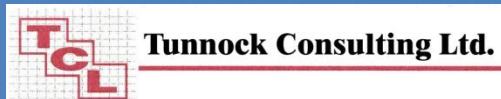
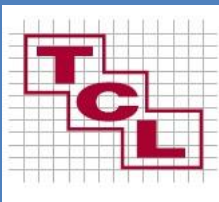


EAST NIPISSING OFFICIAL PLAN

September 17, 2020

Draft Official Plan for Review



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Table of Contents

GLOSSARY OF TERMS	v
FORWARD	vi
1.0 INTRODUCTION	1
1.1 Goal of the East Nipissing Official Plan	3
1.2 Objectives Supporting the Goal of the East Nipissing Official Plan	3
2.0 LAND USE PATTERN	6
2.1 Land Use Pattern for Growth and Development	6
2.2 Growth and Development Concept	7
2.3 Community Development	8
2.3.1 Bed& Breakfast Establishment.....	15
2.3.2 Commercial Uses.....	15
2.3.3 Rural Mixed Use Area.....	15
2.3.4 Home Based Businesses.....	16
2.3.5 Industrial Uses.....	17
2.3.6 Mobile Home Park	18
2.3.7 Storage Containers.....	18
2.4 Community Development Criteria	19
2.5 Lot Size Criteria	19
2.6 Lot Access Criteria.....	20
2.7 Water, Sewage, Stormwater and Waste.....	22
Management Services.....	22
2.8 Natural and Human-Made Hazards	24
2.8.1 Flooding and Erosion Controls	24
2.8.2 Hazardous Lands and Hazardous Sites.....	25
2.8.3 Regulation Limit	25
2.8.4 Wildland Fire	26
2.8.5 Wildland Fire Management Measures.....	27

2.8.6	Mine Hazards	27
2.8.7	Contaminated Sites.....	28
2.8.8	Excess Soils.....	28
2.9	Land Use Compatibility	29
2.10	Public Service Facilities	32
2.11	Coordination	33
2.11.1	Managing Growth and Development	33
2.11.2	Economic Development Planning	33
2.11.3	North Bay-Mattawa Conservation Authority.....	33
2.11.4	Transportation and Infrastructure Corridors	34
2.11.5	Public Service Facilities	34
2.11.6	Ontario Provincial Police.....	34
2.11.7	Waste Management.....	34
2.11.8	Forest and Parks Management	34
2.11.9	Indigenous Interests.....	35
2.11.10	Growth Plan for Northern Ontario.....	35
2.11.11	Resource Management.....	35
2.12	Natural Heritage and Cultural Heritage	35
3.0	HOUSING POLICIES.....	36
3.1	Keynote Housing Policy.....	36
3.2	Housing Types	36
3.3	Housing Targets	36
3.4	Housing Density	37
3.5	Implementation Strategy	37
4.0	Environmental Stewardship.....	39
4.1	Keynote Environmental Stewardship Policy	39
4.2	Natural Heritage and Biodiversity.....	39
4.3	General Roles and Responsibilities	39
4.4	Scope of Natural Heritage Features and Areas.....	40
4.5	Prescribed Requirements.....	40
4.5.1	Development and Site Alteration	40
4.6	Adjacent Lands.....	41

4.7	Evaluation Process	43
4.8	Deer Yards.....	45
4.9	Shoreline Management	45
4.9.1	Keynote Shoreline Policy.....	45
4.9.2	Description of Shoreline Area	46
4.9.3	Purpose of Shoreline Areas.....	46
4.9.4	Measures to Conserve Shoreline Areas	47
4.9.5	Shoreline Activity Area.....	49
4.9.6	Lake Capacity	51
4.10	Climate Change	52
4.10.1	Climate Change Keynote Policy.....	52
4.10.2	Reducing Carbon Emissions	52
4.10.3	Emergency Preparedness.....	54
5.0	COMMUNITY HEALTH AND SAFETY	55
5.1	Keynote Community Health and Safety Policy	55
5.2	Healthy Communities.....	55
5.2.1	A Healthy Environment	55
5.2.2	Community Safety.....	55
5.2.3	Physical Activity.....	56
5.2.4	Food Access.....	56
5.2.5	Social Cohesion and Well-Being.....	57
5.2.6	Cannabis.....	57
5.3	Transportation System.....	58
5.3.1	Provincial Highways	58
5.3.2	Township Roads	59
5.3.3	Unopened Road Allowances	60
5.3.4	Private Roads	60
5.3.5	Roads on Crown Land	62
5.3.6	Shoreline Road Allowances.....	62
6.0	RESOURCE MANAGEMENT	63
6.1	Keynote Resource Management Policy	63
6.2	Agriculture	63

6.3	Forestry	64
6.4	Mineral Aggregates	65
6.5	Minerals	66
6.6	Cultural Heritage	67
6.6.1	Municipal Register	67
6.6.2	Municipal Heritage Advisory Committee	68
6.6.3	Designation	68
6.6.4	Human Remains	69
6.6.5	Archaeological Resources	69
6.6.6	Marine Archaeological Resources	70
6.6.7	Protected Heritage Property	70
6.6.8	Measures for Implementation	70
6.7	Energy Conservation	72
6.8	Water Resources	74
7.0	PLANNING TOOLS AND RESOURCES	76
7.1	Keynote Policy for Public Engagement	76
7.2	Inputs to Planning Decisions	76
7.3	How the Public Engagement Process Will Work	77
7.3.1	Public Engagement Under the Planning Act	77
7.3.2	Private Consultation Strategies	77
7.3.3	Consultation Strategies with Indigenous Communities	79
7.4	Planning Applications	79
7.5	Building Code Act	81
7.6	Municipal Property Standards	81
7.7	Development Charges Act	81
7.8	Amendments to the Official Plan (Section 17 and 22, Planning Act)	81
7.9	Public Works (Section 24, Planning Act)	81
7.10	Acquisition of Land (Section 25, Planning Act)	82
7.11	Community Improvement (Section 28, Planning Act)	82
7.12	Zoning By-law (Section 34, Planning Act)	82
7.13	Holding By-law (Section 36, Planning Act)	83
7.14	Community Benefits Charges (Section 37, Planning Act)	83

7.15	Interim Control (Section 38, Planning Act)	83
7.16	Temporary Use By-laws (Section 39, Planning Act)	84
7.17	Site Plan Control (Section 41, Planning Act)	84
7.18	Parkland Dedication (Section 42, Planning Act).....	85
7.19	Non-Conforming Uses (Sections 44 and 45, Planning Act)	85
7.19.1	Non-Conforming Uses	85
7.19.2	Non-Complying Uses	86
7.19.3	Minor Variances	86
7.20	Land Division, Part-Lot Control and Deeming (Sections 50-53, Planning Act.....	87
7.21	Accessory Uses.....	88
7.22	Lots of Record	89
7.23	Interpretation.....	89
APPENDIX 1 – DEFINITIONS		90
APPENDIX 2 – POTENTIAL FOREST HAZARD CLASSIFICATION		102
APPENDIX 3 – SPECIES AT RISK		106
APPENDIX 4 – ROAD CLASSIFICATION BY-LAWS		111

GLOSSARY OF TERMS

MECP	Ministry of the Environment, Conservation and Parks
MDS I	Minimum Distance Separation Formulae I
MDS II	Minimum Distance Formulae II
MNRF	Ministry of Natural Resources and Forestry
MTO	Ministry of Transportation
PPS	Provincial Policy Statement
RSC	Record of Site Condition
TD	Technical Document
TSSA	Technical Standards and Safety Authority

FORWARD

Words in the text of this document shown in ***bold italicized*** are the words defined in the *Provincial Policy Statement* and those definition shall apply in the interpretation of the policies of this Plan. The definitions are shown in Appendix 1 to this Plan.

The Glossary provides a guide to acronyms or other terms used in this Plan.

Changes to the names of Ministries and agencies and to Statutes may occur from time-to-time; however, the policies are intended to be interpreted in the context of the prevailing authority or legislation in place when a land use decision is made.

Diagrams are used throughout the Plan to make the Plan more user-friendly. Unless otherwise indicated, diagrams do not constitute part of the legal policies of the Plan.

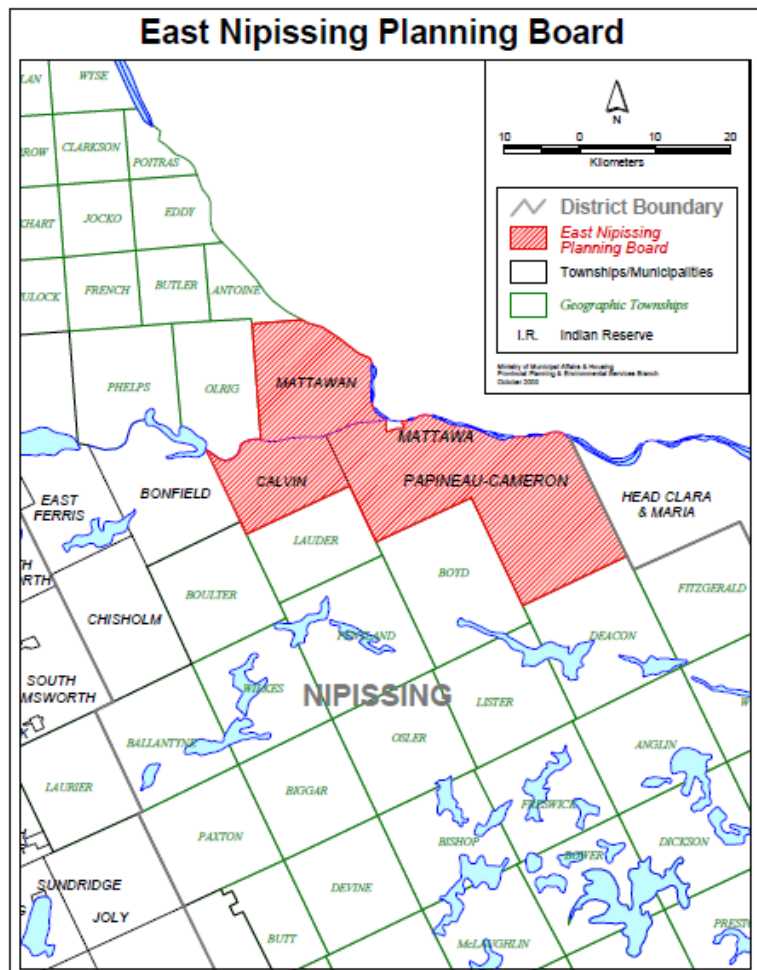
EAST NIPISSING OFFICIAL PLAN

1.0 INTRODUCTION

East Nipissing is an area of legendary beauty and heritage that invites residents and visitors alike to share a vision for enterprise, for adventure and for progress.

With a legacy of more than 10,000 years of indigenous settlement, the planning area lies at the confluence of the Ottawa and Mattawa Rivers, a signature passageway to the fur trade, the CPR rail line and the Trans-Canada Highway. Today the region is a model for rural economic development as an ideal location for business start-up, relocation and expansion characterized by a well-educated bilingual work force, easy access to health care and post-secondary educational facilities, excellent telecommunications, competitive real estate and property tax values and a willingness to thrive and succeed.

The Official Plan establishes a policy framework that builds on a high quality of place for people of all ages and promotes sustainable development, a clean and healthy environment and opportunities for investment and development. The intent of the Plan is to leverage the historical, cultural, economic, rural amenities and natural assets in developing a healthy and resilient community. East Nipissing is well positioned to accommodate new development with a land supply (2016) of some 140 residential building lots on rural and



waterfront properties and 95 ha of employment lands including a 55 ha industrial forest facility. The Rural Policy Area is endowed with an extensive and well maintained road network, utilities, and public services, but also has access to modern health care facilities, post-secondary educational and major retail services within convenient commuting distance (Mattawa, North Bay).

Virtually three quarters of the land base is Crown land and the area is host to a natural resource base of mineral aggregates, **minerals**, farm land and commercial forests which are the basis for a range of resource-based and value-added industries.

The area is home to Samuel de Champlain Provincial Park, Mattawa River Provincial Park, Amable du Fond River Provincial Park, the Eau Claire Gorge Conservation Area, Antoine Park, the Boom Creek Enhanced Conservation Management Area and an entry point to Algonquin Park (Kiosk). The system of parks is enhanced with unlimited trail opportunities for snowmobiling, hiking, ATVs, cycling and other outdoor adventures on the Voyageur Multi-Use Trail System.

New opportunities continue to evolve in the Planning Area with the development of a craft brewery, the rails-to-trails conversion of the CPR line to the Ottawa Valley Recreational Trail connecting the Planning Area to Eastern Ontario, a proposed new Highway 17 alignment and the designation of the Ottawa River as a Canadian Heritage River.

The Plan builds on the changing landscape in East Nipissing influenced by new investment, by retirees returning to their roots along with those aging-in-place, by climate change, and by growing demands for active and healthy lifestyles.



The Plan ascribes to an evolving partnership agreement in recognizing the need to embrace provincial interests, to build on the aspirations of the private sector and to continue to respect and coordinate with the interests of Indigenous communities, notably in the development of the Algonquin Settlement Lands and the conservation of Indigenous cultural history.

The Official Plan which follows has been drafted to address provincial and local interests but in a format that is 'user friendly'. Pictures diagrams and flow charts are intended to assist the reader in understanding the policies of the Plan and how they are considered in guiding community development.

The Plan has a 20 year time horizon (2020-2040). The Official Plan has been prepared on the basis of four key components:




1.1 Goal of the East Nipissing Official Plan

To attain a healthy economic base that supports sustainable and orderly community development while conserving the attributes and resources of the rural area.

1.2 Objectives Supporting the Goal of the East Nipissing Official Plan

Objectives designed to achieve the goal for each key component of the official plan are as follows:




Community
Development
Objectives

- Ensure well managed sustainable growth and development
- Provide for a range and mix of housing types and rural land uses appropriate for the rural area
- Ensure the efficient use of land
- Provide for necessary **infrastructure**
- Provide for essential **public service facilities**
- Ensure land use compatibility
- Grow and diversify the economic base
- Coordinate land use decisions with the Indigenous community, area Municipalities and other affected parties
- Ensure appropriate public engagement in land use decision making




Environmental
Stewardship
Objectives

- Conserve public and private open space
- Recognize provincial parks and conservation reserves
- Promote biodiversity
- Ensure the effective and sustainable management of water resources
- Conserve **natural heritage systems**
- Conserve and restore naturalized shorelines
- Reduce greenhouse gas emissions
- Promote energy efficiency and conservation
- Reduce, recycle and reuse wastes
- Minimize **negative impacts** of sewage and other wastes and land and water
- Rehabilitate **brownfield sites**
- Minimize the **negative impacts** of climate change



Community
Health and
Safety
Objectives

- Promote active and healthy lifestyles
- Promote community design and development which is sensitive to the needs of all generations and those with disabilities
- Ensure safe development from all natural and human-made hazards



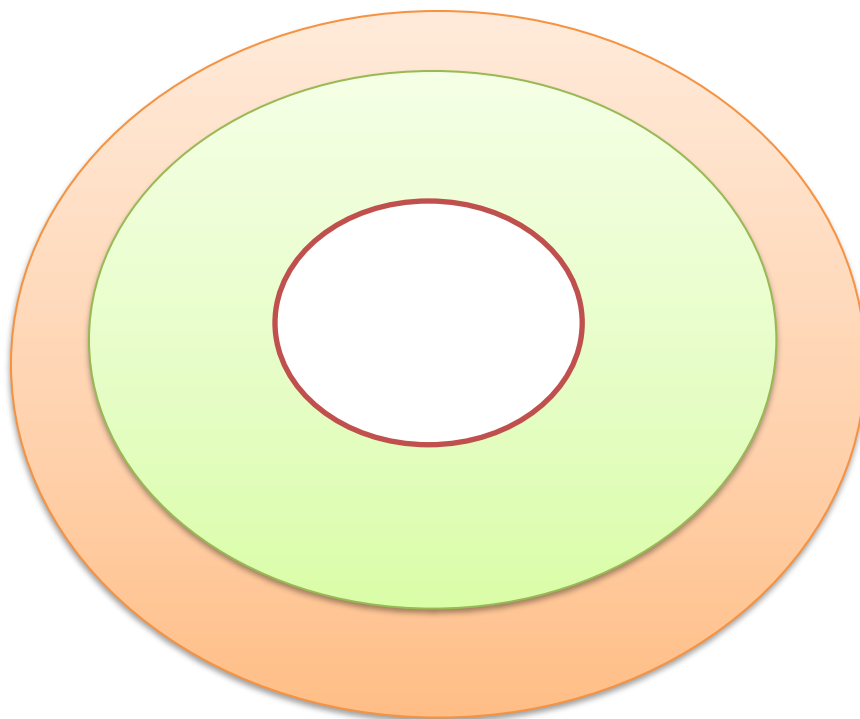
Resource
Management
Objectives

- Protect mineral and mineral aggregate resources for long-term use
- Conserve agricultural lands for food land production
- Sustain forestry and forest management practices
- Conserve cultural heritage and **archaeological resources**
- Support and create opportunities for the use of renewable energy

2.0 LAND USE PATTERN

2.1 Land Use Pattern for Growth and Development

The structure for guiding growth and development and the management of resources within the East Nipissing Planning Area is represented in Diagram 1 (see Table 1 for scope of permitted uses).



Rural Area:

- coincides with the boundary of the East Nipissing Planning Area
- encompasses **Rural Lands**, Rural Policy Area, **natural heritage features and areas** and resource uses

Rural Policy Area encompasses the following land systems:

- Lands designated as the focus of rural growth and settlement
- Lands designated Mobile Home Park
- Lands designated Rural Mixed Use Area

Rural Lands encompass the following land systems:

- Crown Land
- Provincial Parks and Conservation Areas
- Lands designated for as Mineral Aggregate Resource
- Lands designated as **Agricultural Resource Lands**
- Lands identified for Mineral Potential
- Waste Management and **Brownfield Sites**
- Lands identified as having Natural and Human Made Hazards
- Natural Heritage Features and Areas

2.2 Growth and Development Concept

The intent of the Plan is to plan for a stable population over the planning period (2020-2040). The population of the Planning Area has marginally declined by 120 over the last decade (2006-2016) from 1,813 to 1,693. However, the number of dwellings increased by 80 over the same period. New Housing starts have ranged from 7-11 per year (2011-2015) based on Municipal building permit records and is projected to continue at this rate of growth. The land supply for housing remains constant at about 150 rural residential building lots ranging from 0.4 ha – 2 ha. (See also Section 3.0 – Housing Policies.)

The intent of the Plan is to maintain the rural character of the Planning Area where low density residential development will prevail intermixed with resource based activities, resource-based recreational uses and other rural land uses. Development is intended to occur on large lots (having a minimum 0.8 ha) with large frontages (30 m). The focus of new development in the Rural Policy Area will be infill on vacant lots of record and in areas serviced by existing roads and municipal services.

Waterfront development will continue as a mainstay activity on the Ottawa and Mattawa Rivers and on inland lakes where such development is proven to be sustainable with respect to the biological capacity of a lake, the retention and/or restoration of shorelines and the conservation of the **cultural heritage landscapes** and **archeological resources** in and adjacent to these waterbodies.

The designated **Rural Mixed Use Area** will continue to be the focus for new major commercial and industrial development. Home base businesses will continue to provide local services to residents throughout the Rural Policy Area. Four-season tourist facilities and services are land uses that are location-sensitive for their success and the intent of the plan is to leverage rural amenities and assets to their benefit. The development of the former CPR rail line as a multi-use recreational trail will act as an anchor to potential new tourism development in the Planning Area and will complement an extensive network of existing off-road trails.

The Planning Area will continue to depend on the **public service facilities** in Mattawa and North Bay in meeting the educational, health care and to a lesser extent recreational and social services needed by area residents and businesses. Emergency and protective services will continue to be delivered individually and on a cost-shared basis among area Municipalities.

Development will continue to be directed to the existing network of roads whose service levels, life-cycle maintenance and reconstruction is governed by Municipal Asset Management Plans.

Waste Management facilities (Calvin and Papineau-Cameron) are adequate for the life-span of the Plan notably through programs for waste reduction, diversion, and recycling.

A large part of the **Rural Lands** is endowed with natural resources whose extraction or development, including value-added land use activities, support the economic base of East Nipissing. Most of these Rural Lands will remain undeveloped except for these resource and resource-based land use activities. The **Rural Lands** include most of Cameron Township (Concessions 1-20), the south half of Papineau Township (Concessions 1-7), and the western two-thirds of Mattawan Township. In Calvin Township, much of the land north of Highway 17 (Lots 1-27) is Crown Land or Provincial Park land and will also remain undeveloped. Resource based uses include mineral aggregate extraction, forestry and agriculture. Food lands are important to the local economy and agriculture is prevalent throughout the planning area. The intent of the Plan is to conserve agricultural lands over the long-term for agricultural production where development will be focused on farm and farm-related uses. Mineral potential has been identified and such lands could be used for mining development.

The 2016 Agreement-in-Principal between the Algonquin, Canada and Ontario has served to identify candidate lands for transfer to the Indigenous community. These lands are largely within the Rural Policy Area and are recognized for their potential use as protected areas or areas with development potential. The Planning Board and the member Municipalities will work in collaboration with the Algonquin to identify economic development opportunities that will create a strong, diverse economy through development of certain Algonquin Settlement Lands in accordance with applicable planning legislation and regulations.

Servicing of development will be principally by means of **individual on-site water and sewage systems**. No new municipal water or sewer services are anticipated over the life of the Plan (2020-2040).

Incompatible land uses will be separated from other land uses to avoid land use conflicts. **Development** will also be directed away from natural hazards (e.g. flooding, erosion, hazardous forest types) and human-made hazards (e.g. abandoned mine sites, **brownfield sites**) except where the latter are rehabilitated or restored.

2.3 Community Development

Table 1 sets out the scope of permitted land uses for Community Development within the East Nipissing Planning Area for the **Rural Area**, for **Rural Lands** and for the Rural Policy Area, respectively. The land use categories and activities are intended to coincide with the Land Use Plan Schedules. **Table 1** is to be read in conjunction with the Community Development Criteria and the policies in Section 2.3 in determining where and what type of development may be permitted and the technical requirements and justification.

Various references in this Plan are made to Crown Land (Sections 2.1, 5.3.5, 6.4.4, 7.11 and 7.17); however, the Planning Board and Municipalities have no authority to regulate land use on Crown Land or on First Nation Reserves, but encourage Federal and Provincial governments and agencies to be consistent with the policies of this Plan as it relates to the issuance of tenure, occupational authority and permitted undertakings on Crown Land and Reserves and the disposition of Crown Land for private purposes. Where Crown Lands are proposed to be patented in accordance with applicable legislation and regulations, an official plan amendment may be required to illustrate the lands subject to the policies of a particular land use district. A zoning by-law amendment will be required to recognize the uses or uses proposed for the patented land. In reviewing a zoning by-law amendment, in this context, a Municipality will expect the proponent to conform to other applicable policies in this Plan.

In addition, it is understood that the Algonquins of Ontario will work with the province and the East Nipissing Planning Board and member Municipalities to ensure appropriate and mutually acceptable official plan and zoning designations are in place as former Crown Lands are transferred to Algonquin ownership.

