topography where the bedrock is subject to the development of sinkholes. There are also constraints to development as a result of man-made hazards such as contaminated lands, abandoned mines, or former mineral aggregate operations.

Promoting quality of life and self-sufficiency for our citizens requires that all development be carried out in a manner which ensures that life, safety and economic welfare are protected. This Plan also recognizes that we should be planning and preparing for the impacts of a changing climate that may increase the risk associated with natural and man-made hazards.

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and shall not create or aggravate existing hazards.

### **6.2 Identifying Hazard Areas**

There is a general lack of accurate mapping showing the location of areas characterized by natural or man-made hazards. Where hazard mapping exists, it is shown on Schedule B, Constraints. It is recognized that hazardous conditions may exist which are not shown on Schedule B and as such it is important to ensure that appropriate consultation be included in any development review process.

The Township shall work with public authorities and utilities to update the hazard mapping and identify hazard areas.

### **6.3 Natural Hazard Lands**

#### **6.3.1 Prohibited Uses in Natural Hazard Lands**

6.3.1.1 Development shall generally be directed to areas outside of hazard lands adjacent to the shorelines of river, stream, and small inland lake systems that are impacted by flooding and/or erosion hazards.

6.3.1.2 Development and site alteration shall not be permitted in areas that would be rendered inaccessible to people and vehicles during times of flooding and/or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

6.3.1.3 Development and site alteration shall not be permitted in a floodway, regardless of whether the area of inundation contains high points of land not subject to flooding.

6.3.1.4 Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire.

6.3.1.5 The following uses are prohibited: Nursing homes, hospitals, homes for the aged, senior citizen apartments, group homes for the physically or mentally challenged, day care centres, or other similar uses for which flooding could pose a significant danger to the inhabitants, schools, essential emergency services (fire, police and ambulance stations), electrical substations, storage or handling of hazardous substances.

### **6.3.2 Defining Areas Subject to Floods**

The floodplain areas are low lying lands and watercourse corridors defined by the most impactful local flooding event recorded in the watershed, by the 1 in 100 year flood plus wave up-rush, where applicable, or defined by specific flood levels approved by the Ministry of Natural Resources.

#### **6.3.2.1 Permitted Uses**

Notwithstanding the underlying designation on Schedule A, development and site alteration is prohibited in flood plains, except in accordance with the following:

1. Repairs and minor additions to buildings and accessory buildings, which do not affect flood flows, will be permitted where there is existing nonconforming development.
2. Uses which by their very nature must be located within the flood plain and will not affect the hydrology or hydraulics of the flood plain may be permitted;
3. Works required for flood and/or erosion control and passive recreational and/or open space non-structural uses which do not affect the hydrology or hydraulics of the flood plain may be permitted.

### **6.3.3 Erosion: Unstable Slopes And Organic Soils**

6.3.3.1 The erosion hazard limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over a one-hundred-year time span), and allowance for slope stability, and an erosion or erosion access allowance.

6.3.3.2 Slopes with a slope angle of 3:1 (horizontal: vertical) or steeper are identified as being potentially unstable. Development and site alteration in areas identified as having unstable slopes or unstable soils is prohibited unless it can be determined that the proposed development will be in full conformity with the Building Code Act. This may require that sufficient soils and engineering information be made available to indicate that the site is suitable or can be made suitable for development using accepted scientific and engineering practices; alterations to the site will not result in increased hazards or cause adverse environmental effects on or off-site.

6.3.3.3 The underlying designation on Schedule A shall identify the permit uses on such lands.

### **6.3.4 Setbacks**

6.3.4.1 Except as otherwise directed by provincial regulations, policies, and guidelines, generally,

thirty (30) metre building setbacks shall be imposed from the boundaries of Hazard Areas, except for:

- a) valley lands, where a 30 metre setback will be imposed from the stable top of bank; and;
- b) permanent and intermittent streams, where a 30 metre setback will be imposed from the meander belt, or the land across which a stream shifts its channel from time to time.

### **6.3.5 Wildland Fire**

6.3.5.1 The Provincial Policy Statement defines hazardous forest types for Wildland Fire as, forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the province, as amended from time to time. Development shall generally be directed to areas outside of lands that are unsafe due to the presence of hazardous forest types for wildland fire. However, development may be permitted in lands with hazardous forest types where the risk is mitigated in accordance with Wildland Fire assessment and mitigation standards as identified by the province.

6.3.5.2 Proponents submitting a planning application for lands that contain forested areas may be required to undertake a site review to assess for the risk of high to extreme wildland fire behaviour on the subject lands and adjacent lands (to the extent possible). A general indication of hazardous forest types for Wildland Fire are identified on Schedule B – Constraints and Opportunities, to this Plan. If development is proceeding where high to extreme or pine (needs assessment) risks for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated.

6.3.5.3 Wildland fire mitigation measures shall not be permitted in provincially significant wetlands.

6.3.5.4 Wildland fire mitigation measures shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions.

## **6.4 Human-Made Hazard Lands**

### **6.4.1 Contaminated Sites**

Contaminated sites are defined as sites where the environmental condition of the property, i.e. the quality of the soil or ground water, may have the potential for adverse effects to human health or the natural environment. Current mapping showing contaminated sites is not available for the Township, other than the closed landfills on Crown Land that are identified on Schedule B.

6.4.1.1 In reviewing development applications, the approval authority may require the undertaking of an Environmental Site Assessment (ESA). An ESA shall be mandatory when a change of land use triggers an ESA in accordance with Ontario Regulation 153/04.

6.4.1.2 Where the ESA produces reasonable evidence to suggest the presence of site contamination, the proponent may be required to undertake appropriate technical studies as part of the

development review process in order to identify the nature and extent of contamination, to determine potential human health and safety concerns as well as effects on ecological health and the natural environment, to demonstrate that the site can be rehabilitated to meet provincial standards and to establish procedures for site rehabilitation and mitigation of the contamination.

- 6.4.1.3 The proponent will be required to restore the site and to make it suitable for the proposed use in accordance with the recommendations of any required technical studies prior to development or land use change.
- 6.4.1.4 It is the intent of Council to ensure the proper decommissioning and clean-up of contaminated sites prior to their redevelopment or reuse. Filing of a record of site condition in the Registry, by a qualified person, as defined in O. Reg 153/04, is mandatory for a change of use of a property from industrial, community or commercial to residential, agricultural, institutional or parkland.
- 6.4.1.5 The ESA and site restoration shall be undertaken according to Ontario Regulation 153/04 and with MOE guideline “Records of Site Conditions - A Guide to Site Assessment, the clean-up of Brownfield Sites and the Filing of Records of Site Conditions” dated October 2004 Record of Site Condition.
- 6.4.1.6 Prior to approval of an Official Plan Amendment and prior to the approval of a Zoning By-law amendment, subdivision, condominium, consent or other planning application by the approval authority on a site that is potentially contaminated or is contaminated, the proponent shall document the present and past use of the site and surrounding lands, engage professional assistance in the analysis of soils, ground waters and surface waters as required in consultation with the Ministry of the Environment, Conservation and Parks and shall prepare a remedial action plan in accordance with “Ontario Regulation 153/04, Record of Site Condition”. Where the contaminants are in concentrations above Ministry established acceptable concentrations. A Ministry of the Environment, Conservation and Parks “Record of Site Condition” may be required to confirm that a site is suitable for its intended use. The proponent shall ensure the supervision of excavation and soil handling activities during site clean-up.
- 6.4.1.7 Prior to approval of an Official Plan Amendment and prior to the approval of a Zoning By-law amendment, subdivision, condominium, consent or other planning application by the approval authority on a site that is potentially contaminated or is contaminated, the proponent shall document the present and past use of the site and surrounding lands, engage professional assistance in the analysis of soils, ground waters and surface waters as required in consultation with the Ministry of the Environment, Conservation and Parks and shall prepare a remedial action plan in accordance with “Ontario Regulation 153/04, Record of Site Condition”. Where the contaminants are in concentrations above Ministry established acceptable concentrations. A Ministry of the Environment, Conservation and Parks “Record of Site Condition” may be required to confirm that a site is suitable for its intended use. The proponent shall ensure the supervision of excavation and soil handling activities during site clean-up.

#### **6.4.2 Abandoned Mine Sites and Former Mineral Aggregate Operations**

6.4.2.1 There are a number of known mine hazards located in the Township. Known mine hazards located in the Township are shown on Schedule B.

6.4.2.2 It shall be policy to recognize past producing mines as areas where development should be

restricted. Any proposed development within a one-kilometre radius of a past producing mine, as identified on Schedule B, will first be subject to consultation with the Ministry of Mines. Should it be deemed necessary a detailed site evaluation conducted by a qualified consultant will be required prior to development. Documentation from this study shall demonstrate that:

- a) the development land is suitable for the type of development proposed; and
- b) the mine hazard can be mitigated and remediated to properly address public health, safety, and environmental concerns to the satisfaction of the Township.

6.4.2.3 Development on, abutting and adjacent to lands affected by mine hazards or former mineral aggregate operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under way or have been completed.

6.4.2.4 Other mine hazards may exist in the Township. These sites, when identified by the Ministry of Mines, shall be added to Schedule B without the need for amendment to this plan.

## **SECTION 7: CROWN LAND**

### **7.1 Introduction**

- 7.1.1 Crown land is defined as land that is controlled and administered by the provincial or federal government. Approximately 80% of the Township of South Algonquin's land area consists of provincial Crown Land.

### **7.2 Co-operation with Province**

- 7.2.1 While the Crown is not bound by the policies or land use designations of this Plan, it is a policy of this Plan that the Township will work in close co-operation with the Province to determine the future use and development of the Crown Lands.
- 7.2.2 This Plan recognizes that large portions of the Township are subject to an on-going land claim settlement with First Nation communities. This Plan is intended to support the Land Claim settlement.
- 7.2.3 A number of boat launches located throughout the Township are located on Crown Lands and involves coordination with the Province.

