

Official Plan
of the
Municipality of Wawa



Adopted By Council
by By-law 2379-10
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THE STRUCTURE OF THE PLAN

This Official Plan is divided into five parts, each of which is described below.

PART A (Vision) contains the vision of the Plan. This vision was prepared by Council and is based on an understanding of past and future trends and the values of Wawa citizens. The goals that form the basis of the Plan flow from the vision. These goals establish a basis for policies articulated in the Plan. This section of the Plan also describes how the vision is implemented through a series of land use designations.

PART B (Land Use Designations) contains the land use policies that apply to lands in the Municipality.

PART C (General Environmental Policies) contains the policies dealing with rivers and streams, floodplains and hazardous slopes throughout the Municipality. In addition, policies that specify the requirements for water resource and stormwater management reports and environmental impact studies are contained in this section.

PART D (General Development Policies) contains policies that deal with land use planning matters such as water and sewer servicing, transportation, cultural heritage resources and the subdivision of land. These policies apply to the whole of the Municipality.

PART E (Plan Implementation and Administration) describes how the policies of the Official Plan will be implemented.

PART A – VISION

A1 THE VISION

This Official Plan is a statement that the Municipality of Wawa is a resilient, leader in Northern Ontario.

This Plan was prepared during a period of prolonged economic decline, with the community facing adversity and uncertainty. Despite this uncertainty, Wawa chose to embrace the future with a sense of optimism and confidence.

This Plan challenges the perception that Wawa is a remote northern community and instead recognizes that proximity to the Trans-Canada Highway, Lake Superior and a Great Lakes shipping wharf, an airport, vast natural resources and the reality of a digital, global marketplace collectively put Wawa in a position of strength to plan for the future.

This Official Plan acknowledges that while the community is aging and the population is in decline, Wawa has more “social infrastructure” and amenities than many communities twice its size. In addition, the extensive open space and natural features including lakes and rivers will continue to make Wawa a special place for citizens and visitors. Collectively, these assets contribute to stability and will help maintain a good quality of life in the community over the lifespan of this Official Plan. Council will protect these assets to the best of their ability.

The goals and policies within this Plan promote and value diversity, partnership, entrepreneurial spirit, and working collectively to achieve and enjoy success as a community. Through this Plan, there will be potential and opportunity for sustainable economic and social growth and development in natural resources, recreation and tourism, industry, culture, skilled trades, alternative energy, education and information technology.

Land use planning is not an exact science, and while this Plan charts a path that is believed to be practical and reflective of local and Provincial interests, it is recognized that these interests may change and evolve over time. As a result, Council will not view this Plan in a static manner and will be open to amendments that improve the Plan and represent good planning.

A2 SUSTAINABILITY

The goals of this Plan are premised on principles of sustainability. This means the Community will try to meet its needs today without unreasonably compromising opportunities for future generations to meet their own needs.

The policies of this Plan are founded on the premise that a sustainable community is composed of the following three principle elements in balance:

- i) The Environment: a connected system of environmental features that support a healthy ecosystem;
- ii) The Economy: a strong, diversified and resilient economy that provides a variety of employment opportunities for citizens and is attractive to commercial and industrial investment; and,
- iii) The Socio-Cultural Fabric: a strong sense of culture and heritage and the provision of affordable public services and amenities.

A2.1 ENVIRONMENTAL SUSTAINABILITY

This Plan identifies a number of defining environmental and topographical features that contribute to Wawa's extensive natural heritage system. The protection of these features is a key underlying principle in this Plan.

This Plan contains policies that recognize the character of Wawa's green spaces, water resources, and terrestrial landscape as resources that contribute to the natural northern character of Wawa.

The policies of this Plan also recognize the challenges created by Provincial interests in resource extraction in natural areas and attempts to manage these issues. Wawa will support innovative and sustainable development policies and practices to protect the natural environment and help reduce greenhouse gas emissions.

Energy conservation and the encouragement of innovative energy supply alternatives are key components of the Wawa's vision for sustainable development.

A2.2 ECONOMIC SUSTAINABILITY

A sustainable economic future for Wawa will be made possible by ensuring a stable and sound fiscal position for the Municipality to support programs and services for citizens.