Table 1 – Community Development – Permitted Land Uses and Activities				
	Column 1	Column 2	Column 3	Column 4
	Principal Land Use or Activity	Permitted Land Uses and Activities	Accessory Land Uses and Activities	References
1	Rural Area			
2	Rural Lands	See Rural Lands	See Rural Lands	Table 1, Sections 6-14
3	Rural Policy Area	See Rural Policy Area	See Rural Policy Area	Table 1, Sections 15-26
4	Natural Heritage Features and Areas	Natural Heritage features and Areas including significant wetlands and coastal wetlands, fish habitat, wildlife habitat, habitat of endangered species and threatened species, significant areas of natural and scientific interest	Conservation uses and activities	Sections 4.2 – 4.8
5	Resource Uses	Forestry, Mineral Aggregate Operation, Mineral Mining Operation , Agriculture (See Rural Lands)	See Rural Lands	Table 1, Sections 10-13, and Section 6.1 - 6.5
6	Rural Lands			
7	Crown Land	No jurisdiction: use determined by Crown	No jurisdiction: use determined by Crown	Section 2.1, 2.3, 5.3.5, 6.4.4, 7.11, 7.17

8	Provincial Parks (Samuel de Champlain, Mattawa River, Ottawa River, Algonquin, Amable du Fond, Boom Creek Conservation Reserve)	No jurisdiction: use determined by Crown	No jurisdiction: use determined by Crown	
9	Conservation Areas (Eau Claire, Papineau Lake, Shields-McLaren)	Conservation Uses as determined by North Bay-Mattawa Conservation Authority	Conservation Uses as determined by North Bay-Mattawa Conservation Authority	
10	Mineral Aggregate Resource	Lands designated Mineral Aggregate Resources and Mineral Aggregate Operation for a pit or quarry licensed under the <i>Aggregate Resources Act</i>	<ul style="list-style-type: none"> • Wayside pit or quarry • Agricultural use • Forestry • Aggregate processing, recycling, storage and stockpiling • Administrative office 	Section 6.4
11	Wayside Pit or Quarry	Wayside pit or quarry operated in accordance with provincial legislation and standards	Aggregate processing, recycling, storage and stockpiling	Section 6.4.8
12	Mineral Resource	Mineral Mining Operation	<ul style="list-style-type: none"> • Mineral extraction, processing, smelting, storage and stockpiling • Administrative office 	Section 6.5
13	Forestry	Timber management,	<ul style="list-style-type: none"> • Logging operation 	Section 6.3

		harvesting and reforestation	<ul style="list-style-type: none"> Value-added uses such as maple syrup production 	
14	Public Spaces, Recreation, Parks, Trails and Open Space	Parks, outdoor recreational facilities, trail systems and public open space areas, community gardens	<ul style="list-style-type: none"> Information kiosks, parking facilities, comfort and shelter stations, boat launches 	Sections 2.11.8, 5.2.1, 5.2.3, 5.2.2.6, 7.18
15	Agricultural Resource Lands	<i>Agricultural Uses, agriculture-related uses</i>	<ul style="list-style-type: none"> <i>On-farm diversified uses</i> 	Section 6.2
16	Rural Policy Area			
17	Rural Residential	<ul style="list-style-type: none"> Permanent and seasonal single detached and two-unit dwellings Group Home Multiple-unit dwelling subject to rezoning 	<ul style="list-style-type: none"> Accessory Uses, Buildings and Structures Home Based Business Additional residential units Garden Suite Bed & Breakfast Establishment One Guest Cabin for a waterfront lot A storage container 	Section 2.3.1
18	Mobile Home Park	<ul style="list-style-type: none"> Mobile Homes 	<ul style="list-style-type: none"> Administrative office Storage containers 	Section 2.3.6
19	Commercial	<ul style="list-style-type: none"> Lodging, campgrounds, tourist outfitters, commercial recreational uses, golf courses and retail services which cater to 	<ul style="list-style-type: none"> Accessory Uses, Buildings and Structures Storage containers 	Section 2.3.2

		<p>the travelling public, tourists and the eco-tourism industry</p> <ul style="list-style-type: none"> • Large multiple commercial uses (e.g. shopping malls or large format retail to be directed to urban communities) 		
20	Industrial Uses	<ul style="list-style-type: none"> • Resource-based industries such as a sawmill, paper products mill, smelter, aggregate crushing and processing • Value-added light industries and agricultural-related uses (e.g. abattoir, cheese factory, craft brewery) 	<ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers 	Section 2.3.3, 2.3.5, 2.9
21	Agriculture	<ul style="list-style-type: none"> • Agricultural Use including an anaerobic digester • Agriculture-related Use 	<ul style="list-style-type: none"> • Dwelling • On-farm diversified uses • Agri-tourism uses • Home based Business • Kennel 	Section 6.2
22	Public Service Facilities	<ul style="list-style-type: none"> • Uses which provide recreation, social, educational, cultural and protective services to 	<ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers 	Section 2.10

		rural residents and businesses <ul style="list-style-type: none"> • Municipal buildings 		
23	Waste Management System	Waste Management facility (active or closed) operated in accordance with provincial legislation and standards	Facilities for waste processing, storage, reduction, diversion, and recycling	Section 2.7, 2.9, 2.11.7,
24	Institutional	<ul style="list-style-type: none"> • Uses such as a place of worship, private club or community hall which provide services to rural residents and businesses 	<ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures 	
25	Rural Mixed Use Area	<ul style="list-style-type: none"> • Class I and II industrial uses • Retail commercial uses • Highway and service commercial uses • Personal services • Recreational commercial uses 	<ul style="list-style-type: none"> • Accessory Uses, Buildings and Structures • Storage containers 	Section 2.3.3
26	Public Spaces, Recreation, Parks, Trails and Open Space	<ul style="list-style-type: none"> • Parks, outdoor recreational facilities, trail systems and public open space areas, community gardens 	Information kiosks, parking facilities, comfort and shelter stations, boat launches	Sections 2.11.8, 5.2.1, 5.2.3, 5.2.2.6, 7.18
27	Airfield	<ul style="list-style-type: none"> • Public or private airfield, helipad 	Hangar, administrative office	Section 2.9

28	Alternative and Renewable Energy Systems	<ul style="list-style-type: none"> • Wind turbines • Solar panels • Biomass, biogas and biofuel uses and facilities • Geothermal uses and facilities 		Section 6.7.4
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2.3.1 Bed & Breakfast Establishment

A bed and breakfast establishment shall be permitted within a single detached dwelling provided the physical character of the dwelling is not substantially altered. The single detached dwelling must clearly be the principal use of the land and the bed and breakfast clearly an accessory use to the dwelling. A bed and breakfast establishment



shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. Such establishments must have the proprietor living on the premises. The local health unit shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating. The implementing Zoning By-law shall define a bed and breakfast use and the appropriate zone provisions.

2.3.2 Commercial Uses

The Highway 17 corridor will be recognized as the commercial "main street" of the Planning Area. Subject to Provincial access controls (see Sections 2.6, and 5.3.1), a range of commercial uses shall be permitted that cater to the travelling public (e.g., auto and recreational vehicle sales and services, lodging, restaurants, commercial recreational uses, golf courses, and retail stores).

Beyond the corridor, commercial uses shall include those which cater to the needs of the local community, notably home based businesses or cater to the tourist or eco-tourism industry such as bed and breakfasts, artisan’s studios, campgrounds, convenience stores, farm produce outlets and tourist outfitters.

2.3.3 Rural Mixed Use Area

The **Rural Mixed Use Area** will focus on lands north of highway 17 which includes a portion that extends just east of the Chant Plein Road, and extending westerly along the Old Highway 17 (concessions 14 and 15, Lots 20-25). These lands also include the former Tembec lands. The **Rural Mixed Use Area** is intended to be developed as an

economic hub where a cluster of employment uses are encouraged. These uses may include existing uses, a mix and range of commercial, industrial and institutional uses and associated ancillary uses which are designed to meet the long-term employment needs of the community. These lands may also be used to encourage tourism. Class I and II industrial uses will be permitted where these uses are compatible with other land uses. The range of commercial uses may include retail, service commercial, highway commercial, personal service, recreational commercial and professional services which can be scaled and are compatible with adjacent uses.

Industrial and commercial uses may be permitted in the Rural Mixed Use Area designation which are classified as dry industries (i.e. those uses in which only the disposal of the domestic waste of employees is permitted and treated). No industrial liquid wastes, wash or cooling water or process wastes are permitted unless demonstrated, through a hydrogeological assessment, prepared by a qualified professional in accordance with applicable Ministry of the Environment, Conservation and Parks guidelines, procedures and standards, that adequate on-site sewage and water services can be provided with no **negative impacts**.

2.3.4 Home Based Businesses

For the purposes of this Plan, a home based business is defined as a privately operated legal business located within a residential dwelling or an accessory building by the occupant or owner thereof and which is compatible with the character of a residential setting and which is an accessory use or clearly secondary to the principal residential use.

Home based businesses shall be encouraged as a means of providing local services, to providing an incubator for new businesses and as a means to providing more specialized services to a broader clientele. (See also Section 6.2.1 for businesses on farm properties.) Categories of home based businesses may include a broad scope of small businesses that comply with the following criteria:

1. The business (use) does not create a nuisance for neighbours.
2. The floor area used for the business in the dwelling or accessory building shall be appropriate to the type of business.
3. Up to two businesses per dwelling may be permitted.
4. A small advertising sign shall be permitted.
5. Retail sale of products produced or fabricated on the property will be permitted.

6. Access controls shall meet Ministry of Transportation requirements for a residential use (see Section 5.3.1.3)
7. No outside storage related to the home based business operation shall be permitted on the premises unless proper screening and buffering techniques are utilized so the storage cannot be seen from the abutting properties or the travelled road (except for the sale of firewood).
8. Verification that sewage disposal services have adequate capacity from the addition of a home based business.

2.3.5 Industrial Uses

The intent of this Plan is to reinforce the importance of industry to the economic health of the Planning Area by recognizing existing resource based industrial complexes (forest product industries), small scale manufacturers and other industries characteristic of rural areas. The Plan recognizes the full scope of existing industries within the Planning Area, their potential for expansion, and will make provision for new industries to be established which are "value added", particularly those which are forest product related or are "dry industries"(see 2.3.3).

Diversification of their industrial base will be encouraged to further strengthen the local economy. Industrial development will be required to meet applicable standards for protecting the environment and for minimizing any **negative impacts** on surrounding land uses, particularly **sensitive land uses**. Much of the industrial activity is expected to take place in the Highway 17 corridor where rail and road transportation services are available. The intent of the Plan is to build on the access to existing **infrastructure** and utility installations in this corridor.

Dry-industry means an industrial or commercial land use with an average daily effluent flow of less than 10,000 litres per day per lot and consisting of domestic wastes only. The processing of mineral aggregates and forest industry uses (e.g., log cooling) is exempt from the restrictions on "dry industries".

2.3.6 Mobile Home Park

A mobile home park may be permitted as a separate land use designation. Mobile parks may be operated as a single management unit or as a subdivision and may include recreational amenities servicing the park's residents along with administrative services. Design considerations shall include provision for direct access from an internal road to a public road.

2.3.7 Storage Containers

Storage containers including sea containers will be strictly controlled to ensure compatibility with neighbouring properties (e.g. visual appearance). Storage containers shall meet the requirements of the *Ontario Building Code* depending on the occupancy classification. Standards will be set out in Municipal zoning by-laws and site plan control may apply.

2.4 Community Development Criteria

All **development** and **redevelopment** shall be subject to the applicable Community Development Criteria (Sections 2.4 - 2.10). Reference shall be made to the relevant Technical Documents where an assessment, justification or information is required in making a land use planning decision. Applications for development shall not be deemed to be complete unless accompanied by the required technical studies or other information (see Section 7.4). All decisions affecting land use planning shall be consistent with the most current Provincial Policy Statement¹ and shall comply with the Growth Plan for Northern Ontario, 2011.²



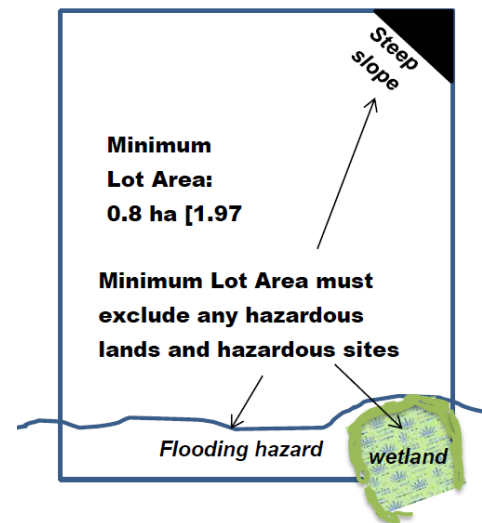
2.5 Lot Size Criteria

The minimum lot area for any new lot creation shall be 0.8 ha [1.97 ac.] except:

- Where a hydrogeological study specifies the need for a larger lot(s)
- Where part of a lot is located on a **hazardous site** or **hazardous lands**, the minimum lot area shall be calculated to exclude the hazardous area
- Where a greater minimum area is established in the zoning by-law (e.g. non-residential use, hobby farm etc.)

Lots shall be of a size and shape to suitably accommodate:

- all existing and new buildings, accessory uses and structures. Consideration should also be given to potential future expansion.
- **individual on-site water and sewage services** and stormwater facilities including an adequate separation distance between a drilled



¹ <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>

² https://www.placestogrow.ca/index.php?option=com_content&task=view&id=53

- well and a septic tank or sewage disposal system
- access, parking and loading facilities
- snow storage
- setbacks from roads, water bodies and physical constraints, and
- to provide a sufficient land area to allow development where constraints exist such as topography, organic soils, rock, slopes, **wetlands**, narrow bays and peninsulas, **flooding hazard** or **erosion hazard** or to accommodate North Bay-Mattawa Conservation Area Regulation Limits.

Applicants shall pre-consult with the North Bay-Mattawa Conservation Authority in the planning, design and review of site conditions for any sewage and stormwater facilities on lands affected by Conservation Authority regulations. See also Section 2.7.

Lots shall be designed to coincide with the low density character of the Rural Area.

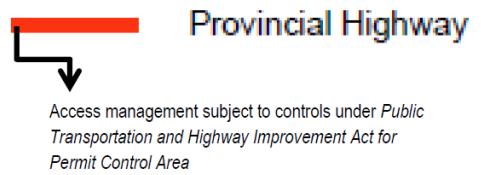
Existing lots including vacant lots may be developed or redeveloped where the land use is appropriate for the size and **development** of the lot and where the lot can be sustainably serviced with **individual on-site water and sewage services** where required. Wherever possible, existing undersized shoreline lots should be merged to create larger parcels.

- Township Roads (yearly maintained)
- - - Township Roads (seasonally maintained)

2.6 Lot Access Criteria

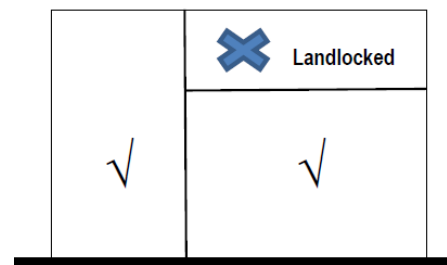
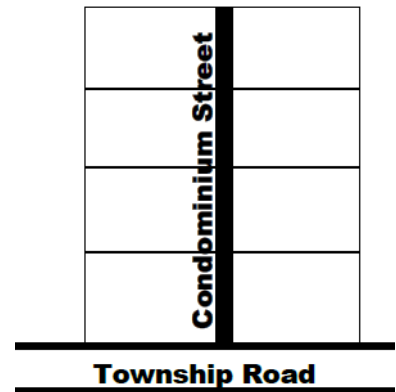
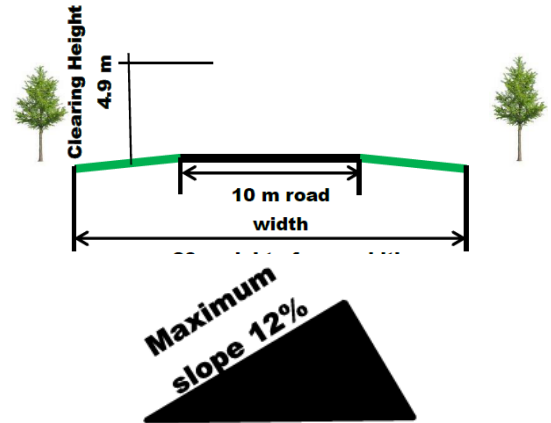
Access to development shall be by one of the following means:

- Frontage on an improved year-round maintained Municipal road;
- Frontage on a seasonally maintained Municipal road for seasonal land uses only;
- Frontage on a provincial highway subject to obtaining all required approvals from MTO for land use, entrances, drainage and implementing any highway or entrance improvements resulting from any required traffic or drainage or stormwater management studies.



Wherever feasible, access shall be via an interconnecting improved Municipal road. (See TD: MTO, *Highway Access Management Guideline*, 2013, <http://govdocs.ourontario.ca/node/29705> for corridor management.);

- Frontage for infill development on an existing private road or legal right-of-way/easement which meets appropriate maintenance standards right-of-way width, travelled surface width, height clearances and slope required for regular and emergency vehicle use (see diagrams). A Municipality or Planning Board may require a maintenance agreement or may govern any matters under Section 35 of the *Municipal Act* as a condition of development;
- Frontage on a private road servicing a condominium where the private road connects directly with an improved public road and meets appropriate construction and maintenance standards (see diagram);
- Frontage may be exempted for land uses for infrequent or private access (e.g. farm field, hunt/fish camp, public utility, communications facility, passive recreational use)
- Landlocked access for new development shall not be permitted (see diagram).
- Access may be exempted for development on an island or water-access only lot where access to a parking area on the mainland or same lake, owned or described in a registered easement and being in the same name and interest as the island or water-access lot.



- A Municipality may establish a by-law to classify roads for the purposes of controlling access. For the purposes of this Plan, the road classification for the Township of Papineau-Cameron and the Municipality of Calvin is set out in Appendix 4 to this Plan.

2.7 Water, Sewage, Stormwater and Waste Management Services

The servicing criteria for all development shall be as follows:

1. **Individual on-site water or sewage services** shall be permitted where site conditions are demonstrated to be suitable for the long-term provision of such services with no **negative impacts** such as degradation to the **quantity and quality of water, sensitive** surface or ground water features or their related **hydrologic functions** due to development, and where there is demonstrated off-site capacity for hauled sewage (see *TD for Hauled Sewage*).
2. **Municipal or private communal water and sewage services or partial services** may be permitted where the need is determined to be appropriate through a servicing options report in consideration of an application(s) for a subdivision or multiple lot **development, or redevelopment**, for major non-residential development, for a condominium, for public health reasons, or for failed **individual on-site water or sewage services**. **Partial services** shall be limited to infilling and minor rounding out of development. All servicing options shall demonstrate that site conditions are suitable for the long-term provision of services with no **negative impacts**. A Municipal Responsibility

Applicants shall pre-consult with the Ministry of Environment, Conservation and Parks in the planning, design and review of site conditions for any sewage systems with projected effluent flows of greater than 10,000 Litres/day and for sewage or water systems which require an Environmental Compliance Approval.

Hauled sewage: reference shall be made to MECP hauled Sewage Fact Sheet:
<https://www.ontario.ca/page/guide-applying-approval-hauled-sewage-septage-or-processed-organic-waste-biosolids>

Agreement may be required for Municipal ownership of any communal services.

3. A hydrogeological report (using TD: D-5 Guidelines) shall be required for any development projected to generate more than 4,500 litres of sewage effluent per day, and for development on hydrogeologically sensitive environments.
4. Only dry-industries as described in Section 2.3.3 and 2.3.5 are permitted unless a hydrogeological report as described above provides the justification for an alternative servicing option.
5. Technical reports where required shall be based on the MECP D-Series Guidelines.
6. Stormwater management facilities shall be planned and constructed using best management practices designed to minimize or prevent increases in contaminant loads, to minimize changes in water balance and erosion, to maximize the use of vegetation and pervious surfaces risks, to attenuate, retain, detain and recycle stormwater to the extent possible, and by not increasing risks to human health and safety and property damage. Technical reports shall be based on TD MECP Guidelines and shall be required for larger commercial, industrial, institutional or multiple lot/unit residential developments, also development adjacent to a provincial highway where required by MTO, and may be required for developments close to waterfront areas. Technical reports shall include a construction-mitigation plan.

Stormwater Management Guidelines:

- Introduction to Stormwater Management Planning and Design:
<http://www.ontario.ca/environment-and-energy/understanding-stormwater-management-introduction-stormwater-management>
- Stormwater Management Planning and Design Manual 2003:
<http://www.ontario.ca/environment-and-energy/stormwater-management-planning-and-design-manual>
- Stormwater Pollution Prevention Handbook 2001:
<https://archive.org/details/std01076383.ome>
- Applicants shall pre-consult with the North Bay-Mattawa Conservation Authority or MTO, where applicable in the design of stormwater Management facilities.

7. **Waste management systems** shall be designed and maintained to provide adequate capacity for current and future requirements and to meet provincial legislation and standards. Provision shall be made for reduction, reuse, recycling and waste diversion as measures to reduce waste generation (see also Section 4.10.2.5).

All MECP D-Series Guidelines:
<http://www.ontario.ca/environment-and-energy/environmental-land-use-planning-guides>

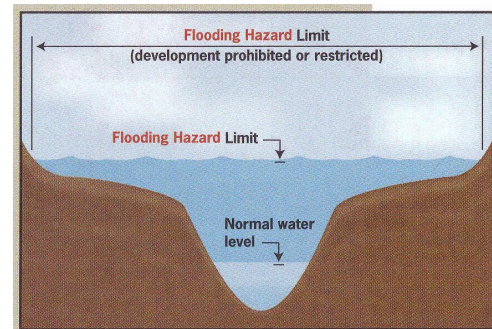
2.8 Natural and Human-Made Hazards

2.8.1 Flooding and Erosion Controls

Development and **site alteration** shall not be permitted within areas which are impacted by **flooding** hazards and or **erosion hazards**. The following regulatory 1:100 year floodplain elevations have been determined for the Planning Area:

- Smith Lake – 177.0 m
- Chant Plein at Hurdman Dam (Mattawa River) – 160.78 m
- Earl’s Lake – 178.0 m
- Talon Lake (Mattawa River) – 195.52 m
- Ottawa River – 156.6 m (excluding floodway for Town of Mattawa)

The **erosion hazard** applies to those portions of the valleyland system that are both apparent (confined) and not apparent (unconfined). **Development** and **site alteration** may be permitted below the **flooding hazard** limit for uses which by their nature must locate within the **flooding hazard** such as flood and/or erosion control works, **infrastructure** such as stormwater outlets, a dock, wharf, boat launch, or boat house. Minor extensions to existing habitable and other buildings may be permitted where **floodproofing standards**, protection works and access standards are met subject to the approval of the North Bay-Mattawa Conservation Authority. The **flooding hazard** limit and the **erosion hazard** limit are located within the Regulation Limit described in Section 2.8.3.



A technical study may be required to establish a development setback and other conditions for lands adjacent to a water body where the **flooding hazard** or **erosion hazard** has not been determined.

2.8.2 Hazardous Lands and Hazardous Sites

Development including an **essential emergency service** and an **institutional use** shall not be permitted to locate in **hazardous lands** such as lands subject to a **flooding hazard** or an **erosion hazard** and **hazardous sites** such as organic soils, steep or unstable slopes. A geotechnical study may be required to assess development conditions on **hazardous sites**.

Regulated Lines



2.8.3 Regulation Limit

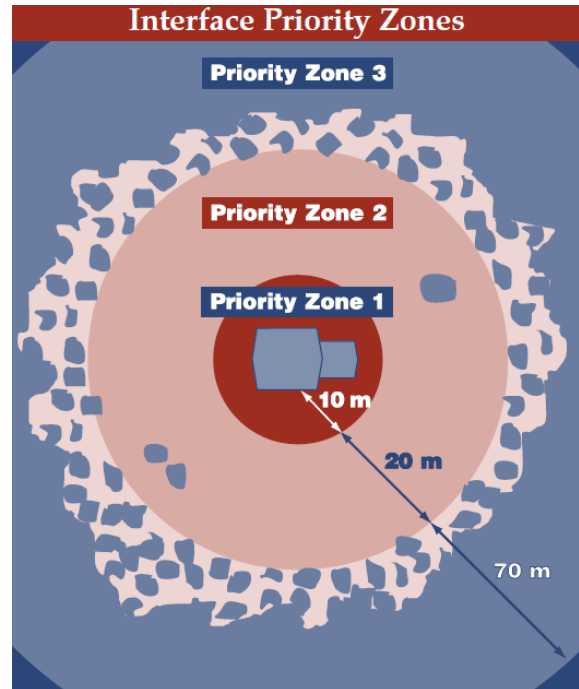
The North Bay-Mattawa Conservation Authority has identified areas of natural hazards such as flooding susceptibility and erosion, as well as **hazardous sites** such as organic soils, steep or unstable slopes by way of their Regulated Lines mapping. The Regulated Lines are shown on Land Use Schedules to this Plan and represents the area regulated by the NBMCA under *Ontario Regulation 177/06*. This regulation is pursuant to Section 28 of *The Conservation Authorities Act*. It shall be a requirement that a property owner(s) obtain a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the NBMCA prior to undertaking any **site alteration** activities and/or any construction or renovation work on the subject property. **Site alteration** activities would include the placement or removal of fill material of any kind and/or the alteration of existing grades on the subject property. Site Plan control may be used in conjunction with a permit under *The Conservation Authorities Act* to regulate development within the Regulation Limit.

If there is a conflict between the description of the areas described in subsection (1) of O. Reg. 177/06 and the areas shown on the

series of maps referred to in subsection (12) of the Regulation, the description of areas in subsection (1) prevails. (Note: The Regulation Limit also includes a 30 m boundary around a wetland.)

2.8.4 Wildland Fire

Development shall generally be directed to areas outside of lands that are unsafe for **development** due to the presence of **hazardous forest types for wildland fires** (see Appendix 2) except where the risk can be acceptably mitigated based on MNR **wildland fire assessment and mitigation standards**. Forest fire management techniques or plans may be required as a condition of approval including site plan approval. Property owners will be encouraged to develop plans using the priority zone system (see reference). Applicants may be required to undertake a site review to assess the level of wildland fire hazard and associated risk on and in the vicinity of proposed development lands.



Priority Zone 1 is the area within 10 m of a dwelling or main building where flammable vegetation should be removed (i.e. small trees and shrubs, dead and dying trees, deadfall, woodpiles/firewood, ground litter/debris, dead organic matter, needles), and by keeping grass mowed, trees pruned and thinned and replacing conifers with hardwood species. Add a fuel break or increase distance for slopes adjacent to buildings.

Priority Zone 2 is the area within 10 m to 30 m of a dwelling or main building where fuel sources should be reduced so that combustion cannot be supported and fire intensity is reduced. Tree canopy should be thinned so crowns of trees do not touch. Thin understory and prune lower branches. Remove concentration of over mature, dead and dying trees. Reduce number of evergreen trees. Increase 30 m distance for slopes.

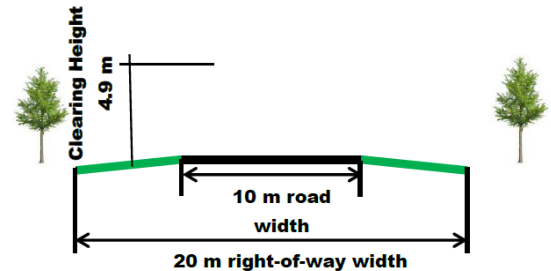
Priority Zone 3 is the area within 30 m to 100 m of a dwelling or main building where fuel sources should be reduced but not eliminated so fires can be low intensity and more readily extinguished. Keep deciduous trees in mixed-woods forest to hinder fire spread. On sloped area extend zone 3 further downslope.

2.8.5 Wildland Fire Management Measures

Wildland fire management measures may be instigated by a Municipality in considering such criteria as:

- Ensuring proper road access for emergency vehicles and for escape (e.g. construction standards, width, bearing capacity, height clearance - see diagram).
- Evaluating fire response capabilities.
- Determining the location of emergency water sources.
- Ensuring buildings are well spaced and properly sited (e.g. north and east facing slopes or flatter terrain and construction with fire resistant materials).
- Identifying the location of roads which may act as fire barriers or fire breaks.
- Encouraging fire-wise landscaping.
- Establishing distance separations between buildings and densely wooded areas, particularly tree species with a high ignition factor.
- Establishing setbacks or limiting distances from nearby fire risks (e.g. railways, campgrounds etc.).

Wildland Fire Risk Assessment and Mitigation Reference Manual (Ontario Ministry of Natural Resources, April 2017) <https://www.ontario.ca/page/wildland-fire-risk-assessment-andmitigation-reference-manual>



2.8.6 Mine Hazards

Development of lands on, abutting or within 1 km of a **mine hazard** shown on a Land Use Schedule to this Plan shall only be permitted once the area of the **mine hazard** has been evaluated for its safety for construction or use. Subject to consultation with the Ministry of Energy, Northern Development and Mines a technical report may be required to assess the need for

 Mine Hazard

Rehabilitation and remediation to comply with *Rehabilitation Code, O. Reg. 240/00, Schedule 1*, under the *Mining Act*.

rehabilitation and remediation under the *Mining Act* and where required, such rehabilitation shall be carried out as a condition of a land use planning approval.

2.8.7 Contaminated Sites

Lands identified as contaminated or potentially contaminated shall be evaluated and where required, remediated such that the site is suitable for the intended use with no **adverse effects**. Mandatory filing of a TD: *Record of Site Condition (RSC)* with the MECP is required for any change to a more sensitive use such as a change from an industrial, commercial or institutional use to a residential or parkland or other use prescribed by the legislation. A record of site remediation shall be filed on the Environmental Brown Fields Registry after the site has been remediated. A copy of the RSC along with an affidavit from a qualified professional acknowledging that the Municipality or Planning Board may rely on the RSC shall be required before a land use approval is given.