### **7.3 Disposal of Crown Lands**

- 7.3.1 There may be a number of opportunities to dispose of Crown lands not identified as protected areas that could be developed in a sustainable manner and that would contribute to the economic base of South Algonquin without compromising the environment or the quiet enjoyment of the inhabitants of the area. The Township supports Crown land dispositions in these instances. The Township encourages the transfer of lands from the Province to the Township when they are surplus to the Province's needs.
- 7.3.2 Crown land disposition may include transfer into freehold ownership, at which point they cease to be Crown lands. Crown disposition may also include leases and permits.

### **7.4 Privatization or Leasing of Crown Land**

- 7.4.1 If Crown land should be patented to private land owners, the Township's planning policies will be applied to these lands. In such cases, the use and development of those lands may require an Amendment to this Plan.



## PART III: FURTHER DEVELOPMENT POLICIES

### SECTION 8: MUNICIPAL SERVICES

#### 8.1 Introduction

- 8.1.1 There are a number of municipal services provided by the Township of South Algonquin. The safe and efficient provision of municipal services is an important part of effective land use planning.

#### 8.2 Construction of Public Works

- 8.2.1 Prior to the construction of public works or undertakings, such as roads or waste disposal facilities, the Township shall follow procedures under the *Environmental Assessment Act*. Some types of undertakings may fall into a class environmental assessment (EA), which is a more streamlined process in reviewing the environmental impacts of the proposed work. Generally, the intent of this Plan is to ensure that the following procedures (generalized description) are followed prior to the construction of a project (undertaking):

1. Consult with affected parties:
  - involve affected parties early in the process and continuously throughout;
  - encourage the identification and resolution of issues before an EA is formally submitted; and
  - promote mutually acceptable, environmentally sound solutions through consultation.
2. Consider reasonable alternatives: planning must consider alternatives to the undertaking which fulfil the purpose of the undertaking in functionally different ways and alternative methods of implementing a particular type of alternative. The “do nothing” alternative must also be considered.
3. Consider all aspects of the environment: the planning process must consider the effects on the natural or biophysical environment as well as effects on the social, economic and cultural conditions that influence the lives of humans of a community.
4. Systematically evaluate net environmental effects: evaluate alternatives in light of their advantages and disadvantages and the effects remaining after mitigation or enhancement measures have been addressed.
5. Provide clear, complete documentation: the EA should strive to represent accurately the process that was followed in a clear and understandable way and to communicate the results of that process.
6. The planning and construction of public works, such as local roads and infrastructure projects carried under the municipal Class Environmental Assessment process, shall conserve cultural heritage resources and areas of archaeological potential.

When necessary, the construction of public works will be subject to archaeological and/or

heritage impact assessments and satisfactory measures to mitigate any negative impacts affecting identified significant cultural heritage resources.

### **8.3 Waste Management**

- 8.3.1 The Province has jurisdiction over waste management practices in the Township and requires that all waste must be disposed of at an approved waste disposal site.
- 8.3.2 As required by Section 46 of the Environmental Protection Act, no use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister of the Environment for the proposed use has been given.
- 8.3.3 All existing and new waste disposal sites within the Township shall meet the requirements of the Province and may be subject to the requirements of the *Environmental Assessment Act*.
- 8.3.4 The Township will continue to utilize the Whitney and Madawaska landfill sites to dispose of solid waste. The capacity of the Whitney landfill site is expected to be sufficient until 2049, while the Madawaska landfill site will be sufficient until 2041. The Township will continue to promote waste diversion through its recycling program at each landfill site.
- 8.3.5 New landfill sites for solid waste disposal or waste management facilities shall be located so as to provide adequate protection to residents against any adverse environmental effects, as determined by the Province.
- 8.3.6 Where possible, the Township shall investigate opportunities for the development of cost-effective waste management programs.
- 8.3.7 Waste disposal sites shall be restricted open waste or a sanitary landfill site as identified on Schedule A. Ancillary uses such as recycling depots and transfer stations shall also be permitted. Disposal of liquid industrial, radioactive, or toxic waste shall not be permitted.
- 8.3.8 Where development is proposed within 500 m of the fill areas of open or closed landfill sites, the completion of technical studies to demonstrate that there will be no negative impacts on water supply, leachate, methane gas, rodents, vermin, or other related impacts.
- 8.3.9 Factors to be considered when land use is proposed near an operating site include: landfill-generated gases, ground and surface water contamination by leachate, odour, litter, contaminant discharges from associated vehicular traffic, visual impact, dust, noise, other air emissions, fires, surface runoff, and vectors and vermin. Particular attention shall be given to the production and migration of methane gas.
- 8.3.10 Waste disposal sites shall be operated and maintained in accordance with the standards set by the Province.
- 8.3.11 No use shall be made of land used as a waste disposal site for a period of twenty-five years from the year in which the waste disposal use ceased without the approval of MECP.
- 8.3.12 Development of lands adjacent to a closed or open waste disposal site shall be subject to the Land Use Compatibility Assessment.
- 8.3.13 The establishment of any new waste disposal site shall require an amendment to the Official Plan and the Zoning By-Law.
- 8.3.14 The Township shall attempt to divert all organic material and recyclables from being landfilled.
- 8.3.15 The Township shall continue to expand the range of materials to be recycled and/or diverted from landfill.
- 8.3.16 Prior to the approval of any new development, including new lot creation, it must be

demonstrated that there is sufficient reserve capacity for solid waste to accommodate the development.

### **8.3 Water and Wastewater Services**

- 8.3.1 The need to ensure that water and wastewater infrastructure meet growth and development priorities is crucial to the long term economic and environmental health of the Township. Currently there are no centralized or decentralized municipal sewer or water services in the Township. Any future capital expenditures required for the introduction of water and wastewater systems are considered to be in full conformity with this Official Plan.
- 8.3.2 This Plan acknowledges that municipal sewage and water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. The Township does not have any municipal sewage or water services at this time. Where such municipal services are not available, private communal services are a preferred form of servicing for multi- unit/lot developments, subject to the specific policies of this Plan. Where municipal services and private communal services are not available, planned, or feasible, individual on-site sewage and water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- 8.3.3 Where development is proposed on private services, the applicant must demonstrate that there is sufficient quantity and quality of potable water and must also demonstrate that a permit can be obtained for the proposed sewage system through the Ontario Building Code or the Province, whichever is applicable. In addition, the applicant must demonstrate that the proposed development will not result in increased costs to the Township for the provision of other required services such as road maintenance, school transportation, waste collection, etc.
- 8.3.4 Partial services may be permitted where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development or within the settlement areas where development will be serviced by individual on-site water services in combination with municipal or private communal sewage services.
- 8.3.5 Communal services may be permitted provided that they are for the common use of more than five residential units/lots. Any such system will have to meet the requirements of the Township, this Official Plan, and the Province, as well as the approval processes under the Environmental Assessment Act, Ontario Water Resources Act, Safe Drinking Water Act, and the Planning Act. For the sake of clarity, private communal systems servicing five (5) or less residential units/lots are permitted but do not require a municipal responsibility agreement.
- 8.3.6 It is recognized that the implications for municipal responsibility for communal systems resulting from Provincial policy can present challenges to both the developer and the Township, and as such, the Township is not obligated to approve the use of communal systems. Once a communal system is approved, the use and operation of the communal system and the role and responsibilities of the Township shall be governed by a responsibility agreement. The need to develop on private services may place limits on the amount, distribution, and type of development which may take place.

- 8.3.7 The Township, in approving any communal system, will have particular regard for the documented performance of the proposed system, the financial securities which are to be provided, the long-term maintenance requirements, and the operation and administration requirements for the system. In reviewing proposals for development on communal systems, the Township will also determine the number and types of communal systems that will be accepted by the Township. In general, the Township shall only accept developments on communal systems when it can be clearly demonstrated that such systems will not create an unacceptable financial burden on the Township.
- 8.3.8 Communal systems must be owned, operated, and managed by the Township or another public body if servicing freehold residential development. They may be owned, operated, and managed by a condominium corporation or single owned land if serving condominiums or mobile home parks respectively, provided an agreement has been entered into with the municipality or public body pursuant to Section 51 of the Planning Act.
- 8.3.9 Such agreement entered into under this Section shall provide for municipal/public body assumption of the communal services in the event of default by the owner. It is recognized that the Township may not have the financial or human resources to own, operate, and manage such systems and as such, the Township is not obligated to accept communal systems. Once a communal system is approved, the use and operation of the communal system and the role and responsibilities of the Township shall be governed by the agreement.
- 8.3.10 Council will encourage, support, and promote wastewater disposal systems which incorporate proven and innovative technologies to reduce wastewater volumes or which improve the quality of wastewater effluents. This will include, but not be limited to, water conservation devices which reduce water usage, and innovative solutions to municipal or industrial wastewater treatment such as the design and construction of artificial wetlands and grey water treatment and re-use.

## **SECTION 9: TRANSPORTATION**

### **9.1 Introduction**

- 9.1.1 Transportation management is an important issue for the Township, in a number of ways. Given the highly rural nature of the Township, the automobile is and will likely continue to be the primary mode of transportation for residents and visitors. The dominance of the automobile notwithstanding, walking is an important mode of travel within the Villages. With this in mind, residents have also indicated a desire to see improvements made to the pedestrian environments in Whitney and Madawaska. For example, Highway 60 is the busiest roadway in the Township, but it also bisects both Villages. Many walking trips to schools, churches, the post office, and local businesses involve crossing or walking along Highway 60, but in most cases there are no sidewalks or formal road crossings in place. With growth of outdoor recreation, this also means the official plan needs to consider those that use the trails and general maintenance for these trails.