The need for economic sustainability is strongly articulated through the vision, goals and policies in this Plan that encourage entrepreneurial spirit and diverse employment opportunities based in resources, recreation and tourism and technology. Also critical to economic sustainability is to retain a skilled and adaptable work force through opportunities for higher education and skills training.

A2.3 SOCIAL SUSTAINABILITY

Social sustainability addresses the basic community need for housing, education, health care, employment, food, safety, security and cultural and recreational opportunities. The policies of this Plan intend to foster a good quality of life for all residents through the development of a healthy community and the provision of necessary human services and programs.

Individual needs vary with age, income, ability, skills, background and interests. As communities change and grow, there is additional pressure to provide for these needs and ensure communities remain healthy and that a high quality of life is maintained.

The provision of human services comes from several agencies including the Province (hospitals and health care facilities), school boards (education) while the Municipality is responsible for fire services, libraries, community facilities, parks, and recreational amenities. In addition, human services are provided by other private sector or quasi-public institutions, such as private schools, places of worship, and community service groups. Continued coordination and partnership among all human service providers is essential to the social-cultural health of Wawa.

A3 GOALS

A3.1 THE NATURAL ENVIRONMENT

1. To protect and, where possible, enhance significant natural heritage features and functions in the Municipality.
2. To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Municipality.
3. To ensure that land use planning recognizes the importance of groundwater and surface water resources and protects these resources from adverse impacts.
4. To encourage the maintenance of an open space system that links environmental and recreational resources in the Municipality.
5. To strengthen Wawa's role as a service centre in Algoma District and Northeastern Ontario by supporting and maintaining employment lands and uses and by providing a broad base of community services.
6. To direct the majority of new residential development to the Wawa Settlement Area where municipal sewer and water services are available.

A3.2 GROWTH AND SETTLEMENT

1. To maintain and promote the Wawa Settlement Area as a primary growth and employment centre in Northern Algoma District.
2. To facilitate residential infilling, redevelopment and rounding out in the Michipicoten River Village.
3. To permit a limited amount of rural residential development in the interest of promoting resource-related recreation development and rural residential secondary uses that are appropriate and compatible within the rural area.
4. To permit a broad range of housing types and densities to meet the needs of a changing demographic of current and future residents of the Municipality and District.
5. To reinforce the function of Downtown Wawa as the primary cultural, service and retail focal points by promoting mixed-use development.

6. To encourage a strong connection between the Downtown and the waterfront areas through mixed-use developments and improvements to public space.
7. To encourage further intensification and use of the lands within the downtown core and to make every effort to improve the economic health of the core by encouraging redevelopment and the broadest mix of uses.

A3.3 RURAL LANDS

1. To recognize that resource extraction will be primary and pre-eminent uses in the rural area.
2. To encourage the development of recreational uses in the rural areas for the benefit and enjoyment of residents and visitors.
3. To mitigate the impact of resource activities on the rural character of the Municipality.
4. To show leadership and promote research in the development of alternative “green” energy infrastructure.
5. To permit rural land uses that are not suited to settlement areas, support entrepreneurial spirit and contribute to the local economy.

A3.4 ECONOMIC DEVELOPMENT

1. To encourage economic growth and to provide opportunities for economic development in a manner which will sustain and improve the quality of life in the Municipality.
2. To encourage land use that generates employment opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Municipality and Northern Algoma District.
3. To support and maintain existing transportation infrastructure in the interest of fostering economic growth and investment.
4. To encourage the development of tourist commercial uses in the Downtown as well as in appropriate shoreline and rural areas.
5. To establish and maintain a supply of employment lands suited to a diverse range of industrial uses.
6. To encourage the development of home-based businesses and home industries provided such uses are compatible with adjacent uses.

7. To recognize, protect and, where appropriate, utilize cultural heritage features and resources in conjunction with economic development and tourism initiatives.

A4 THE LAND USE CONCEPT

The following land use designations are designed to reflect major categories of existing or anticipated land use in the Municipality.

A4.1 WAWA RESIDENTIAL

Lands designated *Wawa Residential* are the site of primarily existing and planned residential development as well as complementary mixed use and community uses on full municipal services in the Wawa Settlement Area.

A4.2 VILLAGE RESIDENTIAL

Lands designated *Village Residential* are the site of primarily existing and planned residential development on partial municipal services in the Michipicoten River Village Settlement Area.