Where a gasoline station site is being redeveloped to a more sensitive land use, the approval authority shall require a clearance letter from the Technical Standards and Safety Authority (TSSA).

2.8.8 Excess Soils

The beneficial reuse of excess soil in a manner that promotes sustainability and environmental protection shall be encouraged. Appropriate excess soil management practices can assist in preventing and mitigating potential for adverse effects, particularly where soil may be contaminated (see TD Reference).

Remediation to comply with *O. Reg. 153/04, Record of Site Condition* under the *Environmental Protection Act*.

Contaminated Site Remediation:

- Record of Site Condition: A Guide on Site Assessment, the Cleanup of **Brownfield Sites** and the Filing of Records of Site Condition:
<http://www.ontario.ca/environment-and-energy/guide-site-assessment-cleanup-brownfields-filing-records-site-condition>
- Contaminated Sites RSC Registry:
http://www.ene.gov.on.ca/environment/en/subject/brownfields/S_TDPROD_075742.html

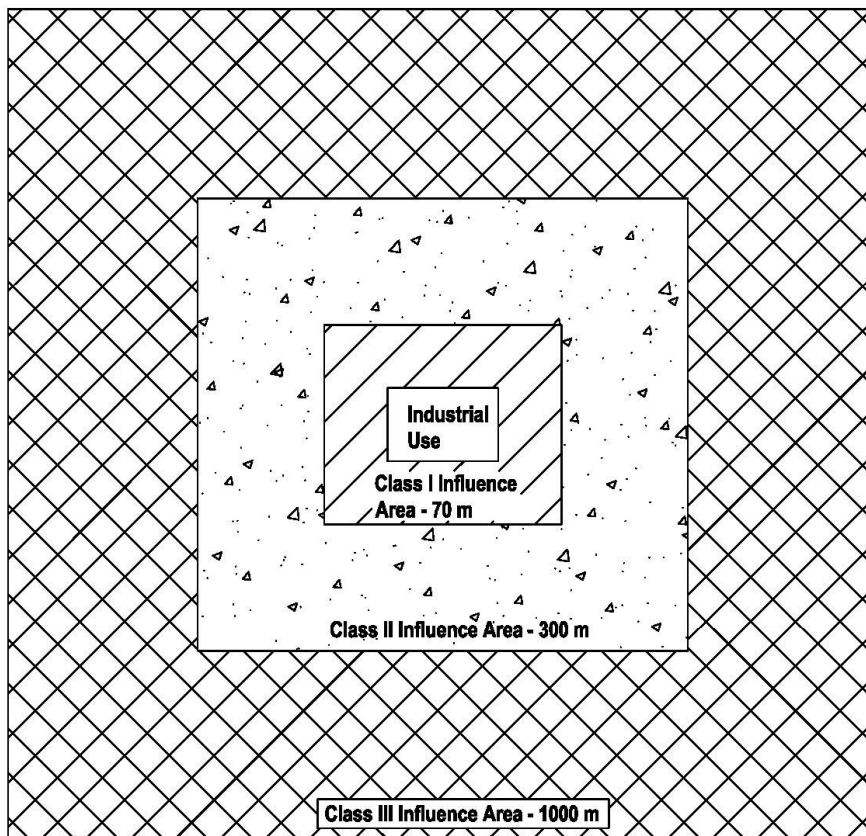
Guideline on Management of Excess Soil in the disposal of excess soil (see <https://www.ontario.ca/page/management-excess-soil-guide-best-management-practices>).

2.9 Land Use Compatibility

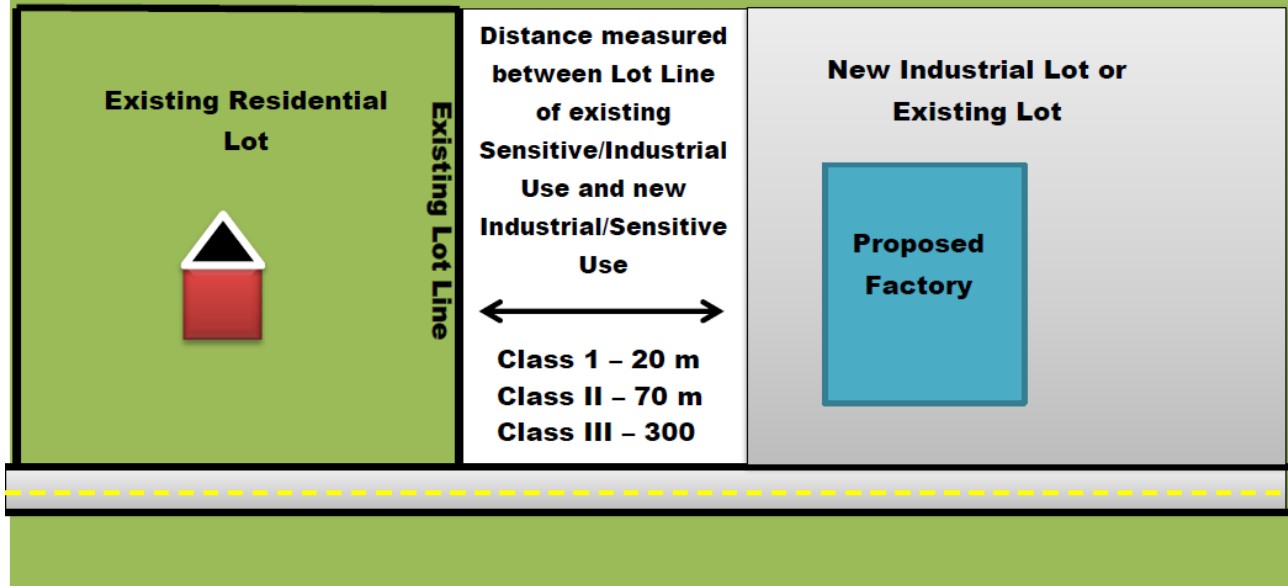
All development including **major facilities** shall be planned to ensure that land uses are appropriately designed, buffered and/or separated from each other to prevent or mitigate **adverse effects** from odour, noise and other contaminants and to minimize the risk to public health and safety. **Major facilities** include airports, transportation **infrastructure** corridors, rail lines and facilities, sewage treatment facilities, **waste management systems**, industries, energy generation facilities and transmission systems, resource extraction activities such as mineral aggregate and mining operations, and livestock facilities.

Table 2 sets out a list of **major facilities** and other land uses, the influence area where exposure to nuisance factors by residents and other **sensitive land uses** should be minimized and the minimum separation distances designed to ensure land use compatibility. All standards shall be applied on a reciprocal basis between land uses to ensure that whether the **major facility** or the **sensitive land use** is constructed first, that the alternative land use or use which is installed secondly is appropriately separated and protected from any **adverse effects**.

Influence Area Surrounding Industrial Uses



Separation Distance: Measured from property line of the industrial use to the property line of the sensitive land use



Separation Distance: Measured from the face of an Industrial building or Accessory building to the property line of an Sensitive Land Use

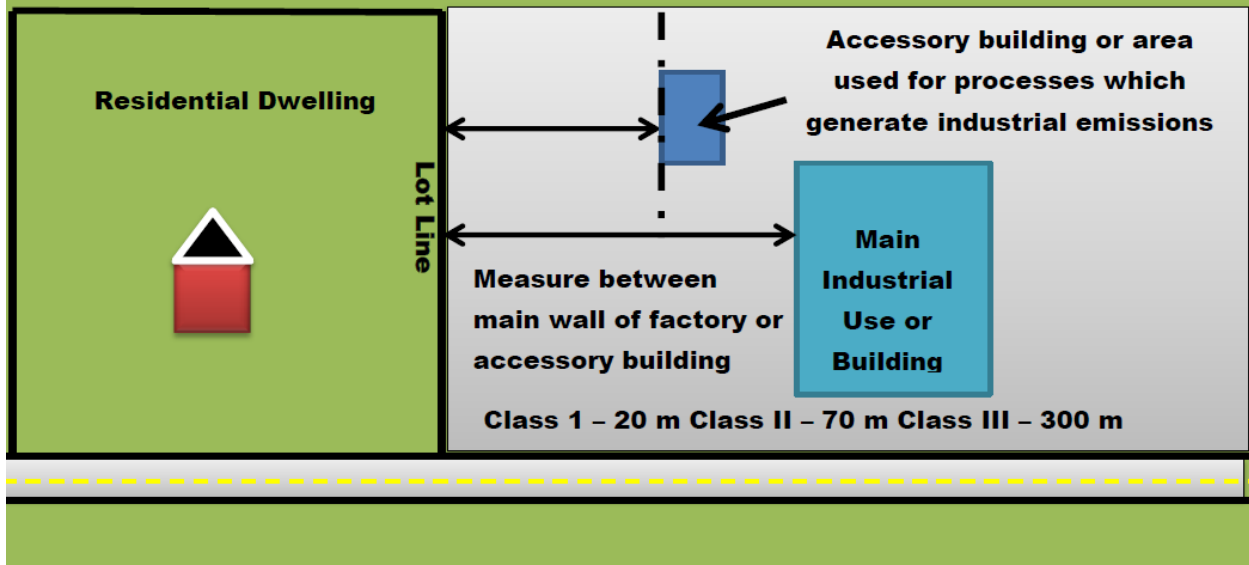


Table 2 - Land Use Compatibility Standards A1:D10C12A1:D11A1:D11C12A1:D11A1:D12C12A1:D11A1:D13A1:D12A1:D13A1:D12A1:D13A1:D12A1:D13			
Major Facility or Land Use	Influence Area	Minimum Separation Distance, Separation Standard or Other Standard	Technical Document ¹
Airport, Private Airfield or Sea Plane Base		New residential development and other sensitive land uses are prohibited in areas above 30 NEF/NEP	Noise Exposure Forecast: https://www.tc.gc.ca/media/documents/ca-standards/NEF-Calc_2_0_6_en.exe
Helipad		200 m setback from the nearest edge of a helipad and any non-residential use not classified as a sensitive land use. Separation distance for sensitive land uses shall be determined by a noise and vibration study using NPC-300	NPC-300: Environmental Noise Assessment Guideline - Stationary and Transportation Sources - approval and Planning: http://www.ontario.ca/environment-and-energy/environmental-noise-guideline-stationary-and-transportation-sources-approval . Standard 325, Heliports, Part III, Canadian Aviation Regulations issued under the Aeronautics Act
Class I Industry	70 m or as determined through a technical study, and measured from closest existing, committed or proposed property/lot line of the industrial use to the property/lot line of the closest existing, committed or proposed sensitive land use	20 m minimum dependent on a technical study, and measured from closest existing, committed or proposed property/lot line of the industrial use to the property/lot line of the closest existing, committed or proposed sensitive land use	Guidelines D-1: Land Use Compatibility, and Guideline D-6: Compatibility Between Industrial Facilities and Sensitive Land Uses See diagrams for Influence Area and separation distances
Class II Industry	300 m (measured as above)	70 m (measured as above)	
Class III Industry	1,000 m (measured as above)	300 m (measured as above)	
Pit	Determined through a technical study or in the absence of a study, 1,000 m (measured from the boundary of the Mineral Aggregate Resource Area)	1,000 m minimum dependent on a technical study or as otherwise approved by license under the <i>Aggregate Resources Act</i> .	Guidelines D-4: Land Use on or Near Landfills and Dumps. Landfill Standards: A Guideline On the Regulatory and Approval Requirements for New or Expanding Landfill Sites. NPC-300: Environmental Noise Assessment Guideline - Stationary and Transportation Sources - approval and Planning
Quarry	Determined through a technical study or in the absence of a study, 1,000 m (measured from the boundary of the Mineral Aggregate Resource Area)	1,000 m minimum dependent on technical study or as otherwise approved by license under the <i>Aggregate Resources Act</i> .	
Waste Management Facility	500 m measured from the closest limit of the licensed footprint of an active waste management facility or the boundary of the disposal area of a closed site	30 m minimum, dependent on a technical study, and measured from the closest limit of the licensed footprint of an active waste management facility or the boundary of the disposal area of a closed site, or as authorized by a valid Environmental Clearance Approval or a Section 46 Order under the <i>Environmental Protection Act</i>	D-2 Series: Compatibility between Sewage Treatment and Sensitive Land Use
Waste Stabilization Pond	500 m measured from the nearest edge of any active waste stabilization pond	A technical study (using the D-2 Guidelines) shall be required for any sensitive land use proposed to be located closer than 500m from the nearest edge of any active waste stabilization pond or as authorized by a valid Environmental Clearance Approval	
Agricultural Use including a first or altered Livestock Facility, an anaerobic digester, new land uses and lot creation		Development shall comply with the Minimum Distance Separation Formulae I and II, whichever is applicable. MDS I shall apply to all lots created after March 1, 2017. MDS I setbacks shall apply to existing lots created prior to March 1, 2017 which are used exclusively for residential purposes, and vacant lots which have a lot area greater than 2 ha. MDS I shall not apply to lot creation for surplus dwellings for an existing livestock facility or anaerobic digester on an adjacent lot or on the same lot as the existing dwelling. MDS I and II shall not apply to agriculture-related uses or on-farm diversified uses with the exception of a food service such as an on-farm tea room or food concession. For the purposes of MDS II, cemeteries that are closed or which receive low levels of visitation or have no place of worship may be classified as a Type A land use. All other cemeteries are to be treated as a Type B land use.	The Minimum Distance Separation (MDS) Document, Publication 853, as amended from time to time by the province including Sections 3, 4, 5 and all definitions. http://www.omafra.gov.on.ca/english/landuse/m ds.htm

Notes: 1. All MOECP D-Series Guidelines can be found at: <http://www.ontario.ca/environment-and-energy/environmental-land-use-planning-guides>



2.10 Public Service Facilities

Strong communities include an array of **public service facilities** designed to serve the current and projected needs. Land use decisions shall ensure that the necessary **public service facilities** area available or will be available to service growth and development. While recognizing that services may be provided in nearby urban centres (see 2.2 and 2.11.5), development approvals will not be granted unless Planning Board and a Municipal Council are satisfied that **public service facilities** are or will be adequate including, educational, health care, social and recreational services, cultural services, and fire, police and emergency services. The affected service delivery agencies will be consulted in the review of planning applications.

The co-location of **public service facilities** will be encouraged. *Example: combining a park, sports field, municipal building, library into one facility* (see photo diagram of Example of Co-located Facilities).

Emergency management services should be strategically located to support the effective and efficient delivery of such services (e.g. minimize response times, use of joint facilities, and inter-municipal service agreements).



2.11 Coordination

Land use planning decisions affect and are affected by many stakeholders and by shared landscapes and resources. A coordinated, integrated and comprehensive approach to land use planning which considers these and other criteria will lead to more equitable and well-rounded decision-making.



2.11.1 Managing Growth and Development

Planning Board in conjunction with member Municipalities will monitor population, employment and housing development having regard to trends across the District of Nipissing and in Northern Ontario with the intent of reflecting growth projections as they affect the Planning Area. (See also 3.0 Housing Policies)

2.11.2 Economic Development Planning

Planning Board in conjunction with member Municipalities will collaborate on matters of economic development planning and regional stakeholders such as businesses, government, the District of Nipissing Social Services Administrative Board (DNSSAB), education organizations and Indigenous communities, notably the Nipissing and Algonquin First Nations. Particular efforts will be made to coordinate and integrate development initiatives on Algonquin settlement lands and in the design and development of the Ottawa Valley Recreational Trail.

2.11.3 North Bay-Mattawa Conservation Authority

Conservation planning and programming, **hazardous lands** management, watershed planning and management, the management of conservation areas, and the administration of on-site sewage system approvals will be integrated and coordinated with the North Bay-Mattawa Conservation Authority.



2.11.4 Transportation and Infrastructure Corridors

Land use planning will be integrated with the protection of existing and planned corridors and rights-of-way for transportation (e.g. provincial highways and the Highway 17 realignment and by-pass), rail services, electricity generation facilities and transmission systems, gas and oil pipelines, recreational trails (e.g. Ottawa Valley Recreational Trail, OFSC trails, TransCanada Trail) and portages with the intent to minimize or avoid **negative impacts** on services from **development** or **redevelopment**. Development setbacks may be imposed to protect the integrity of an **infrastructure** corridor.



2.11.5 Public Service Facilities

Planning Board in conjunction with member Municipalities will collaborate with the Town of Mattawa and the City of North Bay, the respective boards of education and health care agencies in planning for institutional, educational, social, health care and emergency management services required to meet current and projected growth and development needs.



2.11.6 Ontario Provincial Police

Area Municipalities will provide for on-going communication with the Ontario Provincial police regarding public safety, crime, community safety zones and social issues in the Planning Area.



2.11.7 Waste Management

The Township of Papineau-Cameron will coordinate and integrate the planning and maintenance of the shared waste management facility with the Landfill Advisory Committee. The Township of Calvin will continue to maintain its own waste management facility.

2.11.8 Forest and Parks Management

Planning Board in conjunction with member Municipalities will collaborate with the Ministry of Natural Resources and Forestry in

the management of land use and conservation practices in provincial parks (e.g. Samuel de Champlain, Mattawa River, Ottawa River, Algonquin, Amable du Fond, Boom Creek Conservation Reserve) and in commercial forestry operations and management.

2.11.9 Indigenous Interests

Planning Board in conjunction with member Municipalities will collaborate and coordinate land use planning matters with indigenous communities and will consult with respect to the conservation of **archaeological resources** and **cultural heritage landscapes**. Planning Board and member Municipalities will work with the Algonquins of Ontario to establish a protocol for consultation on the conservation of **archaeological resources** and **cultural heritage landscapes**.

2.11.10 Growth Plan for Northern Ontario

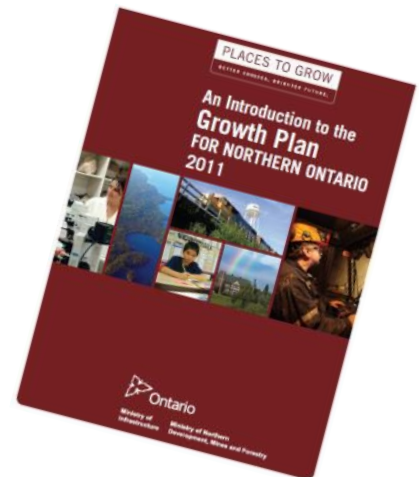
Planning Board and Councils will ensure that the policies of this Plan are in accordance with the Growth Plan for Northern Ontario and associated development activities.

2.11.11 Resource Management

Planning Board and member Municipalities will mutually consult with each other and other orders of government with respect to land use decisions which have overlapping impact notably with the protection of provincial interests in the management and development of natural resources (e.g. agriculture, **minerals**, mineral aggregates, forestry, the **natural heritage system**, **watersheds**, water resources, and energy resources).

2.12 Natural Heritage and Cultural Heritage

Community development is subject to the policies of Sections 4.2 through 4.8 of this Plan with respect to Natural Heritage Features and Areas and Section 6.6 of this Plan for Cultural Heritage Resources.



3.0 HOUSING POLICIES

3.1 Keynote Housing Policy

To provide an adequate and sustainable supply of housing to meet current and projected needs over the 20 year planning period.

3.2 Housing Types

The range of permitted rural housing types includes:

- Single and 2-unit dwellings including mobile homes, group homes, and innovative housing types which meet *Ontario Building Code* standards.
- Additional residential units as required in Section 16 of the *Planning Act* (i.e. single detached, semi-detached, or rowhouse) and ancillary structures except on seasonal residential lots, on 'at-capacity' lakes, on **hazardous sites** and lots lacking sustainable sewage systems
- Multiple unit dwellings, by rezoning where designed to meet unique housing needs for Indigenous, homeless and older persons, or which meet identified social housing and **special needs**.
- Portable housing such as garden suites.
(See photo examples of permitted rural housing types)

3.3 Housing Targets

- To embrace the District of Nipissing Social Services Administrative Board Housing Services (DNSSAB) housing target for **affordable** rental and **affordable** home ownership based on the **regional market area** (see definition in Appendix 1).
- To target the existing vacant lot supply as the primary source for new housing.



3.4 Housing Density

Low density housing will be the prevailing housing type based on sustainable **individual on-site water and sewage services**.

3.5 Implementation Strategy

Measures to implement housing policies will include:

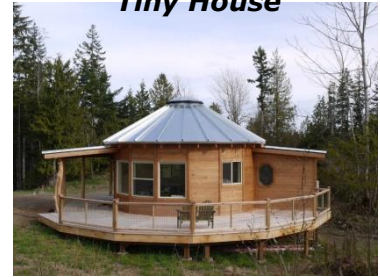
- Monitoring the residential land supply to provide for 5-7 housing starts annually.
- Updating Municipal zoning by-laws to permit additional residential units, and by introducing standards for rezoning for multiple units and innovative housing types while conserving existing lot area and frontage standards.
- Ensure sufficient lands are suitably zoned to meet the long-term housing supply needs of East Nipissing.
- Working with (DNSSAB) to obtain funding and implementing programs for **affordable** housing and for meeting unique housing needs.
- Applying site plan control for multiple unit residential buildings with 5 or more dwelling units
- Facilitating the conversion of **brownfield sites** for housing.
- Respecting community development and design criteria and policies of this Plan for all residential development activity.
- Conserving a low density built form consistent with the current rural settlement pattern.
- Conserving the integrity of **built heritage resources** and **cultural heritage landscapes** in approving housing development(s).
- Directing **development** where it optimizes the use of existing roads, **infrastructure** and **public service facilities**.
- Encouraging cost-efficient, energy efficient and compact housing types.



Recycled Storage Containers



Tiny House



Yurt



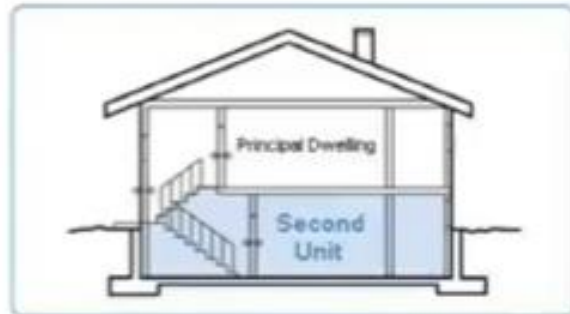
Underground House



Garden Suite

- Facilitating the delivery of housing for **special needs** including group homes, crisis care, shelter for the homeless, and housing for older persons.

Illustrations of Permitted Second Residential Units



Basement apartment created within an existing or newly constructed dwelling

Second unit incorporated through an addition above an attached garage

Side yard addition to accommodate second unit



Orange shading identifies location of example Second Residential Unit

4.0 Environmental Stewardship

4.1 Keynote Environmental Stewardship Policy

To conserve, protect, restore and improve the natural environment for current and future generations.

4.2 Natural Heritage and Biodiversity

Natural features and areas of provincial and local significance will be protected for the long-term. Biodiversity is recognized as the variability among living organisms from all sources (e.g. terrestrial, marine, aquatic) and the ecological complexes of which they are a part including diversity within and between species and ecosystems, with the policy intent of sustaining the attributes of the natural environment needed to conserve and protect biodiversity within the East Nipissing Planning Area.

4.3 General Roles and Responsibilities

Planning Board and member Municipalities will provide for habitat protection through the review of development applications and with the technical assistance of the North Bay-Mattawa Conservation Authority. MNR 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. 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.

Appendix 3 sets out a list of the Species at Risk in the East Nipissing Planning Area which is subject to change and update (see reference). Any technical studies required in section 4.5 shall be conducted by a qualified professional and are subject to a peer review.

Endangered Species Act,
2007 and O. Regulation
242/08

<https://www.ontario.ca/laws/statute/07e06>

Species at Risk:
O. Regulation 230/08

<https://www.ontario.ca/laws/regulation/080230>

Stewardship and Incentive Opportunities

- Voluntary stewardship
- Species at Risk Stewardship Fund
- Species at Risk Farm Incentive Program
- Conservation Land Tax Incentive Program
- Managed Forest Tax Incentive Program
- Conservation trusts and easements
- 50 Million Trees Program

Planning tools for protecting habitat may include zoning, site plan control, development agreements, parkland dedication and site alteration by-laws (see Section 7.0). Stewardship and incentive opportunities are considered other means to sustain the **natural heritage system** in East Nipissing.

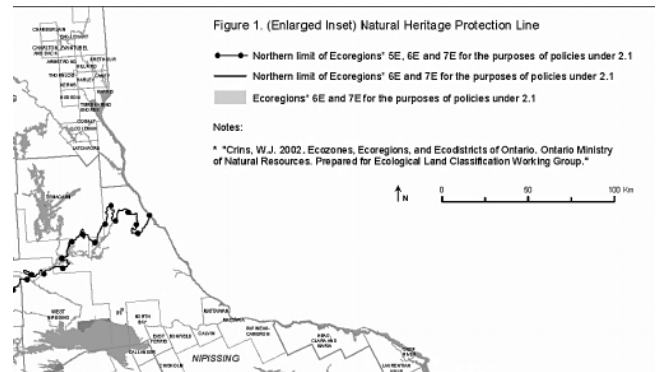
Landowners or developers should refer to O. Reg. 230/08 for an up-to-date list of species at risk.

4.4 Scope of Natural Heritage Features and Areas

Features and areas to be protected include:

- **Significant wetlands**
- **Significant coastal wetlands**
- **Habitat of endangered species, threatened species**, listed under the *Endangered Species Act, 2007, Ontario Reg. 230/08*.
- **Significant wildlife habitat**
- **Fish habitat**
- **Significant areas of natural and scientific interest**

Ecoregion 5E Boundary



4.5 Prescribed Requirements

4.5.1 Development and Site Alteration

Wetlands

Development and **site alteration** shall not be permitted in **significant wetlands** in Ecoregion 5E.

Wildlife Habitat, Area of Natural and Scientific Interest (ANSI).

Development and **site alteration** shall not be permitted in **significant wildlife habitat, significant areas of natural and scientific interest** in Ecoregion 5E (see diagram and Appendix 1) unless it has been demonstrated through a technical study that there will be no **negative impacts** on the natural features or their **ecological functions**.

Fish Habitat

Development and **site alteration** shall not be permitted in **fish habitat** except in accordance



See Fisheries Act <http://laws-lois.justice.gc.ca/eng/acts/f-14/>

with **provincial and federal requirements**.

Endangered and Threatened Species

Development and site alteration shall not be permitted in **habitat of endangered species and threatened species**, except in accordance with **provincial and federal requirements**.