### **9.2 General Policies**

- 9.2.1 The Township will ensure that the transportation systems provided are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs and are planned and designed to be able to withstand the anticipated impacts of climate change.
- 9.2.2 The Township will make certain that efficient use is made of existing and planned transportation infrastructure.

The Township will ensure that transportation and land use considerations are integrated at all stages of the planning process.

### **9.3 Infrastructure Corridors**

- 9.3.1 The Township will not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and adverse effects from the corridor and transportation facilities.

The co-location of linear infrastructure will be promoted, where appropriate.

The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged by the Township, wherever feasible.

When planning for corridors and rights-of-way for significant transportation and

infrastructure facilities, the Township will ensure that consideration will be given to the significant resources outlined in Section 4 of the Provincial Planning Statement.

## **9.4 Road Classifications**

- 9.4.1 Schedule B to this plan identifies three types of roads serving the Township: provincial highways, municipal roads, and private roads. The policies relating to each of these road classifications are provided in the following three sections.

## **9.5 Provincial Highways**

- 9.5.1 Highways 60, 127 and 523 , as well as McKenzie Lake Road, Victoria Lake Road, and Major Lake Road (within Lots 14 &15, Concession 2) be provincial highways under the control and jurisdiction of the Ministry of Transportation (MTO). Permits and approval from the MTO shall be required prior to municipal permits or approvals when building a structure, entrance, road, or sign that falls within the designated control areas as defined by the Public Transportation and Highway Improvement Act (PTHIA) and the Highway Corridor Management Manual. MTO's designated controlled areas fall upon or within:

- a) 45 metres of any limit of a highway or 395 metres of the centre point of an intersection for the purpose of the placement of buildings or other structures, entrances or any road;
- b) 800 metres of any limit of a highway, for the purpose of a shopping centre, stadium, fairground, racetrack, drive-in theatre or any other purpose that cause persons to congregate in large numbers; or,
- c) 400 metres of any limit of highway for the purpose of placing signs and placing, erecting, or altering an electricity transmission and distribution system, pole line, or other transmission line.

MTO will require permits for any location signage that are within 400m from MTO right-of-way. All signage must be 3m from the ROW, shown on the site plan, and a permit is required.

- 9.5.2 MTO may ask for studies in support of development along provincial highways including the traffic impact study, stormwater management report, site plan, and illumination report to ensure that developments do not pose adverse impact on the safety and operation of provincial highways. Development driven highway improvements are sole responsibility, financial or otherwise, of the proponent. These responsibilities include construction of the triggered improvements to Ministry standards as well as associated works such as property acquisition, servicing connections, utility relocations and additional regulatory approvals. For developments within or adjacent to the MTO control area a preconsultation with MTO and the Township will be required.
- 9.5.3 Any new proposed access connection (e.g., public road or signalized intersection) that is located on a municipal crossroad or municipal road allowance and within the vicinity of a provincial highway, intersection or interchange ramp terminal must meet MTO's access management practices and principles. Exact locations of new public roads or signalized intersections shall be approved by MTO. Pre-consultation with MTO and the Township before access connections to provincial highways must be completed to address

transportation network deficiencies and determine the required improvements.

- 9.5.4 New developments with frontage on a municipal road, shall obtain its access connection from that municipal road. An access connection generally will not be permitted to the highway for a lot with municipal road frontage, unless internal access to the total holding is impractical due to topographical or physical constraints or it can be demonstrated that access from the public road would be unsafe. In addition, MTO shall require the municipality to obtain the consent of the Minister to open, close or divert any road entering upon or intersecting a provincial highway. Any entrance which is proposed to service a home occupation which is classed as an industrial or commercial land use shall require preconsultation with MTO and Township and the approval of MTO prior to municipal permits or approvals.
- 9.5.5 Prior to the formal submission of a plan of subdivision, severance, rezoning or site plans applications to the approval authority, MTO encourages the proponent to set up a pre-consultation meeting with MTO staff through the Township. The purpose of the pre-consultation meeting is for MTO to provide the proponent with its anticipated conditions, service commitment guarantees for issuance of permits, permit requirements upon registration (such as, building/land use, entrance, encroachment, and sign permits). Existing entrance shall not be utilized for the creation of additional properties or provide access to properties without the preconsultation with MTO and the Township and the approval of MTO.
- 9.5.6 The number of access points onto provincial highways from existing lots of record within the waterfront areas shall generally be limited to one access. Additional access points will require preconsultation with MTO and the approval of MTO. Waterfront properties which do not have frontage on a provincial highway shall be restricted from using provincial highway access from neighbouring properties without preconsultation with MTO and the Township and the approval of MTO.
- 9.5.7 A lot of record that has frontage on a provincial highway is permitted only one highway entrance, and properties that do not have provincial highway frontage are not permitted to access the provincial highway from a neighbouring property.

## **9.6 Municipal Roads**

- 9.6.1 All open roads under the jurisdiction of the Township are classified as “Municipal Roads”. The main function of these roads is to provide access to individual properties and to link those properties to the system of provincial highways.

Municipal roads are not intended to carry large volumes of traffic. Appropriate road allowance widths shall be provided to accommodate existing and anticipated traffic volumes and to reflect specific road and site characteristics. The minimum road allowance width shall be 20 metres (66 feet). Any required road widening should generally be taken equally from both sides of a road allowance unless there are site specific circumstances which make this difficult or inappropriate.

## **9.7 Private Roads**

- 9.7.1 The Township has no responsibility for the snow clearance or maintenance of Private Roads.

Developing a new, or extending an existing, Private Road is prohibited unless such road is part of an internal road within a condominium development. The creation of new lots on a Private Road is prohibited. Development on private roads is restricted to existing lots of record, in accordance with the policies of this Plan.

Year-round road service will not be considered on seasonal roads until such roads are upgraded to year round standards, at the expense of the benefiting property owners.

Private roads are the principal means of access for a large number of waterfront property owners. The Township may consider waterfront development on an existing lot of record if it is on an existing private road, in accordance with the policies of this plan, and where it is demonstrated that the development does not require a publicly assumed and maintained road for year-round access.

Council may use the *Municipal Act* to require maintenance agreements for existing private roads. Development on existing lots of record will only be permitted on an existing private road if the private road is within a legal registered easement and the lot has a legal registered right of access to the easement.

All owners of properties that will be accessed by a private road, or an access road over Crown Lands, enter into an agreement with the Township, to be registered on the title of all of these affected properties, to indemnify the Township and all other public bodies of all responsibility for any maintenance of the road and all liability for any use of the road and alleged failure to provide emergency services or any other public services that were not being provided at the time of the creation of the road.

## **9.8 Roads over Crown Land**

9.8.1 The Township has no objection to the establishment of roads over Crown land so long as:

- a) the proponent receives the necessary permit from the Ministry of Natural Resources and Forestry; and
- b) it is understood that the Township has no responsibility for the maintenance of the road.

For the purpose of this Plan, roads over Crown land shall be treated as private roads not maintained by the Township.

The Township does have “non-operational parks” within the Township and that the roadways within them are part of the Township’s Road Network and for which the Township maintains these road under agreement “in a like manner of a contractor” for those portions of the road which are of municipal interest to ensure access for residents.

## **9.9 Shore Road Allowances**

9.9.1 Shore road allowances are present on a number of lakes in the Township. The Township is



prepared to stop and sell these shore road allowances to the riparian land owners. However, the following will be retained by the Township:

- that part of the shore road allowance below the controlled high water mark; and
- that part of the shore road allowance identified as having any environmental feature.

9.9.2 No shore road allowance will be stopped up and sold to the riparian land owner where it is used for access by another property owner or where the sale will have a negative impact on another property owner.

9.9.3 The Township may pass a by-law regulating the use and sale of shore road allowances.

## **9.10 Recreational Trails**

9.10.1 The Township currently contains a number of trail and corridor systems that encourage a wide range of linear recreational activities, including snowmobiling, all-terrain vehicle riding, walking, biking, and skiing. The Township recognizes local multi-use recreational trails as critical components of the area's tourism economy and transportation system. These trails are shown generally on Schedule B.

It is a goal of this Plan to encourage the protection, improvement and expansion of the network of trail and corridor systems within the Township. Council may develop a Trails Master Plan to provide the basis for the establishment of an expanded trail network in the Township.

New trails shall be designed and constructed in a manner that ensures that they are compatible with adjacent land uses, contain accessible elements and minimize impacts on environmentally sensitive features.

Additional approvals from the Ministry of Natural Resources and Forestry may be required for trail development on Crown Lands.

Trail crossings of Provincial Highways require the approval of the Ministry of Transportation. Crossings may be permitted subject to restrictions. Trails running along MTO right-of-way will be regulated by MTO.

In its assessment of any proposed development abutting the trail systems, Council:

- shall consider the impact of the development on the continued use and enjoyment of the trail system;
- may impose greater setbacks from the trails to ensure that land use conflicts are minimized; and
- may prescribe specific mitigation measures with respect to ensuring the continued operation of the trail.

## **9.11 Other Road Policies**

9.11.1 All new development shall have access from an open public road, except in the following circumstances:

- new lots created by a consent where the lot fronts upon a recreational waterbody with an appropriate private right-of-way, as determined by all other policies of this Plan;
- new limited-service residential lots created by a consent where the lot fronts on an existing private or crown road with an appropriate private right-of-way, as determined by all other policies of this Plan;
- water access lots, provided that Council is satisfied that appropriate facilities for car parking and docking are available exclusively for the proposed waterfront access development;
- camps used in connection with hunting, fishing or maple syrup operations, so long as there is a legal means of access to a given property; and a business, industrial or resource use, so long as there is a legal right-of-way to the property from a publicly maintained, year round road.