A4.3 EMPLOYMENT

The *Employment* designation applies to lands in the Municipality which are proposed to be used primarily for industrial use.

A4.4 DOWNTOWN

Lands designated *Downtown* are the site of primarily commercial uses within the core area of the Wawa Settlement Area.

A4.5 RURAL

The *Rural* designation generally includes all lands outside of the Settlement Area including shoreline areas.

A4.6 CROWN LAND

The *Crown Land* designation applies to those lands that are owned by the Crown and to which local planning policy is not applicable.

A4.7 ENVIRONMENTAL PROTECTION

The *Environmental Protection* designation identifies significant natural features which is intended to be protected from incompatible land use.

A4.8 OPEN SPACE

The *Open Space* designation identifies lands which are owned by a public agency or authority.

A4.9 RURAL HIGHWAY COMMERCIAL

The *Rural Highway Commercial* designation identifies lands which are intended to provide a suitable area for space extensive and/or service oriented commercial uses.

A4.10 HIGHWAY COMMERCIAL

The *Highway Commercial* designation identifies lands within the Wawa Settlement Area which are intended to provide a suitable area for mixed uses.

A4.11 INSTITUTIONAL

The *Institutional* designation identifies existing land and buildings utilized for public authorities, agencies and services and also include places of worship.

PART B – LAND USE DESIGNATIONS

B1 WAWA RESIDENTIAL

B1.1 PURPOSE

The purpose of the *Wawa Residential* designation is to:

- a) recognize the stable and compatible mix of primarily residential land uses which make up the settlement area of Wawa;
- b) encourage the provision of a full range of housing opportunities that are affordable and meet the Municipality's housing needs;
- c) promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential redevelopment and intensification, where appropriate; and,
- d) ensure that the Wawa Settlement Area permits a variety of complementary and compatible land uses.

B1.2 LOCATION

The *Wawa Residential* designation primarily applies to existing or proposed residential uses in the existing urban settlement of Wawa.

B1.3 PERMITTED USES

Permitted uses in the *Wawa Residential* designation include:

- a) single detached dwellings;
- b) accessory apartments in single-detached dwellings subject to Section B1.4;
- c) semi-detached dwellings;
- d) duplex dwellings;
- e) townhouse multiple and apartment dwellings subject to Section B1.5;
- f) home occupations subject to Section B1.6;

- g) bed and breakfast establishments in single detached dwellings, subject to Section B1.7;
- h) complementary uses such as residential care facilities, rooming houses, daycare centres and small-scale institutional and open space uses, subject to Sections B1.8 and B 1.9; and,
- i) existing uses and minor expansions thereto.

B1.4 ACCESSORY APARTMENTS

Accessory apartments are considered to be a form of affordable housing and may be permitted in single detached dwellings in the *Wawa Residential* designation, subject to a Zoning By-law Amendment. In considering such an application, Council shall be satisfied that:

- a) the apartment will comply with the Ontario Building and Fire Codes as well as applicable provisions of the Municipality's Zoning By-law;
- b) adequate parking is available on the lot for both dwelling units; and,
- c) the second dwelling unit is designed and located in such a manner to not have an impact on the character of the surrounding neighbourhood.

B1.5 TOWNHOUSE, ROOMING HOUSE, MULTIPLE AND APARTMENT DWELLINGS

Townhouse dwellings may be permitted in the *Wawa Residential* designation, subject to re-zoning. In considering a zoning by-law amendment and a site plan to permit a new townhouse development, Council shall have regard to the criteria provided in this Section.

Rooming and boarding houses may also be permitted in the *Wawa Residential* designation subject to the criteria below and provided the total number of occupants of the rooming house does not exceed 6 persons. Where an applicant proposes to establish a rooming or boarding for more than 6 persons, the zoning approval shall be subject to the Temporary Use permissions under the Planning Act and this Plan.

Multiple unit developments and apartment buildings may be permitted in the *Wawa Residential* designation provided the maximum density of such developments does not exceed 20 units per net residential hectare and the maximum building height does not exceed three storeys. The maximum density and/or height may be increased, subject to an amendment to the implementing zoning by-law, provided the lot is suitable for the proposed building and provided the increase in density and/or height is compatible with surrounding land uses.