Development and site alteration shall not be permitted on **adjacent lands** to the **natural heritage features and areas** identified in policies 4.5 unless the **ecological function** of the **adjacent lands** has been evaluated through an Environmental Impact Study and it has been demonstrated that there will be no **negative impacts** on the natural features or on their **ecological functions**. (See also 4.6)

Watercourses and Woodlots

Watercourses and associated valley lands, existing woodlots and tree lines will be conserved in their natural state to the extent possible. Setbacks may be prescribed in the zoning by-law and other planning tools may be used as set out in Section 4.3 to provide for the protection and conservation of these features. (See also Section 4.9)

Agricultural Lands

Nothing in policy 4.5 is intended to limit the ability of **agricultural uses** to continue.

4.6 Adjacent Lands

Adjacent lands for the purposes of Section 4.5 above are within:

1. 120 m of a **significant wetland**.

Wetlands are unique habitat for many different species of plants and animals and also regulate flooding and water recharge areas.



Natural Heritage Reference Manual, 2010
<https://ontario.ca/document/natural-heritage-reference-manual>

Significant Wildlife Habitat Guide, 2000
<https://ontario.ca/document/guide-significant-wildlife-habitat>



ON

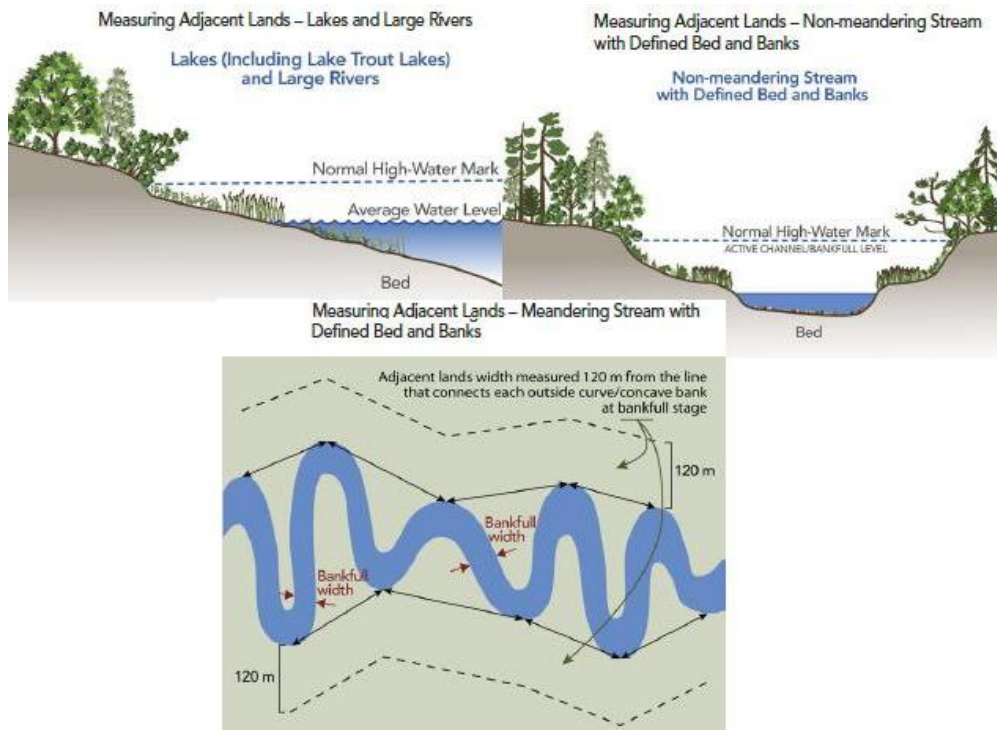
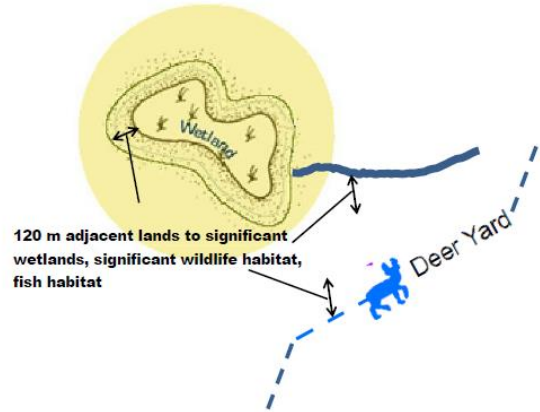
BLANDING'S TURTLE

greyish brown to black shell with yellowish flecks; bright yellow chin & throat; bulging eyes; 12 – 18 cm long

THREATENED

2. 120 m of **significant wildlife habitat**.
3. 120 m of **fish habitat**.
4. 120 m from a **significant area of natural or scientific interest – life science** and 50 m for a **significant area of natural or scientific interest – earth science**.

Adjacent lands width may vary depending on the circumstance and may be required to be larger than outlined in Section 4.6 of the plan.



4.7 Evaluation Process

The evaluation process to be followed will be dependent on the type of ***natural heritage feature or area*** and will be as set out in **Figure 1**. Proponents of development will be required to follow Steps 1 through 3 of the diagram Evaluation Process having reference to the triggers and components of an Environmental Impact Study (EIS), where a technical study is required. References shall be made to the technical documents opposite as well as to Table 1, Appendix '3;

**Figure 1 - Evaluation Process
(PPS Definitions Apply)**

Step 1

- **Preliminary Ecological Site Review:**
- Determine potential presence of endangered or threatened species
- Determine whether one or more factors trigger a site specific assessment (see triggers)
- Determine whether development or site alteration is within adjacent lands of significant habitat per Section 4.4

Step 2

- **Detailed Ecological Site Assessment (EIS):**
- Where Step 1 triggers an EIS requirements for Environmental Impact Study shall be based on species habitat, or provincial or federal requirements
- EIS to be conducted by qualified professional and may be subject to peer review (see components of an EIS)

Step 3

- **Implementation Requirements:**
- Obtain required provincial, federal or Municipal approvals or authorizations, including those under the *Endangered Species Act*, *Fisheries Act* or other legislation.
- Enter into site plan approval or other *Planning Act* approvals

Triggers

- Known or potential presence of endangered or threatened species
- Creation of 4 or more lots
- Change in land use requiring a *Planning Act* approval
- Shoreline consent within adjacent lands per Section 4.6
- construction of recreational use such as golf course, sports field, campground

Components of an EIS

- Detailed description of study area characteristics and key functions and features
- Degree and extent of existing ecological functions or how they are evolving
- Detailed description of proposed development
- Predicted direct and indirect effects of proposed development
- Identification and evaluation of options for avoidance, mitigation, rehabilitation or no development
- Detailed recommendations on preferred approach or strategy
- Program for monitoring, where necessary

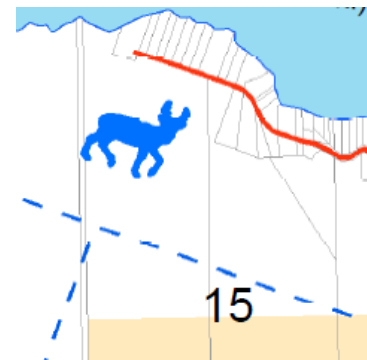
Sources

- MNR or NBMCMA for sensitive species
- Natural Heritage Reference Manual, 2010
<https://ontario.ca/document/natural-heritage-reference-manual>
- Significant Wildlife Habitat Guide, 2000
<https://ontario.ca/document/guide-significant-wildlife-habitat>

4.8 Deer Yards

In cases where a winter deer habitat (deer yard) is indicated on the Land Use Schedules "A1 - A3" (see sample diagram) as being on or adjacent to a property that is the subject of a development application, the following standards will apply:

1. In narrow conifer fringe habitats that occur along lake shorelines, larger frontages will be required due to the restricted nature of this critical habitat feature. Shorelines tend to be the most highly disturbed area during development. A minimum of 120 m frontage for lots will be required; and
2. In areas where critical conifer habitat is distributed in larger patches throughout the landscape and not restricted only to shorelines, a minimum lot of width and depth of 90 m will be required.



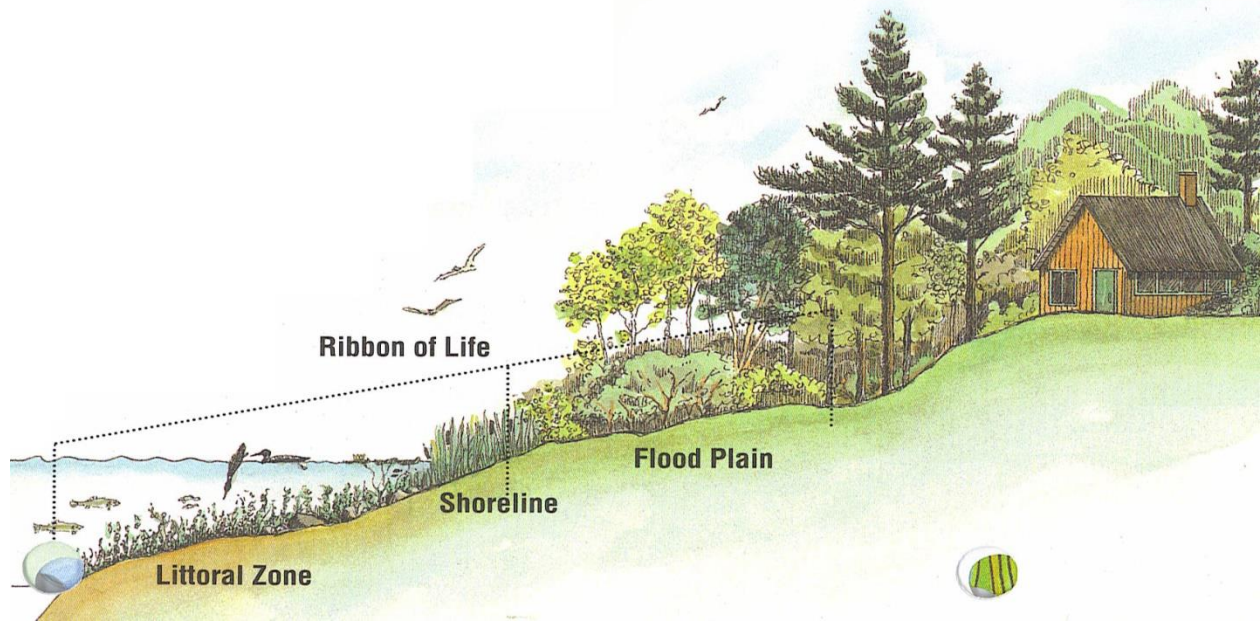
4.9 Shoreline Management

Shorelines are an intricate ecosystem that supports an abundance of terrestrial and aquatic species...often referred to as a 'Ribbon of Life' (see diagram). Their **ecological functions** change through natural and human influences and this may enhance or despoil their health. To sustain shorelines for their ecological value and their development potential requires wise stewardship by planning authorities and the public.

4.9.1 Keynote Shoreline Policy

To maintain, improve or restore shorelines in their naturalized state while providing opportunities for water access and activity areas.



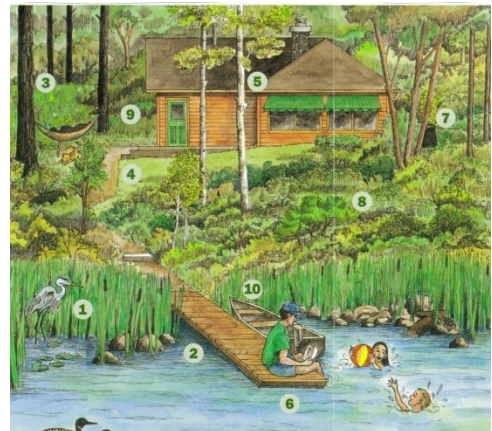


4.9.2 Description of Shoreline Area

The shoreline area is described as the shore area extending 30 m perpendicularly inland from high water mark of a lake or river or other natural water body. Shoreline areas may be characterized as a vegetated buffer and/or may include a sand or pebbled beach, rock outcrops or any combination thereof.

4.9.3 Purpose of Shoreline Areas

The purpose of shorelines is to provide essential habitat for waterfowl, fish, reptiles, mammals and insects to breed, find protection, move along migration routes or wildlife corridors and feed. A healthy shoreline also helps to stabilize banks, trap and store sediment, filters contaminants from entering the lake, recharges aquifers, prevents soil erosion and maintains the shoreline aesthetics. Protecting the shoreline through the policies of this Plan is intended to maintain the health of the lake ecosystem, sustain biodiversity and maintain water quality.



Healthy Shoreline



Unhealthy Shoreline

4.9.4 Measures to Conserve Shoreline Areas

1. A development setback shall apply for all buildings, structures and sewage disposal systems of 30 metres (see diagram Setbacks for Shoreline Structures), except for shoreline structures such as a boat house, dock or stairway/pathway access or minor structures such as a pump house, or viewing stand. The setback shall be measured as the shortest horizontal distance from the high water mark of the adjacent water body or **wetland** to the main wall of a building or structure or to the edge of the nearest pipe of the subsurface tile field.
2. Where the naturalized shoreline has been altered through human activity, restoration will be required as a condition of the approval of a planning application (e.g. consent, rezoning, minor variance). Restoration may include the planting of healthy native vegetation, slope stabilization and drainage controls designed to minimize the discharge of contaminants into the abutting water body, controlling sediment discharges and erosion and recreating a natural riparian habitat.
3. Shoreline alteration through the construction of artificial retaining walls will be discouraged; however, consideration will be given to measures designed by a qualified professional to achieve erosion control using best management practices and designed to incorporate both hard features for erosion protection and vegetation to stabilize soils and slopes and banks.
4. Docks, boat slips will be constructed to minimize environmental impacts through the use of environmentally friendly construction materials and

Crib Dock



Pile Dock



Cantilever Dock

Floating Dock



Pipe Dock

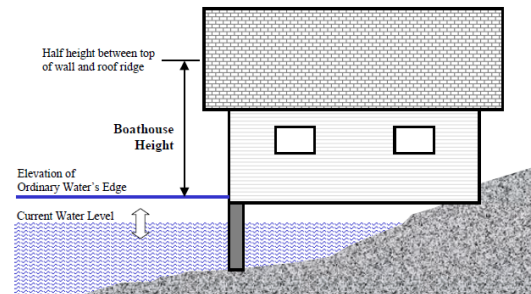


techniques (i.e. installation of cantilever, floating or post docks); through construction which creates new **fish habitat**.

5. Boat houses will be limited to one storey and shall be non-habitable.

6. Minor variances for reductions in shoreline setbacks will only be granted where the effect is to improve the shoreline ecosystem as a condition of approval. In situations where the natural vegetated buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than the area required for the expansion will be required. The location of the replanting area may be anywhere on the lot; however, preference will be given to the riparian shoreline or other natural features (e.g. **wetlands**, watercourses). The planting program will be required whether or not there is vegetation in the area to be occupied by the expansion. Municipalities or Planning Board may require a landscaping plan prepared by a qualified professional in support of any planting or replanting program.

Boathouse Height

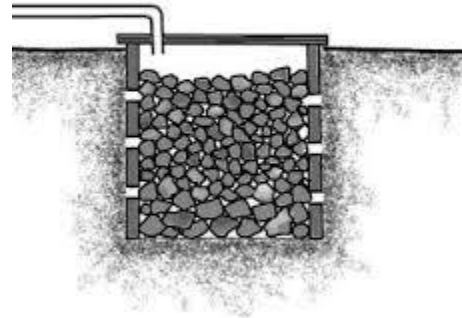


7. As a condition of any **redevelopment** proposal triggered by a planning application, Municipalities or the Planning Board may require buildings or structures to be relocated with a greater setback; may require the demolition and removal of buildings and structures; may require the recycling of building materials, may require the reduction of hardened surfaces and may require the removal or replacement/upgrading of sewage disposal systems. Other Best Management Practices may include:

- a. Locating **individual on-site sewage systems** where native soils are deepest, and at the furthest distance possible from the shoreline.
- b. Reducing lot grading.
- c. Using grassed swales and/or vegetated filter strips on lots that require ditching to control runoff.

- d. Directing roof leaders to rear yard ponding areas, soakaway pits, or to cisterns or rain barrels.
- e. Sump pumping foundation drains to rear yard ponding areas and infiltration trenches.
- f. Revegetating riparian areas.
- g. Measures to improve **fish habitat**.
- h. Increasing the setback of all buildings (except boat houses and docks) to 30 m.
- i. Increasing the setback of a sewage disposal system to 30 m.
- j. Directing the installation of shoreline structures away from **fish habitat**.

Soakaway Pit

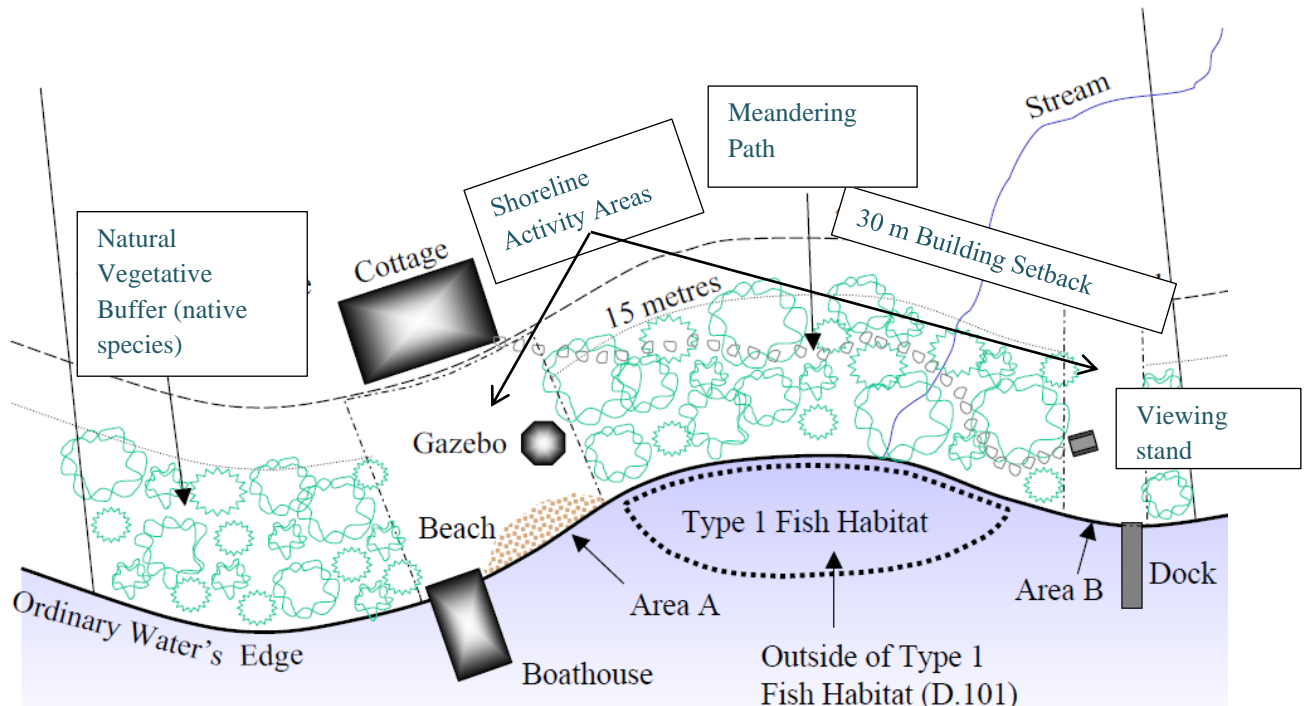


- 8. In considering applications for waterfront development Councils shall ensure that cultural heritage resources both on the shore and in the water are not adversely affected. Councils will require satisfactory measures to mitigate any **negative impacts** on cultural heritage resources.
- 9. Site plan control may be used for the **development or redevelopment** of the shoreline. (See also Section 7.17 – Site Plan Control.)

4.9.5 Shoreline Activity Area

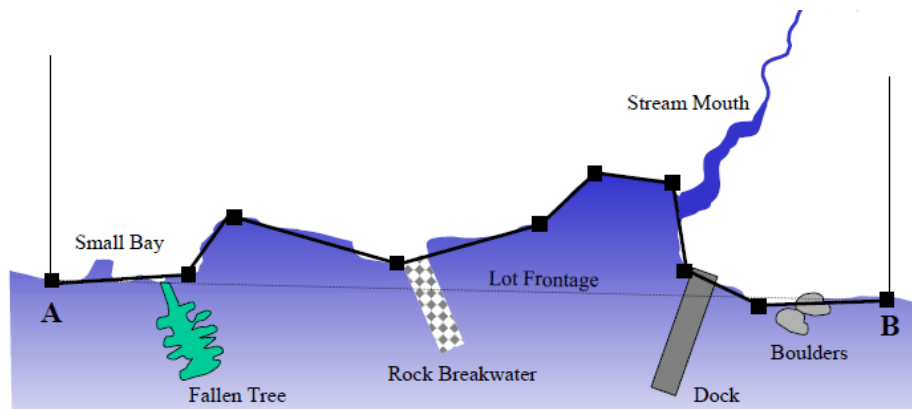
A shoreline activity area may be permitted for the purposes of providing water access, a viewscape, constructing a boat house or recreational commercial facilities associated with a campground, marina or similar uses. Shoreline activity areas for residential uses shall be limited to 25% of the shoreline frontage of a lot as illustrated in the diagram or 50% for a commercial recreational use. See diagrams illustrating policy. Regulations for the conservation of shoreline areas shall be set out in Municipal Zoning by-laws (i.e. development setbacks, location of docks and boat houses and shoreline activity areas). Planning tools may also include the use of site plan control (see Section 7.17). Development may also require approval of the North Bay-Mattawa Conservation Authority (see Section 2.8.3).

Shoreline Activity Area



Shoreline Activity Area for residential property should not exceed total of 25 % of shoreline frontage to a depth of 30 m from high water mark

Measuring Shoreline Frontage

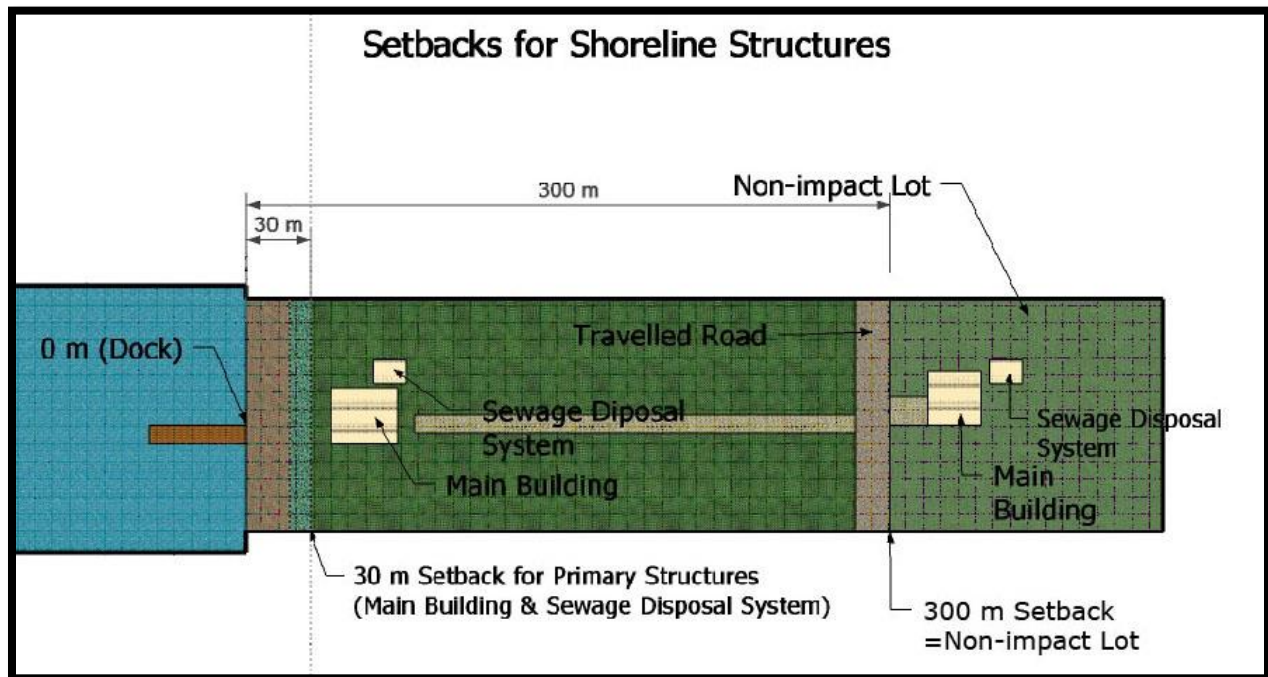


- Notes:
- Shoreline Activity Area Frontage is the maximum permitted length or percentage of the Lot Frontage
 - Shoreline Activity Area Frontage is the distance along the actual shoreline, excepting minor structural or natural variations (sum of line segments shown in the illustration)
 - Lot Frontage is usually measured as the closest linear distance between the points at which the side lot lines intersect the ordinary water's edge (distance between A and B)

4.9.6 Lake Capacity

No **development** (including new lot creation) shall be permitted on the **adjacent lands** of an at-capacity lake (i.e. lake which has reached its biological capacity) without meeting the criteria established in the Province's Lakeshore Capacity Assessment Handbook TD: <https://www.ontario.ca/document/lakeshore-capacity-assessment-handbook-protecting-water-quality-inland-lakes>. A lake capacity study will be required prior to approving development on lakes where water quality data indicates that the biological capacity has or may be reached. At capacity lakes may include lake trout lakes or other inland lakes which do not support lake trout. Lakes currently classified as lake trout lakes in the East Nipissing Planning Area include a small part of Lake Talon (Calvin), Papineau Lake (Papineau-Cameron) and Kearney Lake (Mattawan). Earl's Lake is also an at capacity lake. New lots may not be created or other planning approvals granted within 300 m of the shores of lakes which have been identified as being at their biological capacity except for the following circumstances:

1. To separate existing habitable dwellings each or which is capable of supporting a Class 4 sewage disposal system provided the land use would not change and there would be no net increase in phosphorus loading; or
2. Where all new septic tile fields are located so that they drain into a drainage basin that is not at capacity; or
3. Where all new tile fields would be set back at least 300 lineal metres from the shoreline (see diagram for non-impact lot); or
4. Where the natural drainage from the tile field would flow at least 300 metres to the lake; or
5. Where there are deep soils native to the site (undisturbed and over 3 metres in depth) meeting a specified chemical composition and hydrologic conditions acceptable to the Ministry of Environment, Conservation and Parks as outlined in the Lakeshore Capacity Assessment Handbook. This approach requires site-specific soils investigations by a qualified professional and, if implemented, long-term monitoring and use of planning tools and agreements that would ensure long-term maintenance of specified conditions as described in the Lakeshore Capacity Assessment Handbook.