9.11.2 New waterfront or limited services residential lots with frontage on a private road or crown road, may be permitted on the condition that the proponent enters into an agreement with the Township to be registered on title. The requirement for such an agreement shall be included as a condition of consent. Such an agreement shall indicate:

1. That the owner recognizes that the lot is located on a private road or crown road which is not maintained by the Township.
2. That the disposal of garbage, snowplowing and any other road maintenance is the responsibility of the property owner;
3. That the Township assumes no liability in the event that emergency vehicles are not able to access the lot because of impassable road conditions; and,
4. That the owner indemnifies the Township for any loss or damages.
5. Other such conditions as may be required by the Township.

In addition to the above, the proponent shall be required to place all new limited-service residential lots into the “Limited-Service Residential Zone”.

9.11.3 The number of accesses to roads shall be minimized wherever possible in order to maintain an appropriate level of road safety. In this regard, access to individual lots in rural residential plans of subdivision will be provided from an internal road wherever possible and strip development shall be minimized wherever possible.

9.11.4 There is no requirement under the policies of this plan for the Township to open any unopened road allowance or to approve any land use or development proposed on an unopened road allowance

9.11.5 The Township will open an unopened road allowance only when it has determined that such opening is in the public interest, financially viable, in conformity with this Plan and the Township Road Allowance Policy.

9.11.6 If an applicant for development on an unopened road allowance proposes to build the road in said road allowance, they shall build the road to full municipal standards at their expense and in accordance with the terms of an agreement with the Township. The related development shall not be approved until the road has been built to the Township’s satisfaction and assumed as a public road by the Township.

9.11.7 The Township must be convinced that the assumption of a new road or an upgraded road is

in the public interest before it commits to the assumption of the road.

- 9.11.8 Prior to upgrading the level of service on any road, the Township must be satisfied that the increase in servicing cost is balanced by an increase in assessment or other public interest such as improved emergency services. Council may refuse to approve a new road where the cost of maintenance is considered too high in relation to the projected revenues.

## **9.12 Road Realignments**

- 9.12.1 Where the Township realigns an existing road, the former roadbed will be conveyed to the abutting land owners in accordance with the *Municipal Act*.

## **SECTION 10: ENVIRONMENTAL PROTECTION**

### **10.1 Introduction**

- 10.1.1 Much of the township's valued rural character can be attributed to the presence of a highly unspoiled natural environment. The Township's land use planning policies reflect the importance of the natural environment, especially by setting out effective resource management strategies.
- 10.1.2 Environmental stewardship of the Township's natural heritage features is key to a sustainable future. Environmental stewardship conserves, protects, restores, and improves the natural environment for current and future generations.
- 10.1.3 The Township will provide for biodiversity protection, as required by the Provincial Planning Statement 2024, through the review of development applications and supporting documentations.
- 10.1.4 The Ministry of Environment, Conservation and Parks (MECP) provides technical advice related to species at risk and their habitat, including advice on survey protocols for site specific assessments and approval of delineated species at risk habitat.
- 10.1.5 The Ministry of Environment, Conservation and Parks (MECP) regulates required authorizations under the Endangered Species Act, 2007 and the associated regulation (O. Reg. 242/08) if development or site alteration will impact endangered or threatened species or their habitat. Any technical studies required to support development applications shall be conducted by a qualified professional and shall be subject to peer review. The MECP also administers provincial policy and legislation relating to water quality, soil contamination, waste management, provincial protected areas, and air quality in the Township.
- 10.1.6 This Plan recognizes that the natural environment is sacred for Indigenous communities. As a result, Indigenous communities have unique interest in the Natural Heritage policies of this Plan. There is a particular interest in the waterways and repairing the damage that has been done to waterways and near-water lands and helping restore the natural environment.

### **10.2 Natural Heritage Policies**

- 10.2.1 Environmental protection and effective resource management are important to the future of the Township. Natural features and areas shall be protected for the long term. The Township must exercise strong management in this regard, while recognizing there are a number of other public and private agencies that also have a mandate to concentrate on certain elements of this duty.
- 10.2.2 The Township will ensure that the diversity and connectivity of natural features in the municipality, and the long-term ecological function and biodiversity of the Township's natural heritage systems, will be maintained, restored, or, where possible, improved over time. The Township will also recognize linkages between and among natural heritage features and areas, surface water features and ground water features in its assessment of development proposals.
- 10.2.3 Natural heritage features are important to the unique rural character and diversity of the natural environment found in the Township and possess or perform ecological functions and represent significant natural capital assets.

- 10.2.4 While all natural heritage features are important to the Township, some have been identified as having Provincial significance.
- 10.2.5 The policies of this Plan are intended to address the provincial and local requirements which must be met in order to ensure that natural heritage features are adequately protected. These policies may be amended from time to time as additional information is gathered with respect to the significance or sensitivity of various natural heritage features. 10.2.6 Environmental resources are identified to manage, preserve and protect them from indiscriminate usage, irreversible damage, and depletion of natural resources or extinct
- 10.2.7 All proposed development in the Township of South Algonquin shall meet provincial standards for air, ground, light, noise, and water pollution control.

### **10.3 Environmental Protection Act**

- 10.3.1 The *Environmental Protection Act (EPA)* provides control mechanisms for the protection of the environment that has application to the general public as well as to the Council of the Township. It is the intent of this Plan that the Township, in reviewing a planning application or in undertaking a public works affected by the *EPA*, shall ensure that the appropriate approvals are in place prior to the commencement of the undertaking.

### **10.4 Stormwater Control and Management**

- 10.4.1 Stormwater management is an important part of the Township's broader interest in protecting water quality and responding to the threats of climate change. It is understood that development may affect the quality and quantity of storm runoff. Accordingly, the Township will ensure that adequate consideration is given to storm water management, including off-site impacts. Through proper stormwater management, the Township shall attempt to protect, improve, or restore the quality and quantity of water and plan for the impacts of climate change.
- 10.4.2 When considering development and redevelopment proposals, the Township shall promote stormwater systems which are resilient to climate change. This may involve the promotion of the use of low impact development (LID) approaches and technologies, such as the use of green infrastructure to manage stormwater runoff, on-site natural features to protect water quality, use of best management practices, and reducing hard surfaces to maximize site permeability.
- 10.4.3 In order to control flooding, ponding, erosion, sedimentation, and to protect water quality and natural habitat, stormwater management plans shall be required for some forms of new development. The consideration of Best Management Practices and alternatives to stormwater management ponds shall be encouraged.
- 10.4.4 Planning for stormwater shall:
- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible, and financially viable over the long term;
  - b) minimize or, where possible, prevent increases in contaminant loads;
  - c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
  - d) mitigate risks to human health, safety, property, and the environment;

- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

10.4.5 The following policies shall govern stormwater management.

- a) Prior to approval of any development consisting of 4 or more lots or any development with greater than 0.2 hectare in impervious area, the Township may request that storm water plans be prepared for review by the Township or their agent. The stormwater management plan will include a statement of the receiving stream and design objectives to be applied and a description of the storm water management practices to be applied, in accordance with the relevant Provincial policies and guidelines, specifically the 'Storm water Management Planning and Design Manual', MOECC, as amended, and Adaptive Management of Stream Corridors in Ontario', NDNNRF, as amended. Applicants are encouraged to consult with the relevant ministries and agencies prior to submitting a draft plan of subdivision.
- b) Stormwater management may not be required for small scale developments such as lots created through the consent process or developments subject to site plan control where there is no impact on the watershed.
- c) Prior to approving any development proposal, the Township shall be satisfied that adequate storm water management and drainage to a suitable outlet are provided.
- d) Increases in runoff from the development shall be minimized in accordance with best management practices and watershed needs. The impact of any proposed development on local and area-wide drainage patterns shall be identified. An appropriate method of managing surface runoff shall be developed in consultation with the Township or its agent and implemented as a condition of approval according to the following policies:
  - i. developments shall incorporate methods of on-site storm water best management practices in accordance with the quality and quantity standards of the Township or its agent to ensure that post-development flow rates do not exceed pre-development rates.
  - ii. in order to meet storm water quality objectives, the retention of existing tree cover or natural vegetation and the provision of significant grassed and natural areas shall be encouraged to facilitate absorption of surface water into the ground, and erosion and siltation control measures will be incorporated into any grading and drainage scheme.
  - iii. developments which could have a significant impact on surface drainage shall provide comprehensive drainage plans showing methods of surface water disposal and any impacts on adjacent or affected proper.
  - iv. in order to achieve the Township's objectives for stormwater management, it will be required that prior to the start of development on any given site, the proponent submit a plan clearly demonstrating how sediment and erosion control is to be undertaken so as to eliminate off site impacts.
  - v. Low Impact Development (LIDs) entails the use of design features that minimize runoff and maximize infiltration of surface water (precipitation, snow melt, and stormwater), providing resiliency to development and climate change related flood and drought impacts. LID measures can range from simple solutions that are easily implemented at the small, individual, lot scale (i.e., use of rain barrels, French drains, and grassed swales as opposed to concrete ditches, etc.) to more

- technically advanced measures for larger scale development
- vi. For effective implementation of LIDs, the onus must be on the developer to identify LID techniques that are suitable for site specific conditions which have been assessed through the required site characterization and stormwater studies. This is not intended to be the municipality's responsibility. Instead, the municipality's role is to provide policy direction and guidance. The "Low Impact Development Stormwater Management Planning and Design Guide" (2019, LID SWMPDG)" prepared by Toronto and Region Conservation, Credit Valley Conservation, Lake Simcoe Region Conservation, MECP Stormwater Planning & Design Manual, 2003 and the "City of Ottawa Low Impact Development Technical Guidance Report (DRAFT) Implementation in Areas with Potential Hydrogeological Constraints (2019)" are helpful reference guides. MECP approvals may be required for stormwater works or facilities that discharge to the natural environment (ditches, creeks, rivers or lakes).