In considering a zoning by-law amendment and a site plan to permit a townhouse, rooming/boarding houses, multiple apartment development, Council shall be satisfied that the proposal:

- a) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- b) can be easily integrated with surrounding land uses;
- c) will not cause or create traffic hazards or an unmanageable level of congestion on surrounding roads;
- d) is located in proximity to community facilities, such as parks, schools, open spaces or the downtown;
- e) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site; and,
- f) can be serviced by municipal sewer and water services which are planned and available within the Settlement Area.

B1.6 HOME OCCUPATIONS

Home occupations are typically professional or service oriented work activities that are carried on within the residential dwelling or accessory building that typically do not involve the retail sale of goods and services. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

Where a home occupation is proposed on lands that have access to a Provincial highway, the Ministry of Transportation shall be consulted to determine if a land use permit is necessary for access and/or signage.

B1.7 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are permitted in single detached dwellings, provided the bed and breakfast establishment:

- a) is located within the principal residence of the owner/operator;
- b) preserves the character of the dwelling as a private residence; and,
- c) is licensed annually in accordance with Municipal Lodging and Bed and Breakfast Licensing by-law as amended, where applicable.

The implementing Zoning By-law shall define a bed and breakfast establishment and may further detail the conditions under which a bed and breakfast establishment may be permitted.

B1.8 DAYCARE CENTRES AND SMALL-SCALE INSTITUTIONAL USES

Daycare centres and small-scale institutional uses which serve the community, such as public and private elementary schools, Montessori schools, housing for seniors, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the scale, massing and siting of the development is compatible and consistent with development on adjoining lands; and,
- c) the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

B1.9 RESIDENTIAL CARE FACILITIES

Residential care facilities are defined as residential facilities which accommodate residents who have a range of emotional, psychiatric, physical, developmental, or social problems who live in a 24-hour supervised setting, and receive both room and board and assistance with daily living.

There are a variety of residential care facilities which are generally categorized as group homes, second level boarding/lodging homes, or treatment centres, depending upon their program, funding, size, operator, or Provincial licensing as it may apply. The Zoning By-laws shall provide specific definitions for these residential care facilities as well as performance standards. New programs may emerge over time depending upon Provincial funding and licensing, and further amendments to the Zoning By-laws may be required as warranted.

This Plan supports the provision of an adequate regional supply of residential care facilities subject to appropriate funding from senior government agencies, the provision of adequate community services for clients and proper siting of such facilities in accordance with the policies of this Plan.

B1.10 IMPLEMENTING ZONING BY-LAW

All lands in the *Wawa Residential* designation shall be placed primarily in Residential zones in the implementing Zoning By-law.

B2 VILLAGE RESIDENTIAL

B2.1 PURPOSE

The purpose of the *Village Residential* designation is to:

- a) recognize a stable and culturally significant rural settlement area in the Municipality;
- b) recognize a compact community that provides a valued housing alternative to the Wawa Settlement Area; and,
- c) co-ordinate rounding out of the settlement and appropriate residential infilling.

B2.2 LOCATION

The *Village Residential* designation as identified on Schedule A-2 applies to the existing rural settlement known as the Michipicoten River Village or “The Mission”.

B2.3 PERMITTED USES

Permitted uses in the *Village Residential* designation include:

- a) single detached dwellings;
- b) home occupations subject to Section B2.4;
- c) bed and breakfast establishments in single detached dwellings, subject to Section B2.5;
- d) complementary uses such as small-scale institutional and open space uses, subject to Section B2.6; and,
- e) existing uses and minor expansions thereto.

B2.4 HOME OCCUPATIONS

Home occupations are typically professional or service oriented work activities that are carried on within a residential dwelling or accessory building that typically do not involve the retail sale of goods and services. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

B2.5 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are permitted in single detached dwellings, provided the bed and breakfast establishment:

- a) is located within the principal residence of the owner/operator;
- b) preserves the character of the dwelling as a private residence; and,
- c) is licensed annually in accordance with Municipal Lodging and Bed and Breakfast Licensing by-law as amended, where applicable.

The implementing Zoning By-law shall define a bed and breakfast establishment and may further detail the conditions under which a bed and breakfast establishment may be permitted.