4.10 Climate Change

Climate change is recognized as a global phenomenon characterized by a gradual warming of the planet that has caused severe weather events, the destruction of **infrastructure, negative impacts** on agriculture and threatening the biodiversity of our ecosystems. The international community has responded with initiatives to reduce greenhouse gasses or carbon emissions through reduction in the use of fossil fuels. Governments at all levels are engaged in both mitigation efforts and adaptation measures designed to cope with the impacts of climate change.

4.10.1 Climate Change Keynote Policy

To undertake and encourage measures designed to reduce carbon emissions and to plan for the impacts of climate change.

4.10.2 Reducing Carbon Emissions

Planning Board and Municipalities are committed to reducing carbon emissions through the following measures or initiatives:

1. **Transportation:**

- Promoting carpooling and supporting rural carpooling through establishing car parks at major commuting intersections along Highway 17.
- Improving opportunities for cycling through the designation and signage of cycling routes through the planning area and by encouraging provincial initiatives to provide cycling lanes on

- provincial highways and through the use of the Ottawa Valley Recreational Trail.
 - Encouraging the development of rural transportation services and shuttle services for multiple occupancy through the use of mini-vans, buses.
- 2. **Energy Efficient Buildings and Vehicles:**
 - Reducing energy consumption through municipal building retrofits.
 - Promoting zero-emission and green building design.
 - Undertaking replacement of municipal vehicles with alternative fuel vehicles.
 - Supporting the establishment of new vehicle electric charging stations.
 - Encouraging solar-oriented design of buildings
- 3. **Renewable Energy:**
 - Promoting and supporting the development of renewable energy sources on a commercial and individual scale through wind, solar, geothermal, biogas and micro-hydro systems.
- 4. **Food Security:**
 - Encouraging local food production through measures such as farmer's markets, farm stands, waste food recycling, and community gardens.
- 5. **Waste Management:**
 - Promoting recycling of non-organic wastes.
 - Reducing waste disposal in landfill sites through waste diversion, recycling and re-use.
 - Reducing waste from construction debris
- 6. **Agriculture and Forestry:**
 - Promoting best farm practices by reducing nitrous oxide emissions through improved fertilizer use, crop rotation, modified tillage and residue and manure management
 - Encouraging fuel switching through use of biomass, solar, wind or micro-hydro sources.
 - Provision of alternative fuel production through feedstock from wood pellets, biomass etc.
- 7. **Carbon Capture:**
 - Sustaining high level of forest cover for carbon capture.
- 8. **Well Built Communities, Infrastructure and Adaptive Re-use:**
 - Ensuring that all development is directed away from lands susceptible to flooding and erosion through severe climate events.
 - Designing road *infrastructure* and stormwater management facilities to protect against severe weather events and to facilitate evacuation.
 - Encouraging the adaptive re-use of buildings as an alternative to new construction.

4.10.3 Emergency Preparedness

Municipalities will review emergency preparedness plans on a regular basis giving consideration to:

- Types of impacts such as floods, forest fires, mud slides
- Evacuation routes from low lying lands
- Communication services during emergency events
- Provision of generators or alternative energy supplies
- Location and provisioning of evacuation centres

5.0 COMMUNITY HEALTH AND SAFETY

5.1 Keynote Community Health and Safety Policy

To build a strong, sustainable and resilient community that is safe for all.

5.2 Healthy Communities

Land use decisions and the way communities are designed have multiple impacts on people's physical health as well as on their mental health and well-being. The physical form of a community affects the quality of the air they breathe, the types of physical activity choices they make and how they interact with their neighbours. Land use planning defines the character of the community, impacts the cost of providing services, and influences the community's ability to attract business and residents. A healthy community is a successful community when the community is inclusive in the decisions made on behalf of all and are balanced with the protection of the natural environment. The strategy for a healthy community in East Nipissing takes into account the environment, safety, physical activity, food access and social well-being.

5.2.1 A Healthy Environment

Land Use planning decisions shall consider the impacts on community health by:

1. Ensuring that proposed residential development and **sensitive land uses** shall be made compatible with neighbouring land uses through distance separation and the mitigation of industrial and commercial emissions, nuisance noise and odour impacts.
2. Protecting water from sources of contamination.
3. Conserving the natural environment through protection or enhancement of shorelines, forested landscapes/woodlots and fish and **wildlife habitat**.
4. Ensuring that access to green space, provincial and local parks, sports and recreational facilities, trails and conservation areas and reserves will be maintained, restored or expanded to meet the needs of residents and to strengthen the opportunities for destination tourism.
5. Providing for public access to lakes, rivers and shorelines will be provided through preserving current access points and through parkland dedication and the protection of public road access leading to water.
6. Landscaping designed for shading, cooling and wind buffering will be an integral component of land use design decisions.

5.2.2 Community Safety

East Nipissing will create a physical environment that is safe for all residents through such measures as:

1. Designing and upgrading roads that support all users including cyclists and pedestrians.
2. Working with the OPP to ensure appropriate traffic enforcement and crime prevention.
3. Designing and maintaining trail systems (i.e. Voyageur Trail, Ottawa Valley Recreational Trail, etc.) that are safe for users.
4. Implementing community accessibility plans and retrofitting buildings to facilitate access by those with disabilities.
5. Ensuring road design for public and private roads meets current safety standards for height, width and travel clearances.
6. Providing adequately lit public spaces (i.e. parks, playgrounds, public use facilities) to increase safety and prevent crime in the community. Within areas intended for nighttime use, security will be upgraded with lighting and improved visibility, wherever possible.
7. Ensuring proper sight distances for new entrances onto roads and at intersections.
8. Maintaining an update emergency preparedness plan.
9. Supporting and promoting fire safety measures for all dwellings such as through the provision of smoke and carbon dioxide detectors.
10. Working with school boards to provide for the safe transport of school children and providing for Community Safety Zones.
11. Directing development away from **hazardous sites** and substances (i.e. flood prone lands, contaminated sites, **mine hazards**).



5.2.3 Physical Activity

East Nipissing will create a physical environment that provides opportunities for safe daily physical activity for all through such measures as:

1. Providing and maintaining greenspaces, places to play and gather, and recreational facilities and opportunities for all.
2. Providing for natural and built shade features in outdoor public spaces.
3. Promoting active transportation and less dependency on motorized transport (e.g. cycling, walking).
4. Developing the Ottawa Valley Recreational Trail as a multi-use recreational trail.



5.2.4 Food Access

East Nipissing will increase the availability of healthy food for all residents through such measures as:

1. Conserving good agricultural land for food production.
2. Promoting local food production as part of a sustainable local food system.

3. Permitting community gardens/plots.
4. Permitting food produce stands.
5. Permitting and encouraging **on-farm diversified uses** which focus on food production and food processing.
6. Permitting **agricultural-related uses** in the rural area for food production.
7. Promoting and permitting diversified food land production such as greenhouses, orchards and market gardens.
8. Permitting food-based home occupations.
9. Encouraging the development of food co-operatives.
10. Permitting backyard and front yard vegetable plots and encouraging localized gardens for growing/production of fruits, vegetables, eggs, honey, seeds, herbs and nuts.
11. Permitting small animal farming on individual residential lots for personal consumption such as the raising of chickens.
12. Facilitating recycling of edible waste foods.

5.2.5 Social Cohesion and Well-Being

East Nipissing will create a physical form within the community that encourages social interaction, promotes social capital and sustains the well-being of all residents through such measures as:

1. Providing opportunities for mixed housing and a mix of housing types designed to meet the socio-economic characteristics of the community.
2. Providing for public spaces where people can meet.
3. Creating a forum for dialogue and joint decision-making on community and land use matters with Indigenous people.
4. Celebrating the cultural plurality of the community through community events and festivals.
5. Promoting a diversified economic base that provides a variety of employment opportunities.
6. Working to sustain health care, social and recreational services on a regional basis to meet the needs of residents of East Nipissing.

5.2.6 Cannabis

Municipalities may prohibit or regulate the commercial production of cannabis and cannabis-related products and services through the zoning by-law and under the *Municipal Act* (i.e. licensing to govern hours of operation, etc.). Municipalities may also prohibit or regulate a medical marijuana facility. The following definitions apply.

Cannabis means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained.

5.3 Transportation System

The transportation system in the Planning Area is made up of provincial highways, township roads, private roads, resource access roads, snowmobile trails while transportation and **infrastructure** corridors comprise the CPR Rail Line, the TransCanada Pipeline, a Bell Canada fibre optics line and hydroelectric power transmission lines and the Ottawa Valley recreational Trail. The intent of the Plan is to ensure that the transportation system is safe, energy efficient and facilitates the movement of peoples and goods for current and future needs.

5.3.1 Provincial Highways

In addition to the policies of Sections 2.6 and 2.11.4, the following policies apply:

1. Provincial Highways and corridors are administered under the auspices of the *Public Transportation and Highway Improvement Act* by MTO and all proposed development within MTO's permit control area is subject to MTO approval. Provincial highways and planned corridors are illustrated on the Land Use Schedules. The intent of the plan is to recognize the need for the proposed Highway 17 realignment including the future Mattawa By-pass and/or realignment and to protect the proposed transportation corridor from development that would compromise the future construction and use of this planned transportation corridor within a 20 year time horizon prior to the construction and to ensure that the proposed transportation corridor does not compromise access to Algonquin Settlement Lands.

When development is proposed that may impact an existing or planned transportation corridor, early consultation with MTO is required to determine if any applicable permits or approvals are required. Planning Board and member Municipalities should be satisfied that any required permits or approvals from MTO can be obtained or issued for the development prior to approving a planning application.

2. Outdoor storage and loading areas adjacent to a provincial highway will be visually buffered from passing traffic in the interest of public safety.
3. Land use changes including commercial rezoning of home occupations or related land severances will not be permitted unless prior approved by MTO.
4. Lakefront development proposed with indirect access to a provincial highway will not be permitted unless prior approved by MTO.
5. Trail crossings (e.g. for snowmobiles or off-road vehicles) are subject to MTO approval; however, new trails which parallel a highway corridor will not be permitted for public safety reasons.

6. **Wayside pits and quarries, portable asphalt plants and portable concrete plants** used on public authority contracts will be permitted without the need for an official plan or zoning amendment; however, they are subject to the provisions of the *Aggregate Resources Act*.

5.3.2 Township Roads

1. In addition to the policies of Section 2.6, the primary access for development in the Planning Area will be via the existing Municipal road network. Municipalities are authorized to classify roads and restrict or control access for any **development** or a change of land use on the basis of the classification (see road classification for the Township of Papineau-Cameron and the Municipality of Calvin in Appendix 4). The classification may include the designation of roads for scenic or cultural resource purposes including measures to govern or conserve a **cultural heritage landscape**. The land use schedules to the official plan set out a road classification system which generally coincides with the road classification set out in by-laws passed by the Municipality of Calvin (By-law 2016-020) and the Township of Papineau-Cameron (By-law 2018-04). For the purposes of the official plan, the by-laws shall be used in correlating land use decisions with the accessibility requirements or standards of the respective Municipality.
2. Municipalities may exercise any authority granted by the *Municipal Act* for the design and use of roads as a means to convey people and goods, provide emergency and public services and serve as **infrastructure** corridors. Municipalities may govern the use of road rights-of-way for traffic, sidewalks, crosswalks, boulevards, street signs, private signage, garbage collection, snow plowing, parking and loading, and utilities.
3. Entrance permits may be required for the design and construction of entrances and the installation of culverts. Culverts may be installed by a Municipality at the owner's expense or by the owner under Municipal supervision.
4. Municipalities may require or undertake a traffic impact study, drainage study or heritage impact study prior to the approval of any road construction including new roads, road, lane, intersection and entrance improvements, road widening, cycling lanes, car parks for carpooling, and landscaping or right-of-way improvements.
5. Standards, timing and phasing for the maintenance and reconstruction shall be in accordance with the respective Municipal Asset Management Plans using the principle of life-cycle costing.

6. Municipalities may require a cost-benefit analysis including lifecycle costing prior to considering the acquisition of any private or other road proposed for public use or the construction of any new road proposed for dedication and assumption to/by a Municipality.
7. Municipalities may require land to be conveyed to the appropriate road authority at no cost for the purpose of widening an existing road as a condition of severance, subdivision or site plan approval. Land for widening of a road right-of-way shall generally be sought equally from both sides of the right-of-way but may be exempted or modified to reflect site constraints such as natural heritage or cultural resources, existing physical development or encroachments, placement of buildings, scale of the proposed development and pedestrian safety.
8. Municipalities may establish a road, street or highway under the 5% reserve provision of Section 64 of the *Municipal Act* where there is a 5% reserve in the patent for the original parcel that has not already been used and without compensation to the abutting land owner. Such acquisition may be registered, and may be for the benefit of providing access to landlocked parcels.

5.3.3 Unopened Road Allowances

An unopened road allowance means a road, street or lane owned by a Municipality which has not been established for general public use by that Municipality. Municipalities under Section 35 of the *Municipal Act* may remove or restrict the common law right of passage and access of an unopened road allowance and are authorized to regulate any improvements, maintenance, access, cross-over, land use or encroachments, cutting of trees, removing obstructions, grading and hosting social or any social, recreational or sporting events/use of an unopened road allowance. Municipalities may govern travel on an unopened road allowance by off-road vehicles, snowmobiles and bicycles.

Municipalities may as a condition of use, require a legal plan of survey, may enter into an agreement, may require liability insurance, may provide that permission for use may be cancelled, that permission is not assignable and may be exclusive, and may require the installation of signage cautioning use or access to the road allowance. Municipalities may also provide for input from neighbours or other users of the road before granting use and may require the right to inspect for compliance with any conditions imposed in the use of the unopened road allowance.

See also Appendix 4 for Municipal Road classifications.

5.3.4 Private Roads

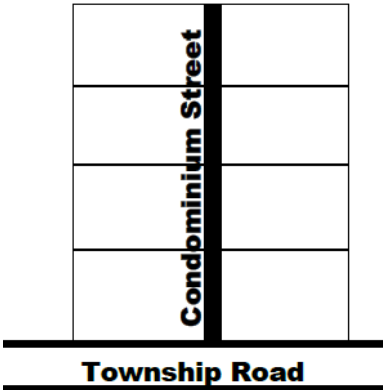
1. A private road is defined as a road or easement under private ownership which serves two or more legally conveyable lots. The location and the rights of use must be sufficiently identifiable including the owner of the land (servient tenement or one over whose land the

easement or right-of-way will extend), the user (dominant tenement or the one benefitting from the easement), the location of the route or alignment on the landscape (to excluding the notion of wandering at large), and the rights conferred on the use (e.g. type or traffic permitted, exclusive or shared use), width and height clearances of the road, material use, maintenance, what can be constructed on the easement (i.e. utilities, fences, poles, drains), also how parties are to notify each other, the right of Municipal access and level of services which may or may not be offered, tree removal or trimming, signage and speed controls and indemnity of a Municipality from any actions.

Note: A driveway provides access to only one property or legally conveyable lot, despite the length of the driveway.

- 2. A Municipality has no legal obligation to maintain or repair any private road or otherwise provide services to any development located on a private road, nor is there any responsibility acknowledged for the provision of school bussing.
- 3. New private roads shall not be permitted except for a condominium where the internal private road has direct access to a public road (see diagram).

- 4. Municipalities or the Planning Board may permit new lot creation or development on an existing lot on an existing private road and may as a condition of approval require the upgrading and maintenance of the private road to an acceptable municipal standard and a standard which meets the access requirements for emergency vehicles in accordance with the *Ontario Building Code*, and may require one or more signs to be installed indicating that the road is used at the risk of the user (see diagram). The *Municipal Act* may be used for any agreements related to the construction, maintenance and use of a private road.



- 5. A private road may be dedicated and assumed by a Municipality subject to Section 5.3.2.6.
- 6. A lot may be used or developed for a use permitted by this Plan and the zoning by-law which does not have frontage on a public road provided the lot has an existing legal access.
- 7. The provisions of this section shall not be deemed to prohibit the blockage of an existing road over one



person's land which provides the only motor vehicle access to another person's land or boat docking facility where otherwise permitted under the auspices of the *Road Access Act*. The *Road Access Act* does not apply on land not owned by a Municipality.

5.3.5 Roads on Crown Land

Roads across Crown Land are intended to provide access to resource-based land uses such as forestry, mineral or mineral aggregate extraction, subject to approval by MNRF, and do not have guaranteed maintenance; consequently Crown Land roads are not considered acceptable access for the purposes of providing or approving access to residential or commercial land uses.

See also Appendix 4 for Municipal Road classifications.

5.3.6 Shoreline Road Allowances

1. Shoreline road allowances are intended to be kept in the public domain, but may be sold to an abutting shoreline property owner to provide riparian rights and access to the abutting water body.
2. This Plan is not deemed to convey any right by a property owner for the construction of any dock, building or structure on a shoreline road allowance without prior permission from a Municipality. Municipalities may enter into encroachment agreements for any use of a Municipally-owned shoreline road allowance.
3. Shoreline road allowances are intended to be retained in the public domain where they conserve public access to a water body, serve to conserve a **cultural heritage landscape** or are required to protect a **natural heritage feature and area** or a **vulnerable** or sensitive ground water or surface water feature.



6.0 RESOURCE MANAGEMENT

6.1 Keynote Resource Management Policy

To protect agricultural, mineral, mineral aggregate, forestry, water, cultural heritage, and **archaeological resources** for their economic, environmental and social benefits.

6.2 Agriculture

1. The intent of the Plan is to recognize the importance of agriculture to the local economy by protecting agricultural activities, by providing for their expansion and by permitting a full range of **on-farm diversified** and **agricultural-related land uses**. **Agricultural uses** shall mean the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the nature and size of the operation requires additional employment. Associated activities to agriculture will be encouraged and promoted including **agriculture-related uses, agri-tourism** and **on-farm diversified uses** (e.g. home based businesses, farm vacation facilities), and uses that produce value-added agricultural products (e.g. cheese production, craft breweries).
2. Lot creation on agricultural lands in the **Rural Area** will be



subject to Section 7.20 – Land Division, Part-Lot Control and Deeming policies of this Plan.

3. The intent of the Plan is to also support of sustainable farming practices and research, the support of the culture of the farming community and by maintaining strong environmental standards. Activities that will be encouraged include:
 - The preparation and compliance with nutrient management plans.
 - Preparation and implementation of environmental farm plans.
 - The use of best management and **normal farm practices**.
 - The protection, restoration and management of natural areas such as woodlots, **wetlands**, stream and river valleys.
 - On-farm energy production as an energy source for farming operations.
4. The MDS formulae I and II shall apply (see Section 2.9).
5. Farm operators with lands in the **Rural Area** will be encouraged to expand their operations and to not seek consents which may interfere with agricultural productivity.
6. **Development** which is incompatible with **normal farm practices** will be discouraged in the vicinity of viable farming operations.
7. Nothing in this Plan is intended to limit the ability of **agricultural uses** to continue where they are located in **natural heritage features and areas**.

6.3 Forestry

1. The intent of the Plan is to recognize the importance of forests as a renewable and sustainable resource within the Planning Area. This includes recognition of timber harvesting and silviculture activities of commercial timber operators licensed by the Ministry of Natural Resources and Forestry, and private property owners operating under the *Forestry Act, 1990*.
2. On land falling under *The Crown Forest Sustainability Act, 1994* agreements, forestry management and wood production activities shall be permitted and encouraged using best practices such including the conservation or restoration of shorelines and the protection of the **natural heritage system**. Planning Board and member Municipalities recognize that other land uses may co-exist with timber operations and such uses including outdoor recreation,



eco-tourism, trapping, traditional native land use activities, shall be permitted as complementary activities.

3. In recognizing the importance of the forest resource within the Planning Area, it is a policy to both support and help co-ordinate the application of forest resource management techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and **fish habitat**.
4. Tree planting and increasing forest cover will be promoted wherever feasible as part of land use planning decisions (e.g. in association with the restoration of shoreline areas, erosion measures and increasing the tree cover on rural lots). Clearing of natural environment areas is not permitted.
5. A tree retention/planting plan may be required for subdivisions and site plans and will include measures for protection during construction.
6. Existing tree lines along property boundaries will be maintained for wind buffering and to reinforce the aesthetic amenities of the rural area.

6.4 Mineral Aggregates

1. The intent of the Plan is to recognize and protect **mineral aggregate resources** and existing extraction operations from **development** and land uses that could interfere with the current or future development of these resources. **Mineral aggregate resources** refer to gravel, sand and various types of bedrock that are suitable for construction, industrial, manufacturing and maintenance purposes. The geographic area comprising **mineral aggregate resources** and licensed pit and quarry operations is illustrated on the Land Use Schedules to the Plan and represents the lands to be protected as the long-term supply for East Nipissing. Additional areas may be designated by amendment to the Plan.
2. Incompatible land uses will not be permitted within the influence area or separation distances set out in Section 2.9 and Table 2 of the Plan including development and activities which would preclude or hinder the establishment of new operations or access to **mineral aggregate resources** except where:
 - The resource use would not be feasible; or
 - The proposed land use or development serves a greater long-term public interest; and
 - Issues of public health, public safety and environmental impact are addressed.

The matters set out in sub-clause 2 shall be addressed through a technical study (Mineral Aggregate Resource Assessment) conducted by a qualified professional.

3. Lands used for extractive operations shall be licensed under the *Aggregate Resources Act* and conditions additional to those under the license may be imposed by a Municipality under the authority of the *Municipal Act* (e.g. to address off-site impacts such as the designation of haulage routes, and the mitigation of noise, dust, blast impact or other nuisance impacts). Conditions may be determined through a technical study for land use compatibility (see Section 2.9).
4. Municipalities recognize that permits may be issued for extractive operations on Crown Land. Municipalities may require agreements or other measures and mitigation for private lands affected by a **mineral aggregate operation** on Crown Land.
5. All lands identified as **mineral aggregate resources** including extractive operations shall be appropriately zoned including lands proposed for any expansion or where new resources may be identified.
6. Mineral aggregate resource extraction is considered an interim land use and the intent of the Plan is that all extractive operations will be progressively and finally rehabilitated to accommodate subsequent and/or approved land uses in the rural area as a means to ensure land use compatibility, and to mitigate **negative impacts** which may change through phasing or other characteristics of the operation. **Comprehensive rehabilitation** is encouraged where there is a concentration of several extractive operations in an area. Lands which are rehabilitated may be redesignated and rezoned for other permitted land uses in the **Rural Area**.
7. From an environmental standpoint, the intent of the Plan is to encourage conservation of mineral aggregate resources through recycling, wherever feasible (e.g. asphalt recycling in resurfacing highways).
8. **Wayside pits and quarries** and **portable asphalt plants** and **portable concrete plants** used on a public authority contract are permitted without the need for an official plan amendment or a rezoning except in a sensitive habitat or on lands identified as having archaeological potential or a cultural heritage resource.

6.5 Minerals

1. The intent of the Plan is to recognize and protect mineral resources for long-term use against development and land uses that would preclude or interfere with the potential development of the resources, their expansion or continued use or where **mineral mining operations** would be incompatible for reasons of public health, public safety or environmental impact.

2. The areas of mineral resources have been identified on Schedule 'A5' to the Plan as a mineral resources constraint overlay and as mineral deposit inventory. In areas adjacent to or in areas identified above on Schedule 'A5', and in areas of known **mineral deposits** and **significant areas of mineral potential** development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - The resource use would not be feasible; or
 - The proposed land use or development serves a greater long-term public interest; and
 - Issues of public health, public safety and environmental impact are addressed.

The matters set out in sub-clause 2 shall be addressed through a technical study (Mineral Resource Assessment) conducted by a qualified professional or through consultation with the Ministry of Energy, Northern Development and Mines.

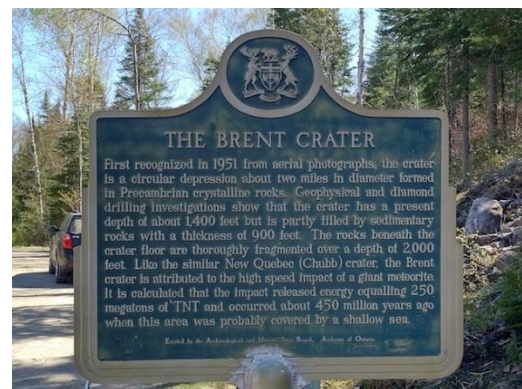
3. All lands identified for a **mineral mining operation** including extractive operations, storage of waste rock and tailings, processing and smelting operations and administrative and ancillary activities or uses shall be appropriately zoned including lands proposed for any expansion as a condition of approval and the provisions of Section 2.9 shall apply.
4. **Mineral mining operations** are considered an interim land use and the intent of the Plan is that all mineral operations will be progressively and finally rehabilitated to accommodate subsequent and/or approved land uses in the rural area as a means to ensure land use compatibility, and to mitigate **negative impacts**.

6.6 Cultural Heritage

Cultural heritage resources will be identified and **conserved** through the development review process and under the *Ontario Heritage Act*. Cultural heritage resources include **significant built heritage resources**, **significant cultural heritage landscapes**, **significant archaeological resources** and marine **archaeological resources** or sites.

6.6.1 Municipal Register

In accordance with Section 27 of the *Ontario Heritage Act*, the Clerk of each Municipality will maintain a Municipal register of cultural heritage resources designated under Part 4 and Part 5 of the *Ontario Heritage Act*, maintained by the clerk, of all property designated under the *Act*. The Register may include properties



that are not designated but are considered by Council to be of cultural heritage value or interest.

6.6.2 Municipal Heritage Advisory Committee

A Municipal council may appoint and vest the Municipal Heritage Advisory Committee with responsibility for developing criteria for the potential identification and designation of **significant built heritage resources, significant cultural heritage landscapes** and the establishment of one or more heritage conservation districts under the *Ontario Heritage Act*. The Committee will contribute to the establishment of management policies for the long-term protection and conservation of cultural heritage resources, particularly any **heritage attributes** that have been identified during the creation of a heritage resource inventory. This may include the preparation of a heritage master plan and an archaeological management plan. Municipalities will consult with Indigenous people in the preparation of such plans. Planning Board in consultation with member Municipalities will establish a protocol for consultation with the Algonquins of Ontario.