## **10.5 Forest Resources**

10.5.1 Forest resources provide significant economic, social and environmental benefits in the form of:

- income from forest products;
- recreation;
- education;
- soil and water conservation;
- wildlife habitat;
- buffers between land uses; and
- natural amenities.

10.5.2 Property owners are encouraged to seek the assistance of the Ministry of Natural Resources and Forestry in the management of their forest resources. Reforestation in areas where forest resources have been depleted is encouraged.

10.5.3 In order to direct and encourage proper forest management, the Township will encourage the retention of forest cover on stream and river banks and lake shores.

10.5.4 In order to ensure that forest resource activities can continue as a compatible and sustainable activity, new development should not occur in areas used primarily for forest management. When considering a development proposal, Council will consult with the Ministry of Natural Resources Forestry when the resource may be negatively affected.

10.5.5 The construction of forest access roads on Crown land within the Township is permitted, subject to the approval of the Ministry of Natural Resources Forestry.

## **10.6 Significant Natural Heritage Features**

10.6.1 Schedule C indicate where a number of natural heritage features are known to be present within the Township.

10.6.2 Natural heritage features consist of the following:

- Water bodies and watercourses;

- Significant Habitat of Endangered and Threatened Species;
- Fish Habitat;
- Provincially Significant Wetlands
- Locally Significant and Unevaluated Wetlands;
- Areas of Natural and Scientific Interest (ANSIs)
- Significant Wildlife Habitat

10.6.3 Development and site alteration shall not be permitted in:

- significant habitat of endangered species and threatened species; and
- significant wetlands.

10.6.4 Development and site alteration shall not be permitted in the following areas, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions:

- significant wildlife habitat;
- fish habitat; and
- significant areas of natural and scientific interest.

10.6.5 There may be additional natural heritage features to be protected within the Township that are as yet unidentified. As such, when development or site alteration is proposed that has the potential to change the use of a site or significantly alter the physical condition of a site, a preliminary ecological site assessment shall be required to determine the potential location of natural heritage areas and features as per the Ministry of Natural Resource and Forestry'' *Natural heritage Reference Manual* and the *Significant Wildlife Habitat Technical Guide*.

10.6.6 Where natural heritage features are identified in a preliminary evaluation, development and site alteration will only be permitted adjacent to the feature where an Environmental Impact Study, prepared by a qualified professional, demonstrates that the development can occur without negatively impacting the identified natural heritage feature or their ecological functions. The Algonquins of Ontario and other First Nations shall be consulted on any Environmental Impact Studies related to proposed developments where areas of First Nations interest and/or Native Values and/or the potential for aboriginal artifacts to be encountered have been identified.

10.6.7 The following areas of influence represent adjacent land distances where adjacent land uses, including aggregate operations, must be considered and no negative impacts on the natural feature or its ecological function must be demonstrated through required studies before approvals are granted.

| <b>I</b> | <b>Constraint Feature</b>                                        | <b>Adjacent Land Distance</b> |
|----------|------------------------------------------------------------------|-------------------------------|
| <b>1</b> | All water bodies and watercourses (streams, rivers, lakes, etc.) | 30 metres                     |
| <b>2</b> | Provincially / Locally Significant/Unevaluated Wetlands          | 120 / 50 / 30 metres          |



|          |                                                                                          |            |
|----------|------------------------------------------------------------------------------------------|------------|
| <b>3</b> | Significant Habitat of Endangered, Threatened or Special Concerned Species               | 120 metres |
| <b>4</b> | Fish Habitat                                                                             | 120 metres |
| <b>5</b> | Provincially Significant Areas of Natural or Scientific Interest (ANSIs) – Life Science  | 120 metres |
| <b>6</b> | Provincially Significant Areas of Natural or Scientific Interest (ANSIs) – Earth Science | 50 metres  |
| <b>7</b> | At Capacity Lake or Lake Trout Lakes                                                     | 300 metres |
| <b>8</b> | Significant Wildlife Habitat                                                             | 120 metres |

## **10.7 Endangered and Threatened Species Habitat and Adjacent Lands**

10.7.1 The Township contains a wealth of natural features including endangered and threatened species and their habitat. The Province requires that where development is proposed within areas which are potential habitat of endangered or threatened species, or within 120 meters of such areas, the following policies shall apply.

- a. An Environmental Impact Statement shall be undertaken in consultation with MECP to determine whether the habitat of endangered and threatened species is present.
- b. Development and site alteration shall not be permitted in habitat of endangered or threatened species except in accordance with provincial and federal requirements.
- c. Development and site alteration may be permitted within 120 meters of significant habitat of endangered or threatened species if it has been demonstrated through an Environmental Impact Statement that there will be no negative impacts on the natural features or ecological functions for which the area is identified. Those preparing Environmental Impact Statements will be required to consult SAR Ontario prior to the completion of the EIS for consideration of Species at Risk (SAR) and SAR habitat to ensure their protection.
- d. Should additional species be added to the Species At Risk Ontario (SARO) List, the policies of this section of the Plan shall apply as may be required.

10.7.2 The Township shall remain current with issues related to Species at Risk. Should any endangered and threatened species habitat be identified in the Township in the future, MECP shall be contacted to develop a mutually acceptable protocol for the sharing of information regarding this natural heritage feature or area.

## **10.8 Areas of Natural and Scientific Interest (ANSIs)**

10.8.1 Areas of Natural and Scientific Interest (ANSIs) represent high quality and unique life science and earth science features across a variety of landscapes throughout the Province. Life Science ANSIs are significant representative segments of Ontario's biodiversity and natural landscapes including specific types of forests, valleys, prairies and wetlands, their native plants and animals, and their supporting environments. Earth Science ANSIs include the best representatives of bedrock, fossils, and glacial landforms.

10.8.2 An ANSI is a natural heritage feature which has been identified and evaluated by MNRF

based on specific natural functions and features which exist. Where development requiring any planning approval is proposed within 120 metres (394 feet) of the Areas of Natural and Scientific Interest shown on Schedule C, Council shall require an Environmental Impact Statement (EIS) to be submitted with the application.

## **10.9 Fisheries Resources and Fish Habitat**

10.9.1 Fish habitat areas include spawning grounds and nursery, rearing, food and migration areas on which fish depend on in order to carry out their life cycle. Fish resources have large value to the Township for their vital role in the food chain, their contribution to the diversity of species, their function as a natural water quality indicator, as well as their role in providing recreational sport fishing opportunities and associated economic benefits. As a consequence, and given the major significance of water bodies to the history and present character of the area, the Township has considerable interest in protecting fish habitat from harmful alteration, disruption, and destruction. Development and site alteration shall not be permitted in fish habitat areas, except in accordance with provincial and federal requirements. The Township shall work with the Province to identify fish habitat. Currently, no detailed fish habitat mapping exists for the Township of South Algonquin. This Plan shall consider all water bodies to be fish habitat unless an EIS has been conducted by a qualified individual that demonstrates the water body is not fish habitat. The Township shall work with the province to identify and map fish habitat.

Where new lots are proposed abutting fish habitat, development will only be permitted if it has been demonstrated through an EIS that there will be no negative impacts on the feature or its ecological function. In addition, site-specific zoning may be used to impose greater setbacks and place sensitive areas in a zone that will prohibit development.

10.9.2 Where development or site alteration may potentially affect fish habitat, the Department of Fisheries and Oceans shall be consulted and required approvals obtained.

10.9.3 It is recognized that storm water management and drainage measures, although frequently located some distance from fish habitat, have significant potential to affect it. When evaluating storm water and drainage activities, consideration shall be given to potential impacts upon fish habitat.

## **10.10 Wildlife Habitat & Adjacent Lands**

10.10.1 The Township recognizes the importance of conserving wildlife habitat for the purposes of maintaining the ecosystem and its diversity. Additionally, many social and economic benefits accrue from maintaining habitat, related to tourism, nature observation, hunting, and trapping.

10.10.2 Wildlife areas include wildlife habitat areas, feeding and nesting areas and areas that provide protection, cover and food, that combined contribute to self-sustaining wildlife populations.

10.10.3 Wildlife habitat is considered significant where it is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area. Significant wildlife habitat is divided into four broad categories: seasonal concentration areas, rare vegetation communities or specialized habitats for wildlife, habitats of species of conservation concern (excluding the habitats of

endangered and threatened species), animal movement corridors. These areas are to be protected from incompatible activities. The province's 'Significant wildlife habitat ecoregional criteria schedules for Ecoregion 5E' and 'Significant Wildlife Habitat Technical Guide' are used to identify significant wildlife habitat in the Township.

- 10.10.4 Where development is proposed within 120 metres of significant wildlife habitat, the proponent will be required to prepare an Environmental Impact Statement report to the satisfaction of Council, outlining the measures that need to be undertaken to ensure that there is no negative impact on the habitat as a result of the development. In such cases, new development may be permitted provided it does not harmfully alter, disrupt, or destroy the habitat area; and there will be no net loss or net gain of productive capacity of the habitat area.
- 10.10.5 Where wildlife habitat is present, development or site alteration will only be permitted if an Environmental Impact Study, prepared by a professional qualified in the values being assessed, demonstrates to the satisfaction of Council that there will be no negative impact on the feature or its ecological functions.