B2.6 SMALL-SCALE INSTITUTIONAL OR OPEN SPACE USES

Small-scale institutional uses which serve the community, such as Montessori schools, housing for seniors, and places of worship may be permitted by a Zoning By-law Amendment provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the use can be appropriately serviced in accordance with the servicing policies of this Plan;
- c) the scale, massing and siting of the development is compatible and consistent with development on adjoining lands; and,
- d) the use is located on a site that has adequate land area to incorporate required parking, pick-up and drop-off area, recreational facilities (if required), landscaping and buffering on-site.

B2.7 IMPLEMENTING ZONING BY-LAW

All lands in the *Village Residential* designation shall be placed primarily in Residential zones in the implementing Zoning By-law. However, other uses will be placed in appropriate Institutional, Open Space or other zones.

B3 EMPLOYMENT

B3.1 PURPOSE

The purpose of the *Employment* designation is to:

- a) provide lands for the creation of diverse employment opportunities;
- b) improve the economic climate in the Municipality by making lands available for employment generating uses;
- c) ensure that new industrial development occurs in an orderly and compatible manner; and,
- d) provide areas where entrepreneurs and skilled trades can grow and develop and serve the needs of Northeastern Ontario business.

B3.2 LOCATION

The *Employment* designation as shown on the Schedules to this Plan applies to several existing locations throughout the Municipality.

B3.3 PERMITTED USES

Permitted uses on lands designated *Employment* include manufacturing, assembly, processing, fabrication, storage and/or warehousing uses and research establishments, wholesaling, service commercial establishments and similar uses. Accessory retail and office uses are also permitted, provided they occupy only a limited amount of the gross floor area and are clearly accessory and incidental to the industrial use.

B3.4 DEVELOPMENT POLICIES

The development or redevelopment of uses in the *Employment* designation may be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion of the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:

- a) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent residential or other sensitive uses which are existing or are planned in accordance with this Official Plan. To address this issue Council may require the business owner to retain a qualified professional to complete an assessment which demonstrates that the proposed use is compliant with the MOE D-Series Guidelines.

- b) The use has access to a municipal road and is serviced by municipal water and sanitary services. Where employment uses do not have access to municipal water and sanitary uses, Section 3.5 shall apply;
- c) Adequate parking and loading facilities are provided on the site;
- d) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area;
- e) Outdoor storage areas are substantially screened from view of passing traffic; and,
- f) Where a proposed use abuts or is in close proximity to an existing sensitive land use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses. It is anticipated that where a D-Series assessment is completed, recommendations for buffering will be required.

B3.5 EMPLOYMENT USES LOCATED OUTSIDE OF THE SETTLEMENT AREAS

For lands located in the *Employment* designation and located outside of a Settlement Area only low water industrial uses shall be permitted until such time as it may be feasible to extend municipal services to such lands.

For the purpose of this Official Plan, low water uses shall be defined as uses which generate less than 50,000 litres per day. The following shall also apply for various assessment and approvals:

- a) for industrial uses that have an average daily flow greater than 4,500 litres per day, the Ministry of the Environment B-7 Guideline "Incorporation of the Reasonable Use Concept into Groundwater Management Activities" shall apply; and,
- b) for industrial uses that generate sewage effluent of more than 10,000 litres per day, a Certificate of Approval from the Ministry of the Environment will be required. For uses that generate less than 10,000 litres per day, a *Building Code Act* permit shall be required from the appropriate approval body.

New industrial uses requiring more than 50,000 litres of water per day shall require an amendment to the Zoning By-law as well as a Permit to Take Water under the *Ontario Water Resources Act*. An application to amend the Zoning By-law to permit an industrial use requiring more than 50,000 litres of water per day shall be accompanied by a hydrogeological evaluation confirming that the required water quantity is available for the use and will not impact adjacent wells. Such an application shall also be accompanied by a Servicing Options Report

and shall adhere to all applicable requirements of the Ministry of the Environment and follow their Guideline “Incorporation of the Reasonable Use Concept into MOE Groundwater Management Activities”. The Municipality may wish to consider the requirement for new industrial and commercial development proposals on private services to complete a groundwater impact assessment. This study will determine the ability of the subject land to treat sewage effluent and to determine the susceptibility of groundwater contamination from sewage effluent.

B3.6 AGGREGATE RESOURCE EXTRACTION ON EMPLOYMENT LANDS

Within the *Employment* designation aggregate resource extractive areas licensed under the Aggregate Resources Act shall take precedence over other land uses until such time as the extraction license is removed from the site or employment uses can be accommodated with the extractive use in a compatible manner.