6.6.3 Designation

Municipalities may designate identified cultural heritage sites and/or properties under the *Ontario Heritage Act* and First Nation Cultural Sites being sites of interest and significance to the Algonquins of Ontario. A site may be identified on any Schedule to the official plan and recorded as part of a Cultural Heritage Registry by the Clerk of a Municipality.

Designation and registration of a First Nations Cultural Site may be undertaken without amendment to this Plan. A Council shall give notice identifying the site with a summary description of the First Nations cultural importance and shall provide the public with an opportunity to submit comments to the Clerk prior to any resolution designating a First Nations Cultural Site.

6.6.4 Human Remains

The Ministry of Tourism, Culture and Sport, the Ministry of Government and Consumer Services – Registrar of Cemeteries, the OPP and Indigenous Community, specifically the Algonquins of Ontario will be contacted where human remains or an unmarked burial site or cemetery is discovered. Provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

6.6.5 Archaeological Resources

Archaeological resources will be **conserved** by preservation *in-situ* wherever possible and where preserved on site the integrity of the site will be maintained where **development** or **site alteration** is permitted. Where approved and the resources are removed, appropriate documentation shall be required. An archaeological assessment undertaken by a licensed archaeologist will be required for development or **site alteration** in **areas of archaeological potential** based on provincial criteria and when a known archaeological site or suspected cemetery or burial site is affected by development. An archaeological assessment may be required in accordance with the provincial criteria for determining archaeological potential illustrated in the text box above. Where a development or change of use proposal is determined to have a potential impact on a

Provincial Criteria for determining archaeological potential:

- Known archaeological sites within 300 m
- Water source (primary, secondary, ancient) within 300 m
- Elevated topography (e.g. knolls, drumlins, eskers, plateaux)
- Unusual land formations (e.g. mounds, caverns, waterfalls)
- Resource-rich area (concentrations of animal, vegetable or mineral resources)
- Non-aboriginal settlement (monuments, cemeteries)
- Historic transportation (e.g. road, rail, portage)
- Property protected under the *Ontario Heritage Act*
- Local knowledge
- Recent disturbance (extensive and intensive)

known cultural or **archaeological resource**, it must be demonstrated that the impact will be mitigated.

6.6.6 Marine Archaeological Resources

Municipalities shall require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* if partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value are identified and impacted by shoreline and waterfront developments.

6.6.7 Protected Heritage Property

Development and **site alteration** may be permitted on **adjacent lands** to a **protected heritage property** or whenever a **development** has the potential to affect a protected heritage property or cultural heritage resource provided a heritage impact assessment prepared by a qualified professional has evaluated the impacts and demonstrates that the **heritage attributes** of the **protected heritage property** will be protected.

6.6.8 Measures for Implementation

Measures to implement the cultural heritage policies of this Plan include:

1. Establishing a heritage zone category in the implementing zoning by-law pursuant to Section 34 (1) 3.3 of the *Planning Act*.
2. Establishing a Municipal registry maintained by the Clerk of a Municipality for designated cultural heritage sites under the *Ontario Heritage Act* and First Nation Cultural sites.
3. Designating **built heritage resources** and **cultural heritage landscapes** under the applicable components of Part 4 and Part 5 of the *Ontario Heritage Act*.
4. Designating one or more First Nation Cultural Sites. No site shall be altered through the issuance of a building permit for construction or demolition where the effect is to change the importance and cultural significance of the site. Municipalities acknowledge that they will use reasonable efforts to obtain consensus before issuing any permit or approval that will impact a First Nations Cultural Site and in so doing will exercise all responsibility for the duty to consult (see also Section 2.11.9 and 7.3.3)

5. Creating one or more heritage conservation districts based on the following criteria:
 - Any collection or grouping of buildings, properties, streets or open spaces that as a result of their location, landscape setting, historic use, **archaeological resources**, or architecture are collectively **significant** to the community and/or are of cultural heritage value. Such buildings may or may not be designated under Part 4 of the *Ontario Heritage Act*;
 - An area with a special character with an integrity of its own that distinguishes the area from other areas of the community and represents a certain aspect of, or era in the development of a Municipality which is worthy of being maintained and protected such as a town centre, waterfront or lakeshore area or original residential area or neighbourhood;
 - A defined boundary identifying a portion of a Municipality within which all properties are protected from inappropriate changes impacting their recognized cultural, historic or architectural values through the use of policies, by-laws and design guidelines.
 - An area that has been identified or defined for its **heritage attributes** by the Municipal Heritage Advisory Committee;
6. Applying site plan control.
7. Incorporating heritage conservation through the preparation of a community improvement plan (per Section 28 of the Planning Act. (See also Section 7.11).
8. Partnering with organizations and senior levels of government in identifying, protecting and conserving heritage resources. Examples could include grants or loans for repairs or restoration of heritage properties.
9. Supporting the reduction of waste construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive re-use of older and existing building stock.
10. Approving energy retrofits of heritage buildings without compromising the heritage integrity of the building.

11. Ensuring that public works projects and other Municipal initiatives comply with the cultural heritage policies of this Plan as a condition of approval.
12. Ensuring that consideration is given to the conservation of cultural heritage resources when establishing new areas for mineral or mineral aggregate extraction or when existing operations are being expanded, as well as ensuring that satisfactory measures are taken to mitigate any negative impacts on cultural heritage resources.
13. Obtaining available archaeological site data locations from the Ontario Archaeological Sites Database maintained by the Ministry of Tourism, Culture and Sport under the provisions of a municipal-provincial data sharing agreement, for the purpose of heritage conservation planning.

6.7 Energy Conservation

Forward looking communities are developing strategies for energy conservation through a reduction on the dependence on fossil fuels and becoming energy resilient. Rural communities will play a role through measures to encourage, promote and lead by example in reducing energy consumption. The strategy for energy conservation in East Nipissing includes the following measures:

1. Municipalities will optimize the use of existing **infrastructure** by avoiding the unnecessary construction or extension of the existing road network. The focus of development will be on rural infill along the existing road network.
2. Municipalities will develop a fleet replacement strategy through the timely replacement of existing vehicles and equipment with more fuel efficient vehicles and by sharing equipment with other Municipalities wherever possible.
3. Municipalities will encourage and facilitate the development of rural transportation services designed to replace or reduce the use of individual cars, and increase commuter car-pooling and car-sharing.
4. Municipalities will participate in and support provincial initiatives to build

Zero Energy Buildings

A zero-energy building, also known as a zero net energy (ZNE) building, net-zero energy building (NZE), or net zero building, is a building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site

alternative and renewable energy systems using wind, biomass, solar, geothermal and hydro sources. Municipalities will promote the use of micro-alternate energy sources and micro-generation technologies which do not require provincial approval such as roof-mounted solar panels, micro-wind turbines, geothermal and other non-fossil fuel systems.

5. Municipalities will examine by-laws and processes to identify and address possible barriers to renewable energy and energy conservation.
6. Municipalities will use Municipal websites to advise citizens of funding programs and incentives for energy-related home renovation and energy conservation measures.
7. Municipalities will establish an energy budget and targets to reduce energy consumption and to reduce the use of fossil fuels.
8. Municipalities will promote the use of energy saving technologies in building construction for new non-residential buildings with the objective of creating net zero buildings. This will be in addition to the requirements set out in the *Ontario Building Code*.
9. Planning Board and member Municipalities will examine opportunities to work with local businesses and industries and the Indigenous community to develop energy conservation projects such as:

- Development of an anaerobic digestion facility
- A community education and awareness program
- Energy conservation best management practices for farming

BMP's for Farm Operations:

- Maintain/replace/share equipment to reduce or eliminate fossil fuels
- Modifying tillage practices to better store carbon
- Replace fuel sources with renewable energy (biogas and biofuels)
- More efficient use of fertilizers
- Solar pumps and solar electric fencing
- Methane capture and recycling
- Energy audits

10. Municipalities will promote vegetation retention strategies to conserve heat loss, provide shelter belts and reduce erosion.

6.8 Water Resources

Water resource management is recognized as an essential component of building resilient communities. The intent of the Plan is to protect, improve and restore the quality and quantity of water through wise stewardship practices including but not limited to:



1. Implementing shoreline management policies of Section 4.9 of this plan, and notably to sustain and improve the water quality of inland lakes and rivers through lake capacity and lake management planning.
2. Supporting the North Bay Mattawa source protection plan where land use decisions in East Nipissing may impact on the water supply for Mattawa.
3. Implementing the stormwater management policies of Section 2.7 of this Plan.
4. Encouraging, promoting and practicing water conservation through such measures as:
 - Harvesting and recycling rainwater
 - Recycling wastewater
 - Installing water saving fixtures in home and business retrofits
 - Undertaking leak detection and loss prevention programs for homes, and businesses, buildings and equipment
 - Conservation tillage to reduce run-off
 - Reducing or minimizing hard surfaces
 - Conducting water use audits and preparing water budgets
 - Using water saving technologies in food processing and industrial operations

Water conservation practices may be imposed as a condition of approval where authorized under the *Planning Act*.

5. Protecting **vulnerable** surface and ground water features where they are identified as part of a development application review. Restrictions on development and **site alteration** will be required to protect, improve or restore such features. **Sensitive** features may include but are not limited to spring water sources, sensitive aquifers, water recharge areas and municipal wellhead and water supply zones.
6. Rehabilitating **brownfield sites** and contaminated sites.

7. Facilitating or requiring septic tank re-inspection and replacement including increasing the setback of replacement tile and septic fields a minimum of 30 m from any water body. (See also Sections 2.7 and 4.9.4.)
8. Supporting water resource management programs, initiatives and services of the North Bay-Mattawa Conservation Authority.
9. Protecting development from ***flooding hazards*** and ***erosion hazards*** through implementing the policies of Section 2.8.1 of this Plan.

7.0 PLANNING TOOLS AND RESOURCES

7.1 Keynote Policy for Public Engagement

Public engagement will be a way of thinking and acting by governments, planning authorities, stakeholders, communities and ordinary citizens in making informed land use planning decisions in East Nipissing.

7.2 Inputs to Planning Decisions

Inputs are recognized as multi-faceted and will depend on a variety of sources as shown in the diagram. Planning decisions must reflect the vision, values and standards reflected in the technical documents as well as the public interest determined through a public engagement process.



7.3 How the Public Engagement Process Will Work

Planning authorities are legally required and will consult with the public when a planning application is received or where the Planning Board or a Council chooses to initiate an amendment to the official plan or zoning by-law.

7.3.1 Public Engagement Under the Planning Act

Municipalities intend to use the prescribed procedures set out in the *Planning Act* and associated Ontario Regulations for public consultation for official plan amendments, zoning by-law amendments, holding by-laws, temporary use by-laws and minor variances. Municipalities will also use the prescribed procedures under the *Planning Act* for the review and update of a zoning by-law.

The East Nipissing Planning Board intends to use the prescribed procedures set out in the *Planning Act* and associated Ontario Regulations for public consultation for the review and update of the official plan and amendments initiated by Planning Board, for the delegated land division authority for consents, plans of subdivision and condominiums, and for validation of title.

7.3.2 Private Consultation Strategies

Where an application is filed for an official plan amendment, a zoning by-law amendment or a plan of subdivision under Ontario Regulations 543/06, 544/06, 545/06 respectively, the applicant shall submit a proposed strategy for consulting with the public with respect the request.

The proposed consultation strategy shall be a requirement of submitting a complete application (see Section 7.4).

The strategy shall be undertaken and completed prior to any required public meeting or hearing required by the *Planning Act* for an official plan amendment, a zoning amendment or a plan of subdivision. The applicant shall submit a report or letter to the Clerk of the Municipality in which the application was filed and/or to the East Nipissing Planning Board for an official plan amendment and the consultation report shall provide the following information:

1. The method(s) of consultation was/were used.
2. Who was consulted.
3. The result of the consultation.

Applicants may use one or more of the methods of consultation in the following diagram or other method acceptable to the Municipality or Planning Board.



7.3.3 Consultation Strategies with Indigenous Communities

1. Municipal Councils and the East Nipissing Planning Board recognize that the affirmation of existing Indigenous and treaty rights in Section 35 of the *Constitution Act, 1982* is a requirement that affects land use planning decisions in the East Nipissing Planning Area and that this responsibility includes the duty to consult as required by public policy, court decisions or as may be negotiated from time to time with the Algonquins of Ontario.
2. Municipal Councils and the East Nipissing Planning Board will consult with the Algonquins of Ontario through the following strategy:
 - Contact the band office to advise them of development applications in their area. Determine the interest of the Algonquins of Ontario in the development application.
 - Circulate development applications for which the Algonquins of Ontario has an interest for review and comment prior to a statutory public meeting under the *Planning Act*.
 - Consider the effect of comments and submissions from the Algonquins of Ontario on development decisions

7.4 Planning Applications

The types of planning applications include:
[Section of the *Planning Act* shown in (parenthesis)]

1. Official Plan Amendment (22)
2. Zoning By-law Amendment (34)
3. Holding By-law/removal of Holding symbol (36)
4. Temporary Use By-law (39)
5. Site Plan Control (41)
6. Minor Variance/Permission of extension/expansion, change of non-conforming use (45)
7. Consent (53)
8. Plan of Subdivision (51)

Application Forms

- Application forms for a consent, plan of subdivision or condominium may be obtained from the East Nipissing Planning Board.
- Forms for all other types of applications may be obtained from the local Municipality.

Prior to filing an application, applicants will be required to meet with the Municipality and/or Planning Board where the application is proposed to ascertain the requirements for the submission of applications (e.g. required studies and information, fees, peer review, agency and public consultation etc.)

Studies or information which may be required in support of an application will depend on the type of application and the circumstances. Studies or information may include, but is not limited to (Sections of the official plan shown in brackets []):

Studies and Reports

- | | | |
|-----|--|----------------|
| 1. | Air Quality Study | [2.9] |
| 2. | Archaeological Assessment | [6.6.5] |
| 3. | Blast Impact Study | [6.4.3] |
| 4. | Cost-benefit Analysis | [5.3.2.6] |
| 5. | Drainage/Stormwater Report | [2.6, 2.7] |
| 6. | Environmental Impact Study | [4.5, 4.7] |
| 7. | Flood Line Mapping | [2.8.1, 2.8.2] |
| 8. | Geotechnical Report | [2.8.2] |
| 9. | Hydrogeological Study | [2.5, 2.7] |
| 10. | Hydrological | [2.7] |
| 11. | Heritage Impact Assessment | [6.6.7] |
| 12. | Lake Capacity Assessment | [4.9.6] |
| 13. | Land Use Compatibility/Influence Area Study | [2.9, 6.4.3] |
| 14. | Marine Archaeological Assessment | [6.6.6] |
| 15. | Mine Hazard Rehabilitation/remediation Study | [2.8.4] |
| 16. | Mineral Resource Assessment | [6.5.2] |
| 17. | Mineral Aggregate Resource Assessment | [6.4.2] |
| 18. | Minimum Distance Separation | [2.9, 6.2.3] |
| 19. | Noise and Vibration Study | [2.9] |
| 20. | Public Consultation Strategy | |
| 21. | Septage Haulage | [2.7] |
| 22. | Servicing Options Report | [2.7] |
| 23. | Traffic Study | [2.6, 5.3.2.4] |

Information, Permits, Approvals

- | | | |
|-----|--|--------------------|
| 1. | Endangered Species Act Authorization | [4.3] |
| 2. | Erosion hazard survey | [2.8.1] |
| 3. | Flooding: establish flood elevation/development
Setback | [2.8] |
| 4. | Mineral Operations Rehabilitation Plan | [6.5.4] |
| 5. | Mineral Aggregate Operation Rehabilitation Plan | [6.4.6] |
| 6. | MTO entrance/land use approval or permit | [2.6, 5.3.4 (3-5)] |
| 7. | Municipal Entrance Permit | [5.3.2.3] |
| 8. | Record of Site Condition (RSC) | [2.8.5] |
| 9. | Technical Standards and Safety Authority (TSSA):
clearance letter | [2.8.5] |
| 10. | Wildfire Assessment and Mitigation Plan | [2.8.8.3] |

7.5 Building Code Act

All construction shall comply with the relevant provisions of the *Building Code Act*, 1992, S.O. 1992, c.23. Despite the provisions of Section 8 of the *Act*, sewage disposal systems shall be set back from the shoreline of a lake or water body the required distance set out in the zoning by-law.

Fire Access routes shall comply with the requirements of the *Ontario Building Code*. *Building Code Act*: <https://www.ontario.ca/laws/statute/92b23>

7.6 Municipal Property Standards

Municipalities may enact and enforce a property standards by-law to ensure a high standard of development, maintenance, improvement and occupancy of residential and non-residential properties in the East Nipissing Planning Area. The provisions and procedures of Section 15 of the *Ontario Building Code Act* shall apply. *Building Code Act*: <https://www.ontario.ca/laws/statute/92b23>

7.7 Development Charges Act

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works which may be subject to a development charge. A development charges by-law may apply to part or all of any Municipality and one or more development charges by-laws may be enacted in any given Municipality as permitted in the Development Charges Act, 1997, S.O. 1997, c. 27. <https://www.ontario.ca/laws/statute/97d27>

7.8 Amendments to the Official Plan (Section 17 and 22, Planning Act)

Amendments to this Plan may be initiated by application or by a Municipality or Planning Board in compliance with the requirements of the *Planning Act* for changes to the substance of the policies of the Plan or for a change in a land use designation. No person or public body shall request an amendment to this Plan before the second anniversary of the first day any part of the Plan comes into effect, unless a Municipal council has declared by resolution that such a request is permitted, which resolution may be made in respect of a specific request, a class of requests or in respect of such requests generally.

Amendments to the text or schedules to this Plan are not required for spelling, grammar, formatting, renumbering, typographic errors, minor, a consolidation or minor adjustments to the approximate land use boundaries or to the location of roads provided the general intent of the Plan is maintained.

7.9 Public Works (Section 24, Planning Act)

Public works may only be undertaken where they comply with this Plan. Public works which do not comply shall be governed by Section 24 (3) of the *Planning Act*.

7.10 Acquisition of Land (Section 25, Planning Act)

The Council of any Municipality may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

7.11 Community Improvement (Section 28, Planning Act)

The entire East Nipissing Planning Area comprising all lands other than Crown Land within the corporate limits of each of the three Municipalities shall be considered a community improvement area.

The Council of any Municipality may designate by by-law the whole or any part of the Municipality as a community improvement project area for the purposes of undertaking community improvement (e.g. repair, replacement, upgrading **infrastructure** and **public service facilities**, improving waterfront areas, repairing, retrofitting, rehabilitating, and constructing buildings, facilitating the delivery of **affordable** housing, rehabilitating **brownfield sites**, improving or rehabilitating **built heritage resources**).

Community improvement will provide measures for barrier-free design and for improving accessibility for persons with disabilities and the elderly by removing and/or preventing land use barriers which restrict their full participation in society.

The Council of any Municipality may provide financial incentives under the *Planning Act* to encourage and facilitate community improvement (e.g. loans, grants) and the **redevelopment of brownfield sites**.

The Council of any Municipality may acquire, hold, lease, clear, or grade land for community improvement purposes, and may sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.

The Council of any Municipality may construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto.

Community improvement may be used to implement the maintenance and or replacement of **infrastructure** and community facilities set out in any Municipal Asset Management Plan.

Community improvement may be used to facilitate the provision of **affordable** housing (see Section 3.0 – Housing Policies).

7.12 Zoning By-law (Section 34, Planning Act)

Every Municipal Council will pass a zoning by-law amendment within three years of the effective (approval) date of this plan to update the

comprehensive zoning by-law in place in each respective Municipality in order to regulate the use of land, buildings and structures throughout the East Nipissing Planning Area.

Where the Council of a Municipality carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the Municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the Council repeals and replaces them except where the Council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. This shall not be deemed to limit the authority of a Council to initiate an amendment to the zoning by-law.

Councils may include inclusionary zoning to assist in the delivery of affordable housing.

7.13 Holding By-law (Section 36, Planning Act)

A holding symbol (i.e. 'h') may be used in the zoning by-law in connection with any land use zone, in accordance with Section 36 of the *Planning Act*. The zoning by-law will allow existing uses to continue in areas covered by the holding symbol and will specify the uses to be permitted, where the principle of development or land use has been established, at such time as the holding symbol is removed by amendment to the by-law. A holding zone may be used to defer development until specified conditions have been met (e.g. to provide adequate **infrastructure** and **public service facilities**, to remediate or rehabilitate contaminated or **hazardous sites**, to limit the use of land in order to achieve the phasing or timing of development, to complete required studies, to ensure that conditions of development or other agreements have been met and to secure financial requirements).

7.14 Community Benefits Charges (Section 37, Planning Act)

The Council of any Municipality may enact a community benefits charge by-law for the purpose of funding or providing in-kind support for facilities and services other than those prescribed in a development charges by-law. The scope of facilities shall be set out in a community benefits charge strategy and the Municipality shall consult with such persons and public bodies as the Municipality feels appropriate in developing the strategy.

7.15 Interim Control (Section 38, Planning Act)

Where a Council determines that the policies of this Plan do not provide adequate direction for potential development, an interim control by-law may be passed in accordance with Section 38 of the *Planning Act*, provided that a resolution setting out the terms of reference for a study or review has been previously adopted.

7.16 Temporary Use By-laws (Section 39, Planning Act)

An amendment to the zoning by-law may be passed permitting a temporary use of land or buildings that is otherwise prohibited by the zoning by-law, in accordance with Section 39 of the *Planning Act*. A temporary use by-law shall be deemed to conform to this Plan, and an amendment to this Plan is not required for a temporary use.

7.17 Site Plan Control (Section 41, Planning Act)

For the purposes of Section 41 of the *Planning Act*, the entire land area within the corporate boundaries of each of the three Municipalities in the East Nipissing Planning Area, as illustrated on Schedules to the Land Use Plan is designated as a site plan control area. Municipalities shall pass or review existing by-laws for the purposes of designating the Municipality as a site plan control area by reference to one or more land use designations. Site plan control shall be used and agreements entered into for the construction and/or maintenance of all of the matters set out in Section 41(7) of the *Planning Act* for land uses or conservation including:

1. Any industrial, commercial or institutional use and including campgrounds and golf courses.
2. Any **intensification** projects.
3. Facilities designed and intended to have regard for persons with disabilities.
4. The protection of cultural heritage and **archaeological resources** projects and the implementation of the Ottawa River Management Plan heritage components.
5. Any lands abutting a lake or water body.
6. The protection of **natural heritage features and areas**.
7. The implementation of a Wildland Fire Mitigation Plan.

Site plan control will not apply to development on Crown Land or to **mineral aggregate operations** licensed under the *Aggregate Resources Act*.

Agreements may include the requirements for the provision of sustainable design elements for development or **redevelopment** on any lands adjacent to a street or road under the Municipality's jurisdiction including such elements as trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle facilities.

The requirements for site plan control where applied to **affordable** housing shall comply with Section 41 (2) (d.1) of the *Planning Act*.

A Council may secure the dedication of land for a road widening or intersection improvement provided that the conveyance requested does not exceed one-half of the deficiency of the width. The conveyance shall apply to the full frontage of the property wherever the deficiency exists. This policy shall apply to all Township roads listed in By-law 2018-04 of the Township of Papineau-Cameron and all Township roads listed in By-law 2016-020 of the Municipality of Calvin (see Appendix 4).

A Council will consider barrier-free design in site plan control agreements.

7.18 Parkland Dedication (Section 42, Planning Act)

As a condition of development or **redevelopment**, Council may, subject to passing a by-law, require the conveyance of 2 per cent of the land proposed for commercial or industrial development or 5 per cent for residential development or the cash-in-lieu equivalent and the conveyance shall be for park or other public recreational purposes. Land conveyed to a Municipality under Section 42 of the *Planning Act* shall be used for park or other public recreational purposes, but may be sold at any time.

A Council may reduce the cash-in-lieu payment where the Council deems that the applicable criteria for sustainability in this plan have been or will be met through development or **redevelopment** of the lands. *Examples include but are not limited to the installation of **renewable or alternate energy source** projects, installation of facilities to improve accessibility for disabled persons, provision of **affordable** housing, facilities that provide for **active transportation**, use of advanced technologies for the removal or reduction of phosphorus loading in sewage disposal systems.*

The provisions of this section shall not apply where a Municipality has passed a community benefits charges by-law under Section 37 of the *Planning Act* (see Section 7.14).

7.19 Non-Conforming Uses (Sections 44 and 45, Planning Act)

7.19.1 Non-Conforming Uses

A non-conforming use is a use of land that lawfully existed on the date of adoption of any zoning by-law passed under the *Planning Act*; has continued uninterrupted (or where interrupted, there has been a reasonable attempt to continue the use during the period of discontinuance) and does not conform with the uses permitted in the zone(s) which apply to the subject lands. A non-conforming use may be extended, enlarged or changed to a similar or more compatible use under Section 34(10) or 45(2) of the *Planning Act*, provided that:

1. It is not reasonable or feasible to cease or relocate the use.
2. Any incompatibility with surrounding uses is not aggravated.

3. Surrounding uses are protected by appropriate buffers and other measures to improve the compatibility of the use.
4. Adequate **infrastructure**, access and parking are provided.
5. Natural and human-made hazards are addressed.
6. Development details may be regulated by a development agreement.

Nothing in this Plan shall prevent the reconstruction of a legal non-conforming use which is inadvertently destroyed by a natural cause (e.g. fire, flood, earthquake, subsidence), provided the building is reconstructed on the same building footprint. Council will, however, encourage buildings to be relocated outside of a **flooding hazard** area.

7.19.2 Non-Complying Uses

Land uses are considered non-complying where the use does not comply with one or more of the zone regulations in the comprehensive zoning by-law (e.g. lot area, building setbacks, height, parking etc.). The zoning by-law of a Municipality may recognize or permit exemptions to a lot area or frontage or other standard for an existing non-complying use and/or other zone regulation provided the general intent of the policies of the official plan are upheld. Rectifying non-compliances will be encouraged through such measures as **redevelopment** to relocate or reconstruct buildings and structures to comply with zoning standards, particularly setbacks from water bodies; through lot additions or consolidation of lots to increase the lot area or frontage; through demolition or through the use of technologies which mitigate the impact of the non-compliance.

Reconstruction on an existing footprint may be permitted where a building has been destroyed by a natural cause or fire; or where specific measures are undertaken to improve, enhance, protect or conserve environmental features such as: implementing the shoreline management policies of this plan (see Section 4.9), mitigating the impacts of climate change (see Section 4.10) and/or conserving wildlife and fish habitat (see Section 2.12).