## **10.11 Significant Wetlands and Unevaluated Wetlands**

- 10.11.1 Wetlands mean lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Wetlands are important for their role in climate change and carbon capture, the recharge and discharge of groundwater, water quality improvement, flood and erosion damage reduction, wildlife habitat, and recreational and tourism opportunities such as hunting, fishing, bird watching, hiking, and boating.
- 10.11.2 Wetlands are an important natural resource, and the ecological, social and economic benefits that can be attributed to them are substantial. Although there are currently no known provincially significant wetlands identified in the Township of South Algonquin, it is possible that provincially significant wetlands exist. Where a provincially significant wetland is identified, development and site alteration shall not be permitted. Development or site alterations such as filling, grading, and excavating shall be prohibited within the Significant Wetland and unevaluated wetlands.
- 10.11.3 Development and site alteration shall only be permitted on lands within 120- m of a provincial significant wetland, 50 m of a locally significant wetland, or 30 m of an unevaluated wetland if it can be demonstrated through an Environmental Impact Statement (EIS) that there are no negative impacts on the wetland's natural features or ecological functions. For development within 30 m of an unevaluated wetlands that demonstrate characteristics of a PSW, the required EIS shall include a wetland evaluation prior to development being approved.
- 10.11.4 Established agricultural uses ongoing at the date of adoption of this Plan are permitted to continue in or adjacent to all Wetland features and areas, but new or expanded agricultural buildings or structures or the clearing or draining of additional lands are only permitted subject to the Environmental Impact Assessments.
- 10.11.5 New utilities/facilities shall be located outside wetlands, where possible.

## **10.12 Environmental Impact Statements/Studies**

10.12.1 Where required, an Environmental Impact Statement/Study (EIS) shall be completed by a qualified professional prior to Council or the appropriate approval authority granting approval of the application. Council or the approval authority shall be satisfied with the study and the recommendations prior to making the decision and may require a peer review to assist in this determination.

10.12.2 An EIS, when prepared for the Municipality in accordance with this Official Plan, will:

- a) Confirm the boundaries of the natural feature and adjacent lands to be protected and define the limits of all hazards including erosion, flooding, and slope instability hazards where not already determined;
- b) Carry out a detailed inventory of the natural feature including the verification of constituent vegetation communities and their respective floral and faunal compositions, physical site characteristics, and identification of its ecological functions and attributes including habitats of any threatened or endangered species, and species and communities of concern to the ~~Ministry of Natural Resources Forestry~~ having regard to habitat, type, diversity, size and configuration, and the degree of connection to other environmental resources;
- c) Assess the degree of sensitivity of the environmental conditions, including an evaluation of such conditions in relation to the proposed development;
- d) Assess the potential cumulative impacts of the proposed development on the natural area's ecological functions and attributes with respect to the criteria for which the area was originally designated as Environmental Protection; and
- e) Define the need for, and nature of, any mitigating measures required to protect the feature and ecosystem from the impacts of the proposed development.

10.12.3 The Municipality, in consultation with a qualified professional:

- a) shall identify the appropriate scope and study area for each required Environmental Impact Study;
- b) may alter the requirements for an Environmental Impact Study where appropriate studies and fieldwork have been prepared and accepted by the Municipality in connection with a previous development application or a previous development approval for the subject lands, or where site conditions warrant; and,
- c) May require that submitted EIS reports be peer reviewed by a subject matter expert.

## **10.13 Built and Cultural Heritage Resources**

10.13.1 Council shall endeavour to conserve significant built heritage resources and significant cultural heritage landscapes. This shall be achieved through the restoration, protection, maintenance and enhancement of significant built heritage resources and significant cultural heritage landscapes. For the purpose of this plan, built heritage resources means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. For the purpose of this plan, built cultural heritage

landscapes include a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

- 10.13.2 Development and site alteration shall not be permitted on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated by a Heritage Impact Assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- 10.13.3 Council shall ensure that new development in older established areas of historic, architectural or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas and that infill in significant areas of historical, architectural or landscape merit is sensitive to the existing scale, massing and pattern of those areas; is consistent with the existing landscape and streetscape qualities; and does not result in the loss of any significant heritage resources.
- 10.13.4 Council may establish a municipal heritage committee to advise and assist council on matters related to the Ontario Heritage Act.
- 10.13.5 Pursuant to the Ontario Heritage Act when properties of significant built heritage value or interest are identified council may: a) Designate these properties as having cultural value; or b) Define the municipality, or any area or area within the municipality, as an area to be examined for designation as a heritage conservation district; or c) Designate the municipality, or any area or areas within the municipality as a heritage conservation district.
- 10.13.6 The Township will engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing built heritage resources and cultural heritage landscapes.

## **10.14 Archaeological Resources**

- 10.14.1 The Township recognizes that there may be areas of archaeological potential, located within the boundaries of the Township. The provincial database identifies four registered archaeological sites in the Township. The Township appreciates that the lands adjacent to the many lakes and other water bodies, have the potential to contain significant archaeological resources. These resources may include the remains of buildings, structures, activities, places, or cultural features which, due to the passage of time, are on or below the surface of land or water and are significant to the understanding of a people or place.
- 10.14.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 10.14.3 Areas of archaeological potential are determined through the use of screening criteria established by the Province. Areas of archaeological potential are areas of a property that could contain archaeological resources. Development involving lands which demonstrate any of the following screening criteria shall be assessed by a qualified professional for archaeological resources:
  - For sites on land: The presence of known archaeological sites, a water source (primary, secondary, ancient), and/or documented evidence of past Indigenous use within 300 metres of the property;

- For marine sites: known marine or land-based archaeological sites, Indigenous knowledge and/or documented historical use within 500 metres;
- The presence of a known burial site adjacent to the property (or project area);
- Elevated topography (knolls, drumlins, eskers, plateaus, etc);
- Pockets of sandy soil in a clay or rocky area;
- Unusual land formations (mounds, caverns, waterfalls etc);
- Proximity to a resource-rich area (concentrations of animal, vegetable or mineral resources);
- Evidence of early settlement (e.g., monuments, burial sites) within 300 metres of the property;
- Proximity to historic transportation routes (e.g., road, rail, portage);
- The property is designated under the Ontario Heritage Act;
- Local knowledge of archaeological sites on the property or of the property's heritage value.

- 10.14.4 The Township shall require an archaeological assessment conducted by an archaeologist licensed under the *Ontario Heritage Act*, when any of the triggers identified above are met. Where required, a Stage 1 archeological assessment will be required in support of a development proposal. Where a Stage 1 report recommends further archeological assessment, the requirement for the additional assessment may be a condition of any development proposal. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with guidelines set out by the province, as well as licensing requirements developed under the *Ontario Heritage Act*.
- 10.14.5 If an archaeological assessment determines that significant archaeological resources are present on a site, the resource shall be documented and conserved to the satisfaction of the province prior to final approval of the development proposal. In addition, any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.
- 10.14.6 Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Citizenship and Multiculturalism and the Ministry of Government Services, when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Service Act* shall apply.
- 10.14.7 The Township may pass archaeological zoning by-laws, pursuant to the *Planning Act*, for the protection of significant archaeological sites and features.
- 10.14.8 Where significant archaeological resources must be preserved on site, only development and site alterations which maintain the heritage integrity of the site will be permitted.
- 10.14.9 Pursuant to the relevant provisions of the *Planning Act*, sites containing archaeological resources may be zoned to restrict or prohibit uses which might conflict with the conservation of such resources.
- 10.14.10 Indigenous communities shall be consulted early and provided an opportunity to provide input on all archaeological assessments related to proposed developments where areas of Indigenous interest and/or the potential for Indigenous artifacts to be encountered have been identified. In addition, Indigenous communities shall be notified by the proponent and / or the Township should any burial sites or human remains be discovered.
- 10.14.11 The Township may consider the establishment of archaeological management plans and

cultural plans in partnership with Indigenous communities and the province

### **10.15 Energy Conservation, Air Quality, and Climate Change**

- 10.15.1 Energy conservation shall be considered in the siting, layout, and construction of buildings and in the design, landscaping, and designation of land use throughout the Township. Consideration will be given to the implementation of principles of energy conservation in the design and layout of development with respect to the efficiency of access along streets and connecting links that could include bicycle routes and pedestrian walkways. Principles of energy conservation must also be considered in the design and siting of buildings and structures.
- 10.15.2 The Township shall support energy efficiency and improved air quality through land use and development patterns, including at the single lot level, which:
1. Permit alternative and/or renewable energy systems in all land use designations within the Township, subject to the development and use of the alternative and/or renewable energy systems being in accordance with federal and provincial requirements, including appropriate separation distances to address land use compatibility. Alternative and renewable energy systems shall be considered as accessory and standalone uses.
  2. Increased energy supply should be promoted by providing opportunities for energy generation facilities to accommodate current and projected needs, and the use of renewable energy systems and alternative energy systems, where feasible.
  3. Promote renewable energy systems and alternative energy systems in all new development and re-development projects.
  4. Consider LEED (Leadership in Energy and Environmental Design) or similar certification for all new municipal buildings and for major renovations/expansions to existing municipal buildings.
  5. Promote approaches to low impact development when considering development and redevelopment proposals.
  6. Promote the protection and enhancement of tree canopies and natural areas in recognition of the benefits that trees provide in relation to energy conservation, air quality improvement, protection from sun exposure, reduced localized temperatures, increased carbon sequestration, and efforts towards managing climate change.
  7. Consider potential impacts of climate change, including extreme and unpredictable weather events, that may increase the risk associated with development near natural hazards.
  8. Facilitate the diversion of organic waste from the municipal garbage stream through household composting or other means in order to reduce greenhouse gas emissions from the landfill.
  9. Support the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.
- 10.15.3 The Township will encourage reduced energy use through shading and sheltering, the municipality will encourage tree planting such as the development or protection of trees and innovative green spaces. The municipality will encourage the planting of native tree species and vegetation that are resilient to climate change and provide high levels of carbon

sequestration through new development and on municipally-owned land. The planting of gardens on public and private lands will be promoted to reduce surface water run-off.



## SECTION 11: LAND DIVISION

### 11.1 Consents

11.1.1 Land division by consent will continue to be the primary form of development in the Township and is generally deemed to be the appropriate process for the creation of up to three lots, not including the retained parcel. This form of development shall generally be permitted to continue provided that it:

- a) does not result in unnecessary expansion of the present level of municipal services;
- b) does not restrict the operation or expansion of aggregate extraction, forestry, or agricultural activities; and
- c) does not result in negative impacts on natural heritage features, such as fish habitat and significant wildlife habitat, in accordance with the policies of Section 10 of this Plan.