B3.7 IMPLEMENTING ZONING BY-LAW

All lands within the *Employment* designation shall be placed in an appropriate Employment Zone in the implementing zoning by-law. Lands in the *Employment* designation may be subject to a Holding provision to ensure technical issues relating to development have been addressed. A Holding provision may also be applied to historic but dormant industrial lands, the purpose of which is to require the clearance and potential remediation in accordance with Ministry of Environment standards before such lands may be used in accordance with this Plan.

B4 DOWNTOWN

B4.1 PURPOSE

The purpose of the *Downtown* designation is to:

- a) Reinforce the role of Downtown Wawa as a primary destination for business, commerce and hospitality in the community and District of Algoma.
- b) Encourage re-development in the Downtown to foster growth in tourism, recreation and hospitality sectors.
- c) Encourage re-investment and redevelopment of currently underutilized or vacant buildings.
- d) Create attractive pedestrian linkages within the Downtown and from the Downtown to Wawa Lake, specifically where recommended by the Wawa Lake Waterfront Plan.
- e) Encourage the retention and/or re-creation and promotion of cultural heritage attributes in buildings and public spaces in the Downtown.

B4.2 THE VISION FOR THE DOWNTOWN

Downtown Wawa forms part of a proud and historic northern community that will continue to provide quality service to its local population and will creatively evolve to become a leading waterfront destination for tourism and recreation in Northern Ontario by showcasing its physical and social history.

B4.3 LOCATION

The *Downtown* designation as shown on Schedule A-1 applies to the traditional downtown location primarily fronting on Broadway Avenue.

B4.4 PERMITTED USES

Permitted uses in the *Downtown* designation include:

- a) Retail uses;
- b) Service uses;
- c) Business offices;
- d) Banks and financial institutions;
- e) Hotels, inns and bed and breakfast establishments;

- f) Theatres;
- g) Day care centres;
- h) Private and commercial schools;
- i) Places of worship, schools, libraries and other institutional uses;
- j) Health care facilities;
- k) Restaurants and take-out restaurants
- l) Second storey residential uses;
- m) Funeral homes;
- n) Festivals and open air markets;
- o) Public uses and service utilities and structures;
- p) Museums and art galleries, and;
- q) Existing residential uses and minor expansions thereto.

B4.5 DEVELOPMENT POLICIES

B4.5.1 New Lots Created by Consent

The creation of new lots by consent to sever may be permitted, provided the consent is in keeping with the objectives of this Plan and does not unduly fragment the land base of the Downtown to make it more difficult to accommodate usable building space. The creation of new lots in the Downtown shall also comply with Section D4 (General Consent Policies).

B4.5.2 New Development and Redevelopment Policies

The following policies are intended to guide proposals for new development or redevelopment in the *Downtown* designation:

- a) Land assembly is encouraged to create larger, more viable development parcels;
- b) All future development shall occur on the basis of being connected to full sewer and water services;
- c) Hospitality and tourist oriented uses that will enhance the pedestrian linkage between the downtown and open space areas are encouraged;

- d) All development proposals requiring a Planning Act approval may be required to restore or enhance their building façade in order to maintain the architectural character and identity of the Downtown.

B4.5.3 Existing Residential Uses in the Downtown

This Plan recognizes and encourages residential uses in the Downtown area provided such uses are located in the second storey of buildings or are developed on land or in buildings which are vacant or under-utilized.

B4.5.4 Parking

Commercial uses located in the *Downtown* designation shall generally be exempt from the provision of on-site parking, although the provision of on-site parking for owners, employees and for the physically challenged is encouraged. In lieu of the provision of on-site parking in accordance with applicable zone requirements, the Municipality may pass a by-law to accept cash-in-lieu where parking can be reasonably accommodated on the street or off-site in another appropriate location. In determining the cash-in-lieu payment, Council shall have regard to the cost to provide and maintain a parking space in the Downtown.