7.19.3 Minor Variances

Minor variances may be granted which meet the four tests set out in Section 45(2) of the *Planning Act*. A Municipality, as authorized by Section 45 (1.0.1) may prescribe additional criteria to the four tests by passing a by-law under Section 34 of the *Planning Act*. Additional criteria may include measures to implement Section 4.9.1 to 4.9.5, shoreline management policies of this Plan, particularly with respect to renaturalizing shorelines through vegetative replanting and erosion control programs.

Minor variances may be granted where a Council empowers the committee of adjustment to grant minor variances from the provisions of any by-law of the Municipality that implements the East Nipissing Official Plan or from such by-laws of the Municipality as are specified and that implement the East Nipissing Official Plan.

No person shall apply for a minor variance from the provisions of the by-law in respect of the land, building or structure before the second anniversary of the day on which the zoning by-law was amended (see Section 7.12) except if the Council of the Municipality has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally.

7.20 Land Division, Part-Lot Control and Deeming (Sections 50-53, Planning Act)

The creation of all new lots by plan of subdivision or consent shall comply with the following general requirements and the specific requirements of the applicable land use designation of this Plan (see Sections 2.3 - 2.7):

1. Development shall conform to the land use policies for the land use designations shown on the Land Use Schedules.
2. Up to three new lots may be created for a lot existing as of the approval date of this Plan (excluding the retained lot). Additional consents may be created under limited circumstances such as separating one or more surplus dwellings on an existing lot.
3. All proposals that have the effect of creating more than three new lots shall be processed as applications for a Plan of Subdivision unless, in the opinion of the East Nipissing Planning Board, a Plan of Subdivision is not necessary for the proper development of the area.
4. Development shall comply with the provisions of the zoning by-law. Where a zoning by-law amendment is required, such amendment shall be in force before the consent/subdivision receives final approval.
5. Lots shall have frontage on and direct access to a year-round maintained public road, except for islands or water access only lots and where applicable to a provincial highway or as otherwise provided by Section 2.6 of this Plan.
6. Development shall not result in traffic hazards from limited site lines on curves, grades or near intersections.
7. Adequate **infrastructure** shall be available (see Sections 2.7 and 5.3).

8. Adequate **public service facilities** shall be available to service the development (see Section 2.10).
9. All studies and other information required by the East Nipissing Planning Board and a Municipality to determine compliance with this Plan shall be provided in support of the application.
10. **Development** will not be permitted which compromises the opportunity to develop **adjacent lands**.
11. Subdivision development will take into consideration barrier-free design.
12. Consideration shall be given as to whether the subdivision is premature, and in the public interest and whether all other criteria of Section 51 (24) of the *Planning Act* have been met.
13. Consents may be granted for the following purposes:
 - To correct lot boundaries
 - To convey land for a lot addition
 - To clarify title to the land
 - To permit an easement
 - For municipal or other government purposes

Part-lot control may be used for existing plans of subdivision where it is necessary to re-align lot boundaries, to clarify or grant title, to provide a service easement, to resolve building encroachments or widen a road.

A deeming by-law may be passed by a Council under Section 50(4) of the *Planning Act* for a plan of subdivision or part thereof that has been registered for eight years or more and where a Council deems it appropriate to apply subdivision control to the lands under Section 50(3) of the *Planning Act*.

A deeming by-law may be used to consolidate undersized lots to create a more suitable larger land holding.

7.21 Accessory Uses

Accessory uses to any permitted main use shall be permitted subject to meeting the relevant policies of the land use designation in which they are proposed. The scope of accessory uses is set out in Section 2.3, Table 1 but is not intended to limit other accessory uses which are deemed appropriate by a Municipality. In general, an accessory use should not be constructed on a lot prior to the primary use except for a building or structure designed to expedite the construction of the principle use such as a storage building for building materials, construction field office or a recreational vehicle required for temporary accommodation. The scope of accessory uses shall be set out for each of the zones in an implementing zoning by-law.

7.22 Lots of Record

Lots of record are legally created parcels or tracts of land that can legally be conveyed. For the purposes of this Plan, lots of record are deemed to include lots or blocks on a registered plan of subdivision and parcels created by consent. Lots of record which are vacant and which existed on the date of adoption of this Plan may be used for building purposes provided that the lot fronts on a public road, or an existing private road, and provided that the lot complies with the policies of the underlying land use designation, the lot complies with the zoning by-law and the lot is or can be adequately serviced. Development may be prohibited or restricted on lots which are significantly undersized for the proposed use.

7.23 Interpretation

1. Boundaries of land use designations and other features on the Land Use Plan are considered approximate except where specifically bounded by a road, rail line, Municipal boundary or other distinctive boundary and an amendment to the plan will not be required for minor adjustments where the intent of the Plan is upheld.
2. Permitted land uses are not intended to be limited to those prescribed where a range of uses is anticipated.
3. Legal non-conforming uses are permitted to continue.
4. Appendices 1, 2 and 3 to this Plan do not constitute part of the formal policies but may be utilized to assist with the interpretation of the policies, words and terms used in this Plan in order that the document is consistent with the Provincial Policy statement.
5. It is intended that all figures and quantities contained in the Plan be considered in the metric form. Amendments will not be required for any reasonable variation from these figures and quantities, provided such variations meet the intent of this Plan.
6. In some instances, overlapping resource areas has resulted in properties that are designated for more than one resource use, such as mining, aggregate extraction, and agriculture. In these cases, existing uses should not preclude sequential land uses that are compatible with the area and whose development complies with the intent of this Plan.

APPENDIX 1 – DEFINITIONS

Active Transportation:

means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent lands: means

a) for the purposes of policy 1.6.8.3, those lands contiguous to existing or planned corridors and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;

b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature* or area where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

c) for the purposes of policies 2.4.2.2 and 2.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources*, *mineral deposits*, or *deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and

d) for the purposes of policy 2.6.3, those lands contiguous to a *protected heritage property* or otherwise defined in the municipal official plan.

Adverse effects:

as defined in the *Environmental Protection Act*, means one or more of:

a) impairment of the quality of the natural environment for any use that can be made of it;

b) injury or damage to property or plant or animal life;

c) harm or material discomfort to any person;

d) an adverse effect on the health of any person;

e) impairment of the safety of any person;

f) rendering any property or plant or animal life unfit for human use;

g) loss of enjoyment of normal use of property; and

i) interference with normal conduct of business.

Affordable:

means

a) in the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *regional market area*;

b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

Agricultural uses:

means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agri-Tourism uses:

means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses:

means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Alternative energy system:

means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources:

includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of archaeological potential:

means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

Areas of mineral potential:

means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest (ANSI):

means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites:

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource:

means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

Coastal wetland: means

a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Comprehensive rehabilitation:

means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Cultural heritage landscape:

means 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 Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Development:

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*, but does not include:

a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;

b) works subject to the *Drainage Act*; or

c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Ecological function:

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Endangered species:

means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Erosion hazard:

means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over an one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service:

means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Fish:

means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat:

as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flooding hazard:

means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;

b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard:

means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, *wave uprush* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Habitat of endangered species and threatened species: means

a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, the area prescribed by that regulation as the habitat of the species;

b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and

places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazardous forest types for wildland fire:

means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous lands:

means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites:

means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances:

means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes:

means means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

Hydrologic function:

means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual on-site sewage services:

means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992* that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services:

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure:

means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional use:

for the purposes of policy 3.1.5, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification:

means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *regional market area*; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major facilities:

means facilities which may require separation from *sensitive land uses*, including but not limited to airports, transportation infrastructure and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Mine hazard:

means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals:

means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources:

means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral deposits:

means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation:

means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae:

means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Natural heritage system:

means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts:

means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 2.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;
- c) in regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

Normal farm practices:

means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or

makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

On-farm diversified uses:

means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Partial services: means

a) *municipal sewage services or private communal sewage services and individual on-site water services*; or

b) *municipal water services or private communal water services and individual on-site sewage services*.

Portable asphalt plant: means a facility

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and

b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Protected heritage property:

means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Prime agricultural area:

means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Private communal sewage services:

means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services:

means a non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Provincial and federal requirements: means

a) in regard to policy 1.6.11.2, legislation, regulations, policies and standards administered by the federal or provincial governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;

b) in regard to policy 2.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish and fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

c) in regard to policy 2.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their

Public service facilities:

means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.
habitat.

Redevelopment:

means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area:

refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source:

means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system:

means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Rural areas:

means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas.

Rural lands:

means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive:

in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses:

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas:

means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:
a) built up areas where development is concentrated and which have a mix of land uses; and

b) lands which have been designated in an official plan for development over the long term planning horizon provided for in policy 1.1.2. In cases where land in *designated growth areas* is not available, the *settlement area* may be no larger than the area where development is concentrated.

Significant: means

a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration:

means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a).

Special needs:

means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *special needs* housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Threatened species:

means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

Vulnerable:

means surface and/or groundwater that can be easily changed or impacted.

Waste management system:

means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Wayside pits and quarries:

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands:

means 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 plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

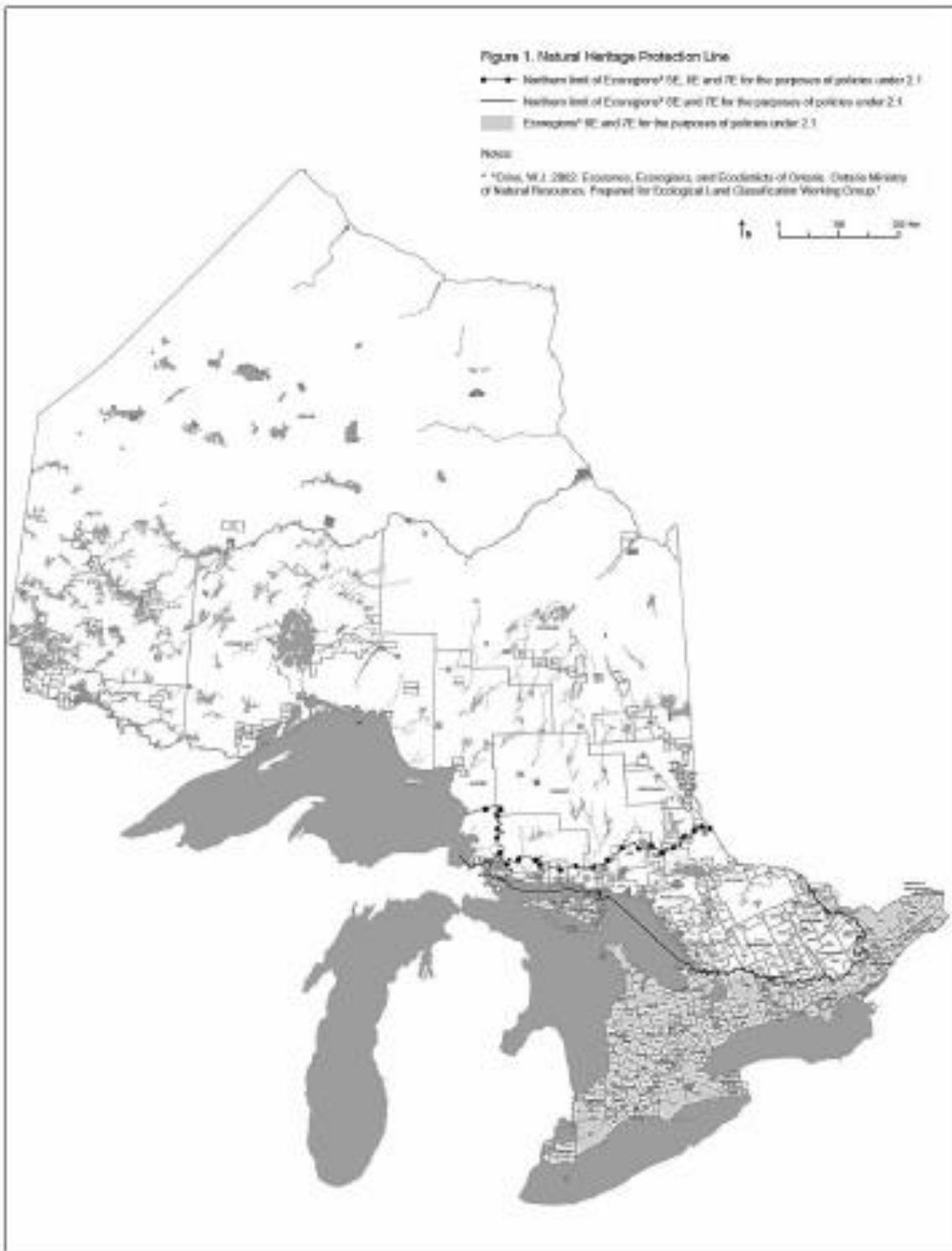
Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife fire assessment and mitigation standards:

means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife habitat:

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.



APPENDIX 2 – POTENTIAL FOREST HAZARD CLASSIFICATION

Appendix 2 provides generalized maps of hazardous forest types from broad MNRF data accessed in 2017. These maps should be used as a general indicator only; site-specific review of wildland fire hazard may be required.

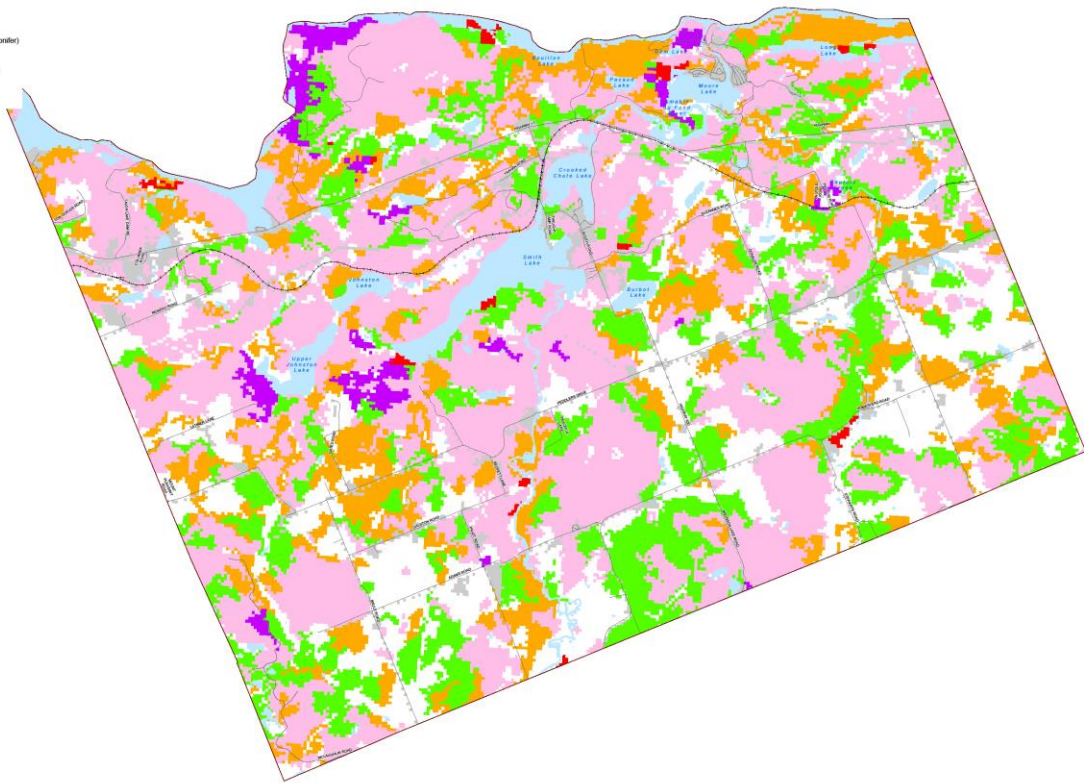


Legend

- Railway
- Road

Potential Hazard Classification

- Extreme - C1C2C4/M3M4
- High - C3, M2 (50% Conifer)
- Moderate - M2 (Mixedwoods 25%-50% Conifer)
- Pine - C5/C6 Needs Evaluation
- Low - D1 (hardwoods), M2 (<25% Conifer)
- Non-Fuel / Unknown
- Water



This map is for general informational purposes only and does not constitute a warranty of any kind. The user assumes all responsibility for the use of the information provided. The information is provided as is, without any warranty, express or implied, including but not limited to the accuracy, completeness, and reliability of the information. The user agrees to hold the Township of Calvin harmless for any and all claims, damages, or losses, including reasonable attorneys' fees, arising out of or in connection with the use of this information.



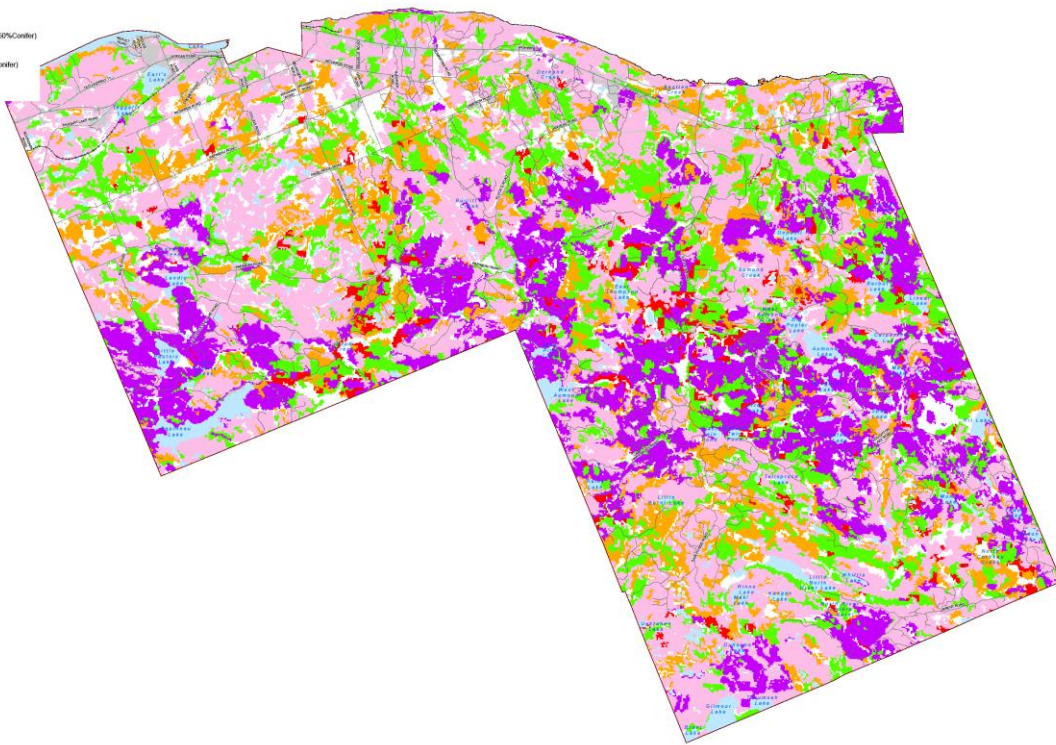


Legend

--- Railway
— Road

Potential Hazard Classification

- Value
- Extreme - C1/C2/C4/M3/M4
 - High - C3, M2 (<50% Conifer)
 - Moderate - M2 (Mixedwoods 25%-50%/Conifer)
 - Pre - C5/C3 Needs Evaluation
 - Low - D1 (Hardwoods) M2 (<25% Conifer)
 - Non-Fuel / Unknown
 - Water



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Scale: 1:50,000
Date: February, April 20, 2012

APPENDIX 3 – SPECIES AT RISK

Table 1. **Endangered**, **Threatened** and **Special Concern** species that are known or highly suspected to occur within the geographic townships of Mattawan, Calvin, Papineau and Cameron.

Species	Presence	Key Habitats Used By Species	Timing of Life History Events
Bald Eagle <i>Haliaeetus leucocephalus</i> Special Concern	Known to occur	Typically found living and hunting near large bodies of open water. Their nests are huge stick platforms, usually placed high in a tree that is near water.	Arrival: Mid-March - May Nesting: April through July Fledging: July
Barn Swallow <i>Hirundo rustica</i> Threatened	Known to occur	A medium-sized songbird that is easily recognized by its deeply-forked tail, blue-coloured top side and tawny underside. They dart gracefully over fields, barnyards, and open water in search of flying insect prey and often cruise low, flying just a few inches above the ground or water. They build a cup-shaped mud nests almost exclusively on human-made structures. Barn Swallows are often seen roosting in large flocks perched on overhead wires or man-made structures such as barns and bridges.	Arrival: May Nesting: May - July Fledging: July - August

<p>Bank Swallow <i>Riparia riparia</i> Threatened</p>	<p>High potential to occur (especially in existing and old aggregate pits)</p>	<p>The bank swallow is a small songbird with brown upperparts, white underparts and an distinctive dark breast band. Bank swallows nest in burrows in natural and human-made settings where there are vertical faces in silt and sand deposits. Many nests are on banks of rivers and lakes, but they are also found in active sand and gravel pits or former ones where the banks remain stable.</p>	<p>Breeding: May – August</p> <p>Egg Incubation: 12-16 days</p> <p>Fledging: 18-22 days, however, the burrow is still used after the fledging occurs.</p>
<p>Blanding's Turtle <i>Emydoidea blandingii</i> Threatened</p>	<p>Known to occur</p>	<p>Inhabits a network of lakes, streams, and wetlands, preferring shallow wetland areas with abundant vegetation. It can also spend significant portions of time in upland areas moving between wetlands. In a single season, this highly mobile turtle has been known to travel up to seven km in search of food or a mate.</p>	<p>Active: May 1 through September 30</p> <p>Nesting: May 25 through July 7</p> <p>Incubation: May 25 through September 20</p> <p>Non-Active: October 1 through April 30</p>
<p>Bobolink <i>Dolichonyx oryzivorus</i> Threatened</p>	<p>Known to occur</p>	<p>Bobolinks often build their nests in dense grasses, such as hay fields and other grasslands typically with tall vegetation. Agricultural fields or lightly grazed pasture.</p>	<p>Arrival: May</p> <p>Nesting: May through July</p> <p>Fledging: July</p>
<p>Canada Warbler <i>Wilsonia canadensis</i> Special Concern</p>	<p>Known to occur</p>	<p>Breeds in a range of deciduous and coniferous, usually wet forest types, all with a well developed, dense shrub layer. Nests are usually located on or near the ground on mossy logs or roots, along stream banks or on hummocks.</p>	<p>Arrival: June</p> <p>Nesting: June through August</p> <p>Fledging: July - August</p>
<p>Chimney Swift <i>Chaetura pelagica</i> Threatened</p>	<p>Known to occur</p>	<p>Used to nest and roost in hollow trees, but have almost completely adapted to man-made structures, chimneys in particular. These birds are sometimes confused with swallows.</p>	<p>Arrival: June</p> <p>Nesting: June through August</p> <p>Fledging: July - August</p>
<p>Common Nighthawk <i>Chordeiles minor</i> Special Concern</p>	<p>Potential to occur</p>	<p>Build no nest, laying their eggs instead on the bare ground. They can be found in a wide variety of habitats, in particular those with open or semi-open areas such as farmland, open woodlands, clear cuts, burns, rock outcrops, bogs, fens, prairies, gravel pits and urban rooftops.</p>	<p>Arrival: May</p> <p>Nesting: June-August</p> <p>Fledging: July-August</p>

<p>Eastern Cougar <i>Puma concolor</i> Endangered</p>	Presumed to occur	Historically, cougars in the east occupied large forested areas that were relatively undisturbed by humans.	<p>Breeding: May occur at any time of the year. Most commonly breed in the winter.</p> <p>Mature: At 2-3 yrs of age.</p> <p>Gestation: 3 months</p> <p>Offspring: 1-3, sometimes as many as 6.</p>
<p>Eastern Hog-nosed Snake <i>Heterodon platirhinos</i> Threatened</p>	Presumed to occur	They prefer sandy well-drained habitats such as beaches and dry woods because they lay their eggs and hibernate in burrows. But they must have access to wet areas such as swamps to hunt frogs, toads and lizards.	<p>Mating: April to May</p> <p>Nesting: June to early July</p> <p>Incubation: 1 - 2 months</p> <p>Hatch: July to September</p>
<p>Eastern Meadowlark <i>Sturnella magna</i> Threatened</p>	Known to occur	A ground-nesting medium-sized bird with a bright-yellow throat, chest and belly and a short tail. A black 'V' can be seen across the chest with brown streaking on its back. Prefers open habitat such as grasslands, pastures, croplands, golf courses and hayfields.	<p>Arrival: May</p> <p>Nesting: May - July</p> <p>Fledging: July - August</p>
<p>Eastern Wolf <i>Canus lupus lycaon</i> Special Concern</p>	Presumed to occur	Eastern wolves live in groups called "packs", which typically number from 3-6 adults and require relatively large areas of unbroken forest. Each pack has a home range that is loosely defended from neighbouring packs and may be as big as 500 km ² .	<p>Mating: February</p> <p>Gestation: 63 days</p> <p>Offspring: Litters of 3-7 in late April or early May</p>
<p>Lake Sturgeon <i>Acipensar fulvescens</i> Threatened</p>	Known to occur in the Ottawa River	It usually inhabits the bottoms of shallow areas of large sandy, freshwater lakes and rivers, but migrates each year from early May to late June to swift-flowing water to spawn. Individuals usually return to the same spawning rivers year after year.	<p>Spawn: May through June</p> <p>Incubation: 5 - 14 days depending on temperature</p> <p>Larval Drift: Up to 45 days</p>
<p>Little Brown Myotis <i>Myotis lucifugus</i> Endangered</p>	Known to occur	Forests, cavity trees, dead and dying trees, buildings, caves and abandoned mines.	<p>Active: April –October</p> <p>Hibernates: October/November – April/May</p> <p>Live Young: June (usually one pup)</p>

<p>Milksnake Lampropeltis Triangulum Special Concern</p>	Known to occur	Range of habitats including rocky outcrops, fields and forest edges. It is often found in old farm fields and farm buildings where there is an abundance of mice. The Milksnake hibernates underground, in rotting logs or in the foundations of old buildings.	Active: April – December Females lay 3-24 eggs in the spring.
<p>Monarch <i>Danuus plexippus</i> Special Concern</p>	Presumed to occur	The Monarch Butterfly can be found in Ontario wherever there are milkweed plants for its caterpillars and wildflowers for a nectar source. Monarchs are often found on abandoned farmland and roadsides, but also in city gardens and parks.	Mating: June to September Offspring's: Up to 400 eggs Hatch: 3 - 12 days
<p>Northern Myotis (Northern Long-eared bat) <i>Myotis septentrionalis</i> Endangered</p>	Known to occur	Forests, boreal forests, cavity trees, dead and dying trees, buildings, caves and abandoned mines.	Active: April –October Hibernates: October/November – April/May Live Young: June (usually one pup)
<p>Olive-sided Flycatcher <i>Contopus cooperi</i> Special Concern</p>	Known to occur	Most often found along natural forest edges and openings. It will use forests that have been logged or burned, if there are ample tall snags and trees to use for foraging perches. Breeding habitat usually consists of coniferous or mixed forests adjacent to rivers.	Arrival: June Nesting: June-July Fledging: July
<p>Short-eared Owl <i>Asio flammeus</i> Special Concern</p>	Potential to occur	The Short-eared Owl lives in open areas such as grasslands, marshes and tundra, where it hunts for small mammals (especially voles). Short-eared Owls nest on the ground and the female sits tight on the eggs while the male brings food to her over the four week incubation period.	Arrival: April Nesting: April through August Incubation: One month Fledging: July - August
<p>Snapping Turtle <i>Chelydra serpentina</i> Special Concern</p>	Presumed to occur	Spend most of their lives in water. They prefer shallow waters so they can hide in the soft mud and leaf litter, with only their noses exposed to the surface to breathe. During the nesting season, from early to mid summer, females travel overland in search of suitable nesting sites, usually gravelly or sandy areas along streams. Snapping Turtles often take advantage of man-made structures, including roads (especially gravel shoulders), dams and aggregate pits.	Active: May 1 through September 30 Nesting: May 25 through July 7 Incubation: May 25 through September 20 Non-Active: October 1 through April 30

<p>Whip-poor-will <i>Caprimulgus vociferus</i> Threatened</p>	<p>Known to occur</p>	<p>The Whip-poor-will is usually found in areas with a mix of open and forested areas, such as savannahs, open woodlands or openings in more mature deciduous, coniferous and mixed forests. It forages in these open areas and uses forested areas for roosting (resting and sleeping) and nesting. It lays its eggs directly on the forest floor, where its colouring allows it to easily remain undetected by visual predators.</p>	<p>Arrival: May Nesting: May through August Fledging: July - August</p>
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APPENDIX 4 – ROAD CLASSIFICATION BY-LAWS

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

BY-LAW NUMBER 2018-04

BEING A BY-LAW TO PROVIDE FOR HIGHWAY (ROAD) CLASSIFICATIONS, DEFINITIONS, SIGNAGE, AND FOR ADOPTING OF MINIMUM MAINTENANCE STANDARDS FOR HIGHWAYS (ROADS) UNDER THE JURISDICTION OF THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

WHEREAS Section 27 (1) of the Municipal Act, S.O. 2001, c. 25 as amended, provides that a municipality may pass By-Laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS Section 44 (1) of the Municipal Act 2001, c.25 as amended, provides that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstance, including the character and location of the highway or bridge;

AND WHEREAS Section 44 (4) and (5) of the Municipal Act 2001, c.25 as amended, provides that regulations may be established by the Minister for minimum standards of repair for highways or bridges or any class of them and that the minimum standards may be general or specific in their application;

AND WHEREAS the Township of Papineau-Cameron deems it appropriate to fulfill the requirements of Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways), made under the Municipal Act, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Papineau-Cameron enacts as follows:

1.0 PURPOSE

The purpose of this By-Law is to;

- 1.1 Clearly define the terms identified in the definition section of this By-Law;
- 1.2 Classify all roads within the municipality, their levels of service, the patrolling requirements and the maintenance period annually; and,
- 1.3 Identify signage where required for certain types of roads.