11.1.2 If the property subject to a consent application is located partially or completely within a Natural Feature area discussed in Section 10, specific measures may be required to protect the natural feature(s) on, or in the vicinity of, the site.

11.1.3 Given the limited size of the Township's road network and the limited availability of private (i.e., patent or non-Crown) lands on which development may take place, a continuous row of limited residential development will be permitted on municipal roads provided that such development conforms to the policies of this Plan.

11.1.4 A limited number of new residential lots may be permitted in Rural areas that abut Waterfront Areas. However, these lots shall:

- be developed in a manner that reflects the community character of existing shoreline development;
- be developed in areas within close proximity to locations where public access to waterfront lands is provided; and
- require larger frontages than Waterfront lots.

11.1.5 The creation of new lots must take place with the understanding that new residential uses must coexist with existing activities, particularly those already under way at the time this Plan's adoption.

11.1.6 The minimum lot size for new lots shall be expressed in the Township's Zoning By-law. Lot sizes less than one hectare or the minimum standards set out in the Zoning By-law (whichever is greater) shall be subject to the policies of Section 11.1.7 of this Plan.

11.1.7 In general, a Hydrogeological assessment shall be required through the consent process when any one of the following apply:

- a) The development that involves the creation of a lot less than one hectare.
- b) The development is taking place in an area of potential or known hydrologic sensitivity or groundwater contamination;
- c) That development is located within 150 m of seven (7) other existing developments serviced with private well and septic.

The requirements or scoped requirements of hydrogeological and terrain assessments will be determined in discussions with the peer reviewer of hydrogeological assessments for the Township and will ensure a minimum standard review to address adequacy for wells and appropriate construction methods.

- 11.1.7 Proponents will be required to demonstrate reserve sewage system capacity for the treatment of hauled sewage from private communal or individual septic systems, in accordance with Provincial approvals.
- 11.1.8 New residential lots shall generally have frontage on an open and maintained public road. Notwithstanding this policy new lots for waterfront development or limited service residential development may take place on existing private or crown roads subject to the policies of 9.11.2. of this Plan.
- 11.1.9 Water access lots shall only be permitted where there is confirmed mainland parking to service the lots.
- 11.1.10 Where new lots are created adjacent to a provincial highway, the Township may require noise impact studies and/or greater setbacks to mitigate noise impacts.
- 11.1.11 In all cases, entrances to new lots shall not create a traffic hazard.

## **11.2 Consents in Waterfront Areas**

- 11.2.1 New residential Waterfront lots shall front on a year round township maintained road. Notwithstanding any other provision in this Plan, only a seasonal residential lot may be permitted on an existing private road with a registered right-of-way.

## **11.3 Subdivisions**

- 11.3.1 Where four or more lots are proposed to be created at once from a single parcel of land existing as of the date of adoption of this Plan, a plan of subdivision or plan of condominium shall be required.
- 11.3.2 Applications for subdivision/condominium approval shall contain the following information:
  - a) a survey plan with 1.0 metre contour lines;
  - b) a report from a qualified consultant describing the suitability of the lands for sewage disposal and the proposed water supply;
  - c) a hydrology report on the impact of the proposed development on the quality of any adjacent waterbody;
  - d) a utilities plan showing the location of hydro, telephone and other services to be brought to the lands;
  - e) a plan showing existing and proposed roads and any road improvements; and
  - f) a report from a professional planner assessing the proposal in relation to this Official Plan.
- 11.3.3 The Township may hold a public meeting in relation to the proposed subdivision or

condominium.

- 11.3.4 In considering a proposed plan of subdivision/condominium, the Township ensure that all costs associated with the development of the land are borne by the developer.
- 11.3.5 All roads within a plan of subdivision shall be constructed to Township standards for subsidy and shall be dedicated to the Township. Road standards within plans of condominium shall meet the requirements of the fire department and other emergency service providers.
- 11.3.6 Where a subdivision or condominium development is proposed, the Township may enter into an agreement with the applicant for the provision of services or such other matters as are governed by Section 51 of the *Planning Act*
- 11.3.7 Policies throughout this plan that refer or apply to land division by consent shall also apply to land division by subdivision or condominium.
- 11.3.8 The Township shall ensure that conditions of consent and subdivision approval and agreements provide for the conservation and protection of cultural heritage resources or the mitigation and adverse effects on cultural heritage resources.

## **PART IV: PLAN ADMINISTRATION**

### **SECTION 12: PLAN IMPLEMENTATION AND MONITORING**

#### **12.1 Introduction**

- 12.1.1 In order for the policies of this plan to have their desired impact, it is essential that the proper mechanisms be put into place. It is also important that development activity within the Township be monitored on a regular basis in order to ensure that the plan's objectives are being achieved.

#### **12.2 Land Use Designations**

- 12.2.1 It is intended that the boundaries of the land use designations shown on Schedule A of this Plan shall be considered as approximate only, and are not intended to define the exact limits of such areas, except in the case of roads, railway lines, rivers, transmission lines, lot lines and other physical barriers that provide clearly definitive boundaries. Where the general intent of this document is maintained, minor changes 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.
- 12.2.2 Where a lot is located in more than one designation, the policies of the designation shall apply only to that portion where the designation occurs.

#### **12.3 Permitted Uses**

- 12.3.1 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 for land use designations shall be provided in the implementing zoning by-law once it has been adopted.

#### **12.4 Accessory Uses**

- 12.4.1 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.

#### **12.5 Zoning By-Law**

- 12.5.1 This Plan may be implemented through a new Comprehensive Zoning Bylaw adopted under Section 34 of the *Planning Act*. The implementing Bylaw shall implement the policies of this Plan.

#### **12.6 Site Plan Control**

- 12.6.1 Council intends the entire Township of South Algonquin to be designated as a Site Plan Control area. Accordingly, council shall pass a site plan control area by-law and designate an authorized person, as referenced in subsections 41(2), (3), and (4.0.1) of the *Planning Act*.
- 12.6.2 Township may utilize Site Plan Control to ensure that matters of health, safety, accessibility, sustainable design or the protection of adjoining lands are addressed when commercial,

industrial, institutional development and residential development greater than 10 units on a single parcel of land are proposed in the Township.

- 12.6.3 Council shall utilize Site Plan Control as provided for in Section 41 of the *Planning Act* for multi-family residential in excess of ten (10), commercial , industrial and institutional uses in Rural, Village and Waterfront designations.
- 12.6.4 Should the Province change legislation related to the use of site plan control, there will be no need to modify this Plan to reflect the provincial changes. Provincial changes should be reflect in the Township's site plan control by-law.
- 12.6.5 Site Plan Control may be applied to any development that is located within 120 m of a wetland, an inland lake, a river or stream valley that has depressional features associated with a river or stream whether or not it contains a watercourse.
- 12.6.6 Council may require land to be dedicated for roadway purposes as a condition of Site Plan approval where the existing road allowance is less than 20 metres (66 feet) or where access is required to an otherwise land locked parcel of land.

## **12.7 Maintenance and Occupancy By-Laws**

- 12.7.1 Council may pass a by-law pursuant to the *Building Code Act* to provide standards for property maintenance and occupancy. This by-law may contain provisions related to such matters as establishing standards for the maintenance and occupancy of property and requiring property that does not conform to the standards to be repaired and maintained.

## **12.8 Monitoring**

- 12.8.1 The Township Clerk shall prepare an annual report to the Township to monitor the effectiveness of this Plan. This report shall include an assessment of:
  - a) dwelling unit construction;
  - b) commercial and industrial growth;
  - c) areas where service levels have changed;
  - d) land division activities; and
  - e) Official Plan and Zoning By-law amendments.
- 12.8.2 In addition, the report shall outline any issues or conflicts that may arise between this Official Plan and the Provincial Planning Statement.
- 12.8.3 In those years where Census of Canada data have been released, the report shall also include an assessment of the Township's population change and composition.

## **12.9 Amendments to the Plan**

- 12.9.1 An amendment to the text of this Plan and/or to Schedule A 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 in relation to natural or man-made hazards; 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 natural environment;
  - the potential effect of the proposed use on the financial position of the Township; and
  - any policy statement issued under Section 3 of the *Planning Act*, R.S.O. 1990, as amended.

## **12.10 Public Meetings**

12.10.1 Council is not required to proceed with an official plan amendment or a zoning by-law amendment for any changes to the official plan or zoning by-law which do the following:

- changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- consolidates previously approved Official Plan Amendments or Zoning By-law Amendments in a new document without altering any approved policies or maps;
- corrects typographic, grammatical or mapping errors in the Plan which do not affect the intent or affect the policies or maps;
- translates measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.

In all other instances, notification to the residents of the Township, any prescribed bodies, and interested Indigenous communities of public meetings held by Council shall be taken in accordance with the procedures of the *Planning Act*.

## **12.11 Interpretation of the Plan**

12.11.1 Although this document is a long-term comprehensive Official Plan, it is not intended that this Plan be inflexible and rigid in its interpretation. Where the meaning of any phrasing or any part of any section is unclear, the meaning of such will be determined within the context of the general policy direction provided by this Plan.

12.11.2 This document should be read with the understanding that the text and schedules represent general concepts and relationships rather than absolute and rigid conditions or standards. Accordingly:

- a) This Plan is intended to be flexible so long as the general spirit of the Plan and the objectives set forth in Section 1 are given due consideration in all planning and development decisions;
- b) Council shall be responsible for interpretation of this official plan, including the related

- schedules and maps that form a part of the official plan;
- c) Land use designations shall represent predominant land uses and intended future lands uses, and shall not preclude the existence of isolated occurrences of other land uses; and
  - d) Statements of objectives or services shall not be viewed as being a commitment by the Township to act, construct, or otherwise provide such within any specific period. Rather, such commitments shall be subject to the decisions of Council in its annual capital budget considerations.