2.0 DEFINITIONS

For the purposes of this by-law a;

- 2.1 **“Private Road”** means a road that has not been assumed by the Municipality, which provides access by means of a registered right-of-way to private property, and of which the use, maintenance, and liability of the road are the responsibility of the abutting land owners, or the registered owner of the road itself.
- 2.2 **“Private Unassumed Road”** means a road owned by the Municipality and maintained by a separate private individual/s, organization, or company rather than by the Municipality. The general public is allowed to travel on these roads and, since these roads have not been assumed by the Municipality for maintenance purposes, the responsibility for maintenance and liability of a Private Unassumed Road is that of the private individual/s, organization or company.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.3 **“Seasonal Road – Partial Year”** means an opened road allowance used on a “courtesy” basis by the Public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives limited maintenance from June 1st through October 1st each year, and on which no winter maintenance is performed, with the exception of winter maintenance performed at the discretion of the Public Works Superintendent to avoid damage to municipal property or to repair or remove a potential threat to public health and safety. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario Regulation 239/02.
(Road Signed - Seasonal Road, Partial Year, Limited Maintenance from June 1 to October 1, Use at Own Risk)
- 2.4 **“Seasonal Road – Annual Year”** means an opened road allowance used on a “courtesy” basis by the Public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives limited maintenance from January 1st through December 31st each year. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario Regulation 239/02.
(Road Signed – Seasonal Road, Limited Maintenance, Use at Own Risk)
- 2.5 **“Access Road”** as per the Road Access Act, R.S.O. 1990, c. R.34 as amended, means a road located on land not owned by a municipality and not dedicated and accepted as, or otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
- 2.6 **“Common Road”** as per the Road Access Act, R.S.O. 1990, c. R.34 as amended, means an access road on which public money has been expended for its repair or maintenance.

- 2.7 **“Resource Access Road – Crown Land”** means, a temporary road built and maintained for the purpose of providing access to lands used for resource extraction such as mining, mineral aggregates and forestry and are not intended to provide access to residential or commercial land uses. A resource access road is constructed across Crown Land and may be constructed by a Crown agency such as the Ontario Ministry of Natural Resources & Forestry or by the private sector with Crown approval. The road may be maintained by the Crown or through a maintenance agreement with the private sector. The public is able to use these Crown Land Resources Access Roads but they cannot alter the road in any way. The Municipality has not assumed ownership or for maintaining Crown Land Resource Access Roads, and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.8 **“Resource Access Road – Private Land”**- means, a private non-permanent road constructed and maintained privately for the purpose of providing access to private lands used for resource development such as mining, mineral aggregates and forestry. The public are prohibited (not able) to use Private Land Resource Access Roads. The Municipality has not assumed ownership or for maintaining Private Land Resource Access Roads, and therefore is no trespassing on privately owned lands.
- 2.9 **“Forced Roads”** – means a publicly-used existing roadway on private land, usually to get around an obstacle that prevents a road from being built on the surveyed public road allowance. Only the municipality (and not the private landowner) is fully responsible and liable for any incidents or accidents that occur on forced roads. Widening Forced Roads requires the municipality to negotiate with private land owners. The municipality would need a survey, a transfer/deed from the registered owner, and a partial discharge of any mortgages affecting the private property.
- 2.10 **“Unassumed Road”** means a road not owned by the Municipality and for which the Municipality has not assumed responsibility for maintaining and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.11 **“Unassumed Road Allowance”** means a road owned by the Municipality but has not assumed responsibility for maintaining and therefore is used at your own risk.
(Road Signed - Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.12 **“Unopened Road Allowance”** means unopened roads found along both concession and lot lines throughout the municipality as they were originally surveyed during the Province’s early settlement. These are public highways, owned by the Municipality, but are unopened and not maintained. The Municipality has no obligation to open or assume original road allowances, or to make passage over them easier for the public. The public is however able to “use” these unopened road allowances but they cannot alter the road allowance in any way.
- 2.13 **“Year Round Road”** means a road which has been opened and assumed full responsibility by the Municipality, and maintained year round by the Municipality.

3.0 ROAD CLASSIFICATION

Classification for the purpose of this By-Law applies to Class 4, 5 and 6 Year Round and Seasonally Maintained Roads under the jurisdiction of the Municipality. Classification has been established through the Annual Average Daily Traffic (AADT) count completed in the D.M. Wills 2009 Road Needs Study, and by the Minimum Maintenance Standards for Municipal Highways Ontario Regulation 239/02, and amended thereof by the Council of Papineau-Cameron to reflect the greater population along the road, which sets the minimum standard for levels of service and patrolling requirements on each classification of road within a municipality as per the tables below:

3.1 Class 4 Roads – Patrolling frequency minimum once every 14 days

Class 4 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	8 cm	n/a	16 hours
Icy Roadways	n/a	n/a	n/a	12 hours
Shoulder Drop-offs	n/a	8 cm	n/a	14 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as practicable, after becoming aware			
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
Potholes				
Paved Surface	1000 cm ²	8 cm	n/a	14 days
Non-paved Surface	1500 cm ²	10 cm	n/a	14 days
Paved & Non-paved Shoulder	1500 cm ²	10 cm	n/a	30 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.2 Class 5 Roads – Patrolling frequency minimum once every 30 days

Class 5 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	10 cm	n/a	24 hours
Icy Roadways	n/a	n/a	n/a	16 hours
Shoulder Drop-offs	n/a	8 cm	n/a	30 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as practicable, after becoming aware			
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
Potholes				
Paved Surface	1000 cm ²	8 cm	n/a	30 days
Non-paved Surface	1500 cm ²	12 cm	n/a	30 days
Paved & Non-paved Shoulder	1500 cm ²	12 cm	n/a	60 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.3 Class 6 Roads – Ontario Regulation 239/02 does not apply to Class 6 roads. Patrolling frequency will be determined by the Road Superintendent.

4.0 ROAD LISTING

Road Name	From	To	Length (km)	Surface	Road Class	Road Type
JODOUIN	Donald	Richards	1.294	Hard Surface	4	Year Round
JODOUIN	Richards	End-South	0.940	Gravel	5	Year Round
CHENIER	Hwy 17	Richards	2.838	Hard Surface	4	Year Round & Forced Road
CHENIER	Richards	Papineau	2.025	Gravel	5	Year Round
CHENIER	Chenier	Power Line S.	0.779	Unassumed Road Allowance		
RICHARDS	McOrmond	Chenier	2.033	Gravel	4	Year Round
RICHARDS	Chenier	Jodoun	2.148	Gravel	4	Year Round
RICHARDS	Jodoun	Belanger	1.941	Hard Surface	4	Year Round
RICHARDS	Belanger	Gravelle	2.397	Gravel	6	Year Round & Forced Road
RICHARDS	Gravelle	Gravelle	0.245	Gravel	4	Year Round
RICHARDS	Gravelle	Therrien	1.254	Gravel	5	Year Round
RICHARDS	Therrien	Archambeault	0.861	Gravel	5	Year Round
THERRIEN	Richards	Papineau	0.595	Gravel	6	Year Round
PAPINEAU	Boundary	Boutz	2.094	Gravel	5	Year Round
PAPINEAU	Boutz	McOrmond	2.068	Gravel	5	Year Round
PAPINEAU	McOrmond	Chenier	2.029	Gravel	5	Year Round
PAPINEAU	Chenier	Collins	2.030	Gravel	5	Year Round
PAPINEAU	Collins	Belanger	1.946	Gravel	5	Year Round
PAPINEAU	Belanger	Sturgeon Lake	0.141	Gravel	5	Year Round
PAPINEAU	Sturgeon Lake	Gravelle	2.051	Gravel	5	Year Round
PAPINEAU	Gravelle	Therrien	1.221	Gravel	5	Year Round
COLLINS	Papineau	End - North	0.293	Gravel	6	Year Round
COLLINS	Collins - North	End - North	0.737	Unassumed Road Allowance		
BOUTZ	Papineau	End - South	5.121	Gravel	6	Year Round & Seasonal Annual
MCORMOND	Richards	Papineau	1.999	Gravel	5	Year Round
MCORMOND	Papineau	End - South	2.097	Gravel	6	Seasonal Annual
STURGEON LAKE	Papineau	Hazelwood	2.079	Gravel	5	Year Round
STURGEON LAKE	Hazelwood	End - South	4.336	Gravel	6	Seasonal Annual
HAZELWOOD	Sturgeon Lake	End - West	1.719	Gravel	5	Year Round
HAZELWOOD	Sturgeon Lake	End - East	1.408	Gravel	5	Year Round
HAZELWOOD	Hazelwood East	End - East	2.430	Unassumed Road Allowance		
BELANGER	Dorion	Richards	0.733	Hard Surface	5	Year Round
BELANGER	Richards	Vaughan	1.019	Hard Surface	5	Year Round
BELANGER	Vaughan	Vaughan	0.015	Hard Surface	5	Year Round
BELANGER	Vaughan	Papineau	0.985	Hard Surface	5	Year Round
VAUGHAN	Belanger	End - West	0.721	Gravel	6	Year Round & Forced Road
VAUGHAN	Belanger	End - East	0.680	Gravel	6	Year Round & Forced Road
BOUNDARY	Papineau	Taggart Lake	2.017	Gravel	5	Year Round
BOUNDARY	Taggart Lake	Hwy 17	2.090	Hard Surface		CALVIN TWP.
TAGGART LAKE	Boundary	Hwy 17	4.526	Gravel	5	Year Round & Forced Road
GRAVELLE	Hwy 17	Richards	1.161	Gravel	5	Year Round
GRAVELLE	Richards	Papineau	1.185	Gravel	5	Year Round
GRAVELLE	Papineau	End - South	2.027	Unassumed Road Allowance		
CHANT PLEIN LAKE	Hwy 17	Pine	1.526	Hard Surface	5	Year Round & Forced Road
CHANT PLEIN LAKE	Pine	Neault	0.598	Hard Surface	5	Year Round & Forced Road
PINE	Chant Plein Lk	End - North	0.077	Gravel	6	Forced Road
NEAULT	Old Hwy 17	Chant Plein Lk	0.573	Hard Surface	5	Year Round
NEAULT	Chant Plein Lk	Wood Point	0.291	Hard Surface	5	Year Round & Forced Road
NEAULT	Wood Point	End - West	1.065	Hard Surface	5	Year Round & Forced Road
WOODS POINT	Neault	End - North	0.220	Gravel	6	Private
OLD HWY 17	Hwy 17	Neault	0.058	Hard Surface	5	Year Round
OLD HWY 17	Neault	Hwy 17	4.096	Hard Surface	5	Year Round

LABELLE	Hwy 17	End - West	0.218	Hard Surface	6	Year Round & Forced Road
EARL LAKE	Hwy 17	Poplar	0.053	Hard Surface	5	Year Round
EARL LAKE	Poplar	End - South	0.824	Hard Surface	5	Year Round
POPLAR	Earls Lake	End - East	0.210	Gravel	6	Year Round & Forced Road
MOORES	Hwy 17	End - West	0.353	Hard Surface	6	Year Round & Forced Road
BURRITTS	Hwy 17	Cameron	1.324	Gravel	5	Year Round
BURRITTS	Cameron	Janveau	2.044	Gravel	5	Year Round
BURRITTS	Janveau	End - South	Forced & Resource Access Road – Crown Land			
BURRITTS	Hwy 17	End - North	0.204	Gravel	6	Seasonal Annual
JANVEAU	Burritts	End - West	0.988	Gravel	5	Year Round
JANVEAU	End - West	End - West	0.350	Unassumed Road Allowance		
JANVEAU	Burritts	Villeneuve	1.896	Gravel	5	Year Round
JANVEAU	Villeneuve	End - East	0.986	Gravel	6	Year Round
VELLENEUVE	Janveau	End - South	1.184	Gravel	6	Year Round & Forced Road
CAMERON	Archambeault	McMartin	1.861	Gravel	6	Year Round
CAMERON	McMartin	Burritts	2.100	Gravel	5	Year Round
McMARTIN	Hwy 17	Cameron	3.220	Gravel	5	Year Round & Forced Road
MARTEL	Hwy 17	End - South	0.125	Gravel	6	Year Round
MARTEL	End - South	Richards	0.865	Unassumed Road Allowance		
MARTEL	Hwy 17	End - North	1.360	Unassumed Road Allowance		
RAIL CORRIDOR	mile marker 70	Nip. / Renfrew	21.0	Unassumed Road Allowance		
TEE LAKE	Boutz	End - South	Resource Access Road – Crown Land			
ARCHAMBEAULT	Richards	Cameron	1.866	Unassumed Road Allowance		
ARCHAMBEAULT	Cameron	End - South	0.134	Unassumed Road Allowance		
LACELLE LANE	Burritts North	End - West	0.134	Unassumed Road Allowance		
ANITA'S LANE	McMartin	Richards	0.807	Unassumed Road Allowance		
ANITA'S LANE	Anita's Lane	Archambeault	0.743	Forced Road		
KLOCKS	Hwy 17	End - South	Resource Access Road – Crown Land			
KLOCKS	Hwy 17	Rail Corridor	1.134	Unassumed Road Allowance		

5.0 MAINTENANCE STANDARDS

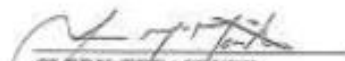
- 5.1 Seasonal Roads – Limited maintenance by the Municipality. Limited maintenance is a service standard providing of minimal graveling, grading and ditching sufficient to permit passage during the seasonal period. Since a seasonal road is maintained at a lower standard, the use of these roads is at “user’s risk”. All Seasonal roads will be “signed” by the Municipality to indicate the status of the road and the duration of municipal maintenance services. Any individual wishing to provide winter maintenance to a Municipal Seasonal road must make written application for permission to the Corporation of the Township of Papineau-Cameron and, if approved, must enter into an Agreement and be aware that they will assume all responsibility for such winter maintenance and for any liability for damage to Municipal property as a result of the actions of private snow removal equipment.
- 5.2 Year Round Roads – Maintenance will be provided by the Municipality year round as per the Minimum Maintenance Standards for Municipal Highways, Ontario Regulation 239/02

6.0 FORCE AND EFFECT

- 6.1 THAT all previous By-Laws establishing Road Classification Definitions and Minimum Maintenance Standards for Highways (roads) be and are hereby repealed;
- 6.2 THAT this By-Law shall become ratified upon the signing thereof.

READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED BEFORE AN OPEN COUNCIL, THIS 13 DAY OF *March*, 2018.


MAYOR


CLERK-TREASURER

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW NO. 2016-020

BEING A BY-LAW TO PROVIDE FOR HIGHWAY (ROAD) CLASSIFICATIONS, DEFINITIONS, AND SIGNAGE AND FOR ADOPTING OF MINIMUM MAINTENANCE STANDARDS FOR HIGHWAYS (ROADS) UNDER THE JURISDICTION OF THE MUNICIPALITY OF CALVIN.

WHEREAS Section 27 (1) of the Municipal Act, S.O. 2001, c. 25 as amended, provides that a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS section 44 (1) of the Municipal Act 2001, c.25 as amended, provides that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstance, including the character and location of the highway or bridge;

AND WHEREAS Section 44 (4) and (5) of the Municipal Act 2001, c.25 as amended, provides that regulations may be established by the Minister for minimum standards of repair for highways or bridges or any class of them and that the minimum standards may be general or specific in their application;

AND WHEREAS the Municipality of Calvin deems it appropriate to fulfill the requirements of Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways), made under the Municipal Act, as amended;

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin enacts as follows:

1.0 PURPOSE

The purpose of this By-law is to;

- a) Clearly define the terms Private Road, Private Unassumed Road, Seasonal Road, Unassumed Road, Unopened Road Allowance and Year Round Road;
- b) Classify all roads within the municipality, their levels of service, the patrolling requirements and the maintenance period annually; and,
- c) Identify signage where required for certain types of roads.

2.0 DEFINITIONS

For the purposes of this by-law a;

- a) *"Private Road"* means a road that has not been assumed by the Municipality, which provides access by means of a registered right-of-way to private property, and of which the use, maintenance, and liability of the road are the responsibility of the abutting land owners
- b) *"Private Unassumed Road"* means a road owned by the Municipality and maintained by a private individual/s, organization, or company rather than by the Municipality. The general public is allowed to travel on these roads and, since these roads have not been assumed by the Municipality for maintenance purposes, the responsibility for maintenance and liability is that of the private individual/s, organization or company
- c) *"Seasonal Road"* means an opened road allowance used on a "courtesy" basis by the Public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives limited maintenance from June 1st through October 1st each year, and on which *no winter maintenance is performed*, with the exception of winter maintenance performed at the discretion of the Public Works Superintendent to avoid damage to municipal property or to repair or remove a potential threat to public health and safety. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario Regulation 239/02
- d) *"Unassumed Road"* means a road for which the Municipality has not assumed responsibility for maintaining and therefore is used at your own risk
- e) *"Unopened Road Allowance"* means unopened roads found along both concession and lot lines throughout the municipality as they were originally surveyed during the Province's early settlement. These are public highways, owned by the Municipality, but not maintained. The Municipality has no obligation to open or assume original road allowances, or to make passage over them easier for the public. The public is however able to "use" these unopened road allowances but they cannot alter the road allowance in any way
- f) *"Year Round Road"* means a road which has been opened and assumed by the Municipality, and maintained year round by the Municipality

3.0 ROAD CLASSIFICATION

Classification for the purpose of this by-law applies to the approximately 66.5 km of Class 4, 5 and 6 Year Round and Seasonally Maintained Roads under the jurisdiction of the Municipality. Classification has been established through the Annual Average Daily Traffic (AADT) count completed in the D.M Wills 2009 Road Needs Study, and by the Minimum Maintenance Standards for Municipal Highways Ontario Regulation 239/02, which sets the minimum standard for levels of service and patrolling requirements on each classification of road within a municipality as per the tables below:

3.1 Class 4 – Patrolling frequency minimum once every 14 days

Class 4 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	8 cm	n/a	16 hours
Icy Roadways	n/a	n/a	n/a	12 hours
Shoulder Drop-offs	n/a	8 cm	n/a	14 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as	practicable,	after	becoming aware
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
Potholes				
Paved Surface	1000 cm ²	8 cm	n/a	14 days
Non-paved Surface	1500 cm ²	10 cm	n/a	14 days
Paved & Non-paved Shoulder	1500 cm ²	10 cm	n/a	30 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.2 Class 5 – Patrolling frequency minimum once every 30 days

Class 5 Highway	Surface Area	Depth	Height	Response Time
Snow Accumulation	n/a	10 cm	n/a	24 hours
Icy Roadways	n/a	n/a	n/a	16 hours
Shoulder Drop-offs	n/a	8 cm	n/a	30 days
Cracks	5 cm (width)	5 cm	n/a	180 days
Debris (except snow, ice, slush)	As soon as	practicable,	after	becoming aware
Surface Discontinuities	n/a	n/a	5 cm	21 days
Regulatory & Warning Signs	n/a	n/a	n/a	30 days
Luminaries	n/a	n/a	n/a	14 days
Potholes				
Paved Surface	1000 cm ²	8 cm	n/a	30 days
Non-paved Surface	1500 cm ²	12 cm	n/a	30 days
Paved & Non-paved Shoulder	1500 cm ²	12 cm	n/a	60 days
Bridge Deck Spalls	1000 cm ²	8 cm	n/a	7 days

3.3 Class 6 – Ontario Regulation 239/02 does not apply to Class 6 roads. Patrolling frequency – as determined by the Road Superintendent but at a minimum of once per month from June 1st to October 1st

4.0 ROAD LISTING

ROAD NAME	CLASSIFICATION	ROAD TYPE
Boundary Rd. N. (hard surface 1.9 km)	Class 4	Year Round
Boundary Rd. S (gravel 2.1 km)	Class 5	Year Round (Maintained Papineau-Cameron)
Peddler's Dr. (paved 9.8 km)	Class 4	Year Round
Peddler's Dr. (gravel 5.9 km)	Class 4	Year Round
Pautois Road (.3 km)	Class 4	Year Round
Donald's Rd. (2 km)	Class 4	Year Round
Suzanne's Rd. (4.3 km)	Class 4	Year Round
Daventry Rd. (3.9 km)	Class 4	Year Round
Flood's Rd. (.2 km)	Class 4	Year Round
Homestead Rd. (6.2 km)	Class 4	Year Round
Bronson Lake Rd. (1.9 km)	Class 4	Year Round
Booth Rd. (.6 km)	Class 4	Year Round
Beach Rd. (.1 km)	Class 4	Year Round
Twilight Camp Rd. (.2 km)	Class 4	Year Round
Mount Pleasant Rd. (3.1 km)	Class 4	Year Round
Latimer Lane (.5 km)	Class 4	Year Round
Moreau Rd. (2.3 km)	Class 4	Year Round
Galston Rd. (3.3 km)	Class 4	Year Round
Peacefull Lane (.4 km)	Class 4	Year Round
Beckett Lane (1 km)	Class 4	Year Round
Pratt Rd. (1.1 km)	Class 4	Year Round
Adams Rd. (5 km)	Class 4	Year Round
Brule Rd. (4 km)	Class 4	Year Round
McLaughlin Rd. (.4 km)	Class 4	Year Round
Stewart's Rd. (.9 km)	Class 6	Seasonal
Pratt Rd. (1.6 km)	Class 6	Seasonal
Latimer Lane (.7 km)	Class 6	Seasonal
Flood's Rd. (.9 km)	Class 6	Seasonal
Gated Rd (.9 km)	Class 6	Seasonal
Talon Lake Rd. (.4 km)	Class 5	Year Round (Maintained Bonfield)
Von Doeler Rd. (.6 km)	Class 6	Year Round (Maintained Bonfield)

5.0 MAINTENANCE STANDARDS

a) *Seasonal Roads* - Limited maintenance by the Municipality from June 1st to October 1st. Limited maintenance is a service standard below that which is provided for a Year Round road and consists of minimal gravelling, grading and ditching sufficient to permit passage during the seasonal period. No winter maintenance is performed by the Municipality with the exception of winter maintenance performed at the discretion of the Public Works Superintendent to avoid damage to municipal property or to repair or remove a potential threat to public health and safety. Since a seasonal road is maintained at a lower standard, the use of these roads is at "user's risk". All Seasonal roads will be "signed" by the Municipality to indicate the status of the road

and the duration of Municipal maintenance services. Any individual wishing to provide winter maintenance to a Municipal Seasonal road must make written application for permission to the Corporation of the Municipality of Calvin and, if approved, must enter into an Agreement and be aware that they will assume all responsibility for such winter maintenance and for any liability for damage to Municipal property as a result of the actions of private snow removal equipment.

b) *Year Round Roads* - Maintenance will be provided by the Municipality year round as per the Minimum Maintenance Standards for Municipal Highways, Ontario Regulation 239/02

6.0 FORCE AND EFFECT

That this By-law will come into full force and effect upon the date of its passing.

READ A 1ST TIME THIS 25th DAY OF OCTOBER, 2016.

READ A 2ND SECOND TIME THIS 25th DAY OF OCTOBER, 2016.

READ A 3RD THIRD TIME AND FINALLY PASSED BEFORE AN OPEN COUNCIL
THIS 25th DAY OF OCTOBER, 2016.


Mayor


Clerk-Treasurer