## **12.12 Phasing of Development**

### **12.12.1 Holding Provisions**

The use of Holding provisions in accordance with Section 36 of the Planning Act R.S.O. 1990 is permitted. The Township may adopt holding provisions, and when doing so shall clearly state the conditions which must be met prior to the removal of the “H” designation by Council. The use of holding provisions shall conform to the policies of this Official Plan.

The following have been established as objectives for using holding provisions in a Zoning By-law:

1. To assist in the phasing of development and/or redevelopment;
2. To co-ordinate development and/or redevelopment with the provision of water, sanitary sewage, storm sewer, and other services;
3. To control development and/or redevelopment which may necessitate special design considerations;
4. To forestall development and/or redevelopment until such time that stated planning related criteria can be satisfied;
5. Removal of the holding provisions shall be accomplished by the adoption of an amending By-law in accordance with the provisions of Section 36 of the Planning Act, R.S.O. 1990 and related regulations; and,
6. Removal of the holding provisions shall occur only after Council is satisfied that all prescribed conditions or criteria have been satisfied.

It is intended that holding provisions shall be implemented by means of the implementing Zoning By-law. Land or lands shall be zoned for its/their intended use, and the holding symbol (H) shall be added as a suffix, separated from the principal zone by a hyphen. The Zoning By-law shall specify the uses of land permitted and any regulations applying to the land during the time for which the holding provisions are in place. Conditions or criteria that are to be satisfied before the holding provisions can be removed shall be clearly stated in the Zoning By-law.

### **12.12.2 Subdivision Agreements**

The Township has the ability to phase growth and development through terms and conditions in subdivision agreements. Specifically, the agreements can speak to phased registration of the subdivision, the terms and conditions under which future phases can advance, and financial terms and conditions associated with each phase of development.

### **12.12.3 0.3 m Reserves**

Commonly associated with the phasing of subdivision development, the Township has the ability

to use 0.3 m reserve to assist in phasing development. A 0.3m reserve is a strip of land 0.3m wide, running along the street frontage or perimeter of a property or perpendicularly across a road right-of-way with the primary intent to control access from a public road to private property. The reserve has the effect of legally denying access to a property, or adjacent lands, because the law requires that all land must have frontage on a public street to qualify for a building permit.

The 0.3 m reserve is used as a means to control development until such time as various conditions are met or to prohibit development on lands that are not yet scheduled for development. The lifting of the reserves can result in the dedication of land as public highways, the conveyance of land back to the owner or in some cases, both. If the conditions no longer apply, an application may be made to request that the Township “lift” the requirement for the reserve, giving the property owner direct access to a public street. For lifting of 0.3m reserves, Township staff prepare a By-law and forwards the By-law to Council for consideration. There is no opportunity to appeal a decision of Council on a By-law to lift a 0.3 m reserve.

### **12.13 Community Improvement Area**

12.13.1 The entire Township shall be designated a Community Improvement Area.

12.13.2 Council may, by by-law, designate the lands within a Community Improvement Area as a Community Improvement Project Area whereupon Council shall undertake the preparation of a Community Improvement Plan for such area or areas. Prior to designating a Community Improvement Area, Council shall repeal all previous designating by-laws adopted under the Planning Act for Community Improvement purposes in the area to be designated as a Community Improvement Project Area.

12.13.3 Subject to Section 28 of the Planning Act, in pursuing the objectives of the Official Plan’s Community Improvement Policies Council may:

1. Sell, lease or dispose of lands and buildings acquired or held by the municipality;
2. Give loans and grants to owners, tenants and their assignees for rehabilitation purposes;
3. Provide tax assistance by freezing or canceling the municipal portion of the property tax on eligible properties for remediation purposes; and
4. Issue debentures with the approval of the Ontario Lands Tribunal.

#### **12.13.4 Policy Objectives**

The policy objectives are as follows:

1. To upgrade and maintain all essential municipal services and community facilities.
2. To ensure that community improvement projects are carried out within the built up areas of the Township.
3. To ensure the maintenance of the existing building stock.
4. To preserve heritage buildings.
5. To facilitate the remediation, rehabilitation and/or redevelopment of existing Brownfield sites.
6. To encourage private sector investment and the strengthening of the economic base.
7. To enhance the visual appearance of Community Improvement Areas.

#### **12.13.5 Preparation and Adoption of a Community Improvement Plan**

Council shall have regard for the following matters in the preparation and adoption of a Community Improvement Plan, namely the basis for selection of the community improvement project areas with specific consideration of the following:

1. That there is evidence of a need to improve municipal services such as roads, sidewalks, street lighting, parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services.



2. That the phasing of improvements corresponds to the timing of improvements by the Township and/or senior governments and is within the financial capability of the municipality.
3. That a significant number of buildings in an area show signs of deterioration and need of repair.
4. That there is evidence that a site can be classified as a Brownfield and that the adoption of a community improvement plan would assist in the remediation, rehabilitation and/or redevelopment of a property or area.
5. That improvement to the visual appearance or aesthetics be required.
6. That improvements will have a significant impact on strengthening the economic base of the community.
7. The boundary of the area and the land use designations contained in this Plan;
8. Properties proposed for acquisition and/or rehabilitation;
9. The estimated costs, means of financing and the staging and administration of the project;
10. The provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
11. The phasing of improvements and the means of their implementation; and
12. Citizen involvement during the preparation of a Community Improvement Plan.

#### **12.14 Implementation of a Community Improvement Plan Policies**

- 12.14.1 Council shall implement the general principles and policies of this Section as follows:
1. Through the identification of specific community improvement projects and the preparation of Community Improvement Plans;
  2. Through participation in programs with senior levels of government;
  3. Through enforcement of the Municipality's Property Standards Bylaw;
  4. Through the acquisition of land to implement adopted Community Improvement Plans;
  5. Through the encouragement of the orderly development of land as a logical and progressive extension of development which provides for the infilling of underutilized land;
  6. Through the encouragement of the private sector to utilize available government programs and subsidies;
  7. Through the enactment of a Comprehensive Zoning By-Law which provides for a range of appropriate uses, for the intensification and integration of land uses, and which stimulates the economic and/or functional role of the areas or alternatively through the adoption of an area specific Development Permit System which streamlines development approval and which ensures that architectural and design considerations are implemented; and
  8. By encouraging the rehabilitation of existing buildings and structures which will be used for a purpose compatible with the surrounding area.
- 12.14.2 Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to occur without unnecessary hardship to area residents and the business community. The improvements should be prioritized having regard for available municipal funding.

#### **12.15 Complete Applications & Preconsultation**

- 12.15.1 In addition to the information and materials required pursuant to the Planning Act and associated Regulations and any other legislation, as may be amended, the Township may require development proponents to provide additional information to accompany applications as part of a complete application. Notwithstanding the generality of the foregoing, additional studies and materials may be required for Official Plan Amendment, Zoning By-law Amendment, minor variance, site plan control, consent, subdivision, and condominium applications.
- 12.15.2 The number and scope of studies and assessments to be required for the submission of a

complete application shall be appropriate and in keeping with the scope and complexity of the application, and to the extent possible will be identified during the applicable pre-consultation meetings. Nonetheless, it is recognized that development issues may arise during the approval process, resulting in the need for unforeseen studies.

12.15.3 The additional information that may be required in support of an application includes, but is not limited, to the following:

- Aggregate Studies
- Agricultural Soils Assessment
- Archaeological Assessment
- Boat Capacity Study
- Conceptual Stormwater Management Plan
- Contaminated Site Assessment / Environmental Site Assessment
- Cultural Heritage Assessment
- Environmental Impact Statement
- Environmental Site Assessment
- Erosion and/or Sedimentation Plan
- Floodplain Analysis
- Geotechnical Report
- Grading and Drainage Plan
- Groundwater Impact Assessment
- Heritage Impact Assessment
- Hydro-geology Study
- Hydrogeology and Terrain Analysis Study
- Lake Capacity Assessment
- Landscaping Plan
- Land Use Compatibility Assessment
- Minimum Distance Separation (MDS) Calculations
- Noise/Vibration/Blast Study
- Parking Study
- Planning Rationale
- Record of Site Condition
- Risk Management Plan
- Servicing Options Report
- Slope Stability Analysis
- Species at Risk Assessment
- Stormwater Management Plan
- Surface Water Impact Assessment
- Terrain Analysis
- Traffic Impact Assessment
- Tree Conservation and Protection Plan
- Visual Impact Assessment
- Information and studies required by MTO through their preconsultation process
- Other information or studies relevant to the development of lands impacted by the proposed development approval application.

12.15.4 The Township may require any of the required studies to be peer-reviewed on behalf of the Township, at the sole expense of the proponent.

12.15.5 The Township encourages development proponents to preconsult with the Township prior to submitting planning applications. Failure to do so may result in the application being deemed incomplete in accordance with the Planning Act.

## **12.17 Definitions**

All definitions shall be in accordance with those found in the in-effect Provincial Planning Statement (PPS) issued under section 3 of the *Planning Act*, or in the *Planning Act* and associated regulations.

## **Appendix A: Lake Trout Lakes**

Lakes managed for lake trout by the Ministry of Natural Resources Forestry include:

- Aylen Lake
- Balfour Lake
- Cross Lake
- Galeairy Lake
- Gliskning (Joe) Lake
- Lobster Lake
- Lower Hay Lake
- McCauley Lake
- McKenzie Lake
- Victoria Lake

Lake trout lakes at their biological capacity include:

- Balfour Lake
- Galeairy Lake
- Gliskning (Joe) Lake
- Lobster Lake
- Lower Hay Lake
- McCauley Lake