B4.6 PUBLIC SPACE IN THE DOWNTOWN

Public land in the Downtown includes streets, sidewalks, parking lots, parks and administrative or public buildings. It is a policy of this Plan that the municipality should partner with stakeholders to maintain public space in a manner that is complementary to the Downtown and is consistent with the objectives of this Plan. Specific projects aimed to revitalize public lands and buildings may include:

- a) Provision of streetscape landscaping such as trees, shrubs and flowers;
- b) Provision of street furniture, lighting, flower planters, art and monuments in strategic, pedestrian oriented locations;
- c) Improvements to the gateway to the Downtown located at the intersection of Broadway Avenue, Mission Road and Main Street;
- e) Provision of wayfinding signage;
- f) Provision of parking areas for campers, recreational vehicles and trailers; and/or,
- g) Renovations and/or façade improvements to existing public buildings.

B4.7 IMPLEMENTING ZONING BY-LAW

All lands that are used for commercial purposes shall be placed in a Downtown Commercial Zone in the implementing Zoning By-law.

B5 AIRPORT

B5.1 OBJECTIVE

The purpose of the *Airport* designation is to recognize the Wawa Airport as an important component of the local and district transportation infrastructure.

B5.2 LOCATION

The *Airport* designation as shown on Schedule A-1 to this Plan applies to all lands currently under the ownership of the Wawa Airport Authority.

B5.3 PERMITTED USES

Permitted used in the *Airport* designation include:

- a) Private and public airport facilities and accessory uses;
- b) manufacturing, assembly, maintenance, processing, fabrication, storage and/or warehouse uses and research establishments;
- c) bulk fuel storage and sales;
- d) outfitter administration and staging uses;
- e) accessory accommodation facilities;
- f) training and educational facilities; and
- g) private clubs.

B5.4 DEVELOPMENT POLICIES

The development of uses in the *Airport* designation may be subject to Site Plan Control. Any redevelopment of existing industrial uses which would involve an expansion to the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council shall be satisfied that:

- a) The proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is compatible with adjacent uses;
- b) The proposed use is compliant with any guideline or specification established by Transport Canada;
- c) Adequate parking and loading facilities are provided on the site;

- d) The proposed buildings or structures on unvegetated sites incorporate landscaping to enhance the site and surrounding area; and,
- e) Outdoor storage areas are substantially screened from view from passing traffic.

B5.5 IMPLEMENTING ZONING BY-LAW

All lands located in the *Airport* designation shall be required to be placed in a zone category which reflects existing uses in the implementing Zoning By-law.

B6 RURAL

B6.1 PURPOSE

The purpose of the *Rural* designation is to:

- a) emphasize the importance of the rural character of the Municipality which is comprised of spectacular mix of land, trees, water and a significant number of socio-cultural features and landmarks;
- b) support and foster resource-related recreational uses as a means to expand and diversify the local economy;
- c) identify lands which are valued for Provincially and locally defined interests in resource extraction; and,
- d) identify lands which are valued for socio-cultural and environmental purposes.

B6.2 LOCATION

The *Rural* designation essentially applies to the majority of land in the Municipality which has not otherwise been placed in one of the primary land use designations.

B6.3 PERMITTED USES

- a) agricultural and nursery uses;
- b) single detached dwellings on existing lots;
- c) bed and breakfast establishments;
- d) home occupations, home industries subject to the provisions of Section B6.5.1 of this Plan;
- e) hunt camps, seasonal dwellings and recreational dwellings;
- f) commercial dog kennels subject to Section B6.5.6 of this Plan;
- g) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
- h) tourist commercial uses;
- i) transportation services, outposts and staging areas for tourism or the provision of services to remote areas;

- j) work camps and staging areas related to resource uses;
- k) forestry and resource management uses;
- l) resource related exhibition and tourism establishments or research and training establishments;
- m) mineral exploration and mining activities authorized under the Mining Act;
- n) cemeteries subject to Section B6.5.6 of this Plan;
- o) space extensive industrial uses characterized by open storage;
- p) alternative energy systems subject to Section B6.5.8;
- q) telecommunications towers and infrastructure;
- r) the extraction of consolidated or unconsolidated stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage subject to Section B6.6; and
- s) wayside pits and quarries, portable asphalt plants and concrete plants for specific road works undertaken by a public authority in the area.

B6.4 DEVELOPMENT POLICIES

B6.4.1 The Creation of New Lots

The intent of this Plan is to maintain the rural character of the Municipality and therefore the majority of new residential development will be directed to the Wawa Settlement Area or the Michipicoten River Village. However, the creation of new lots may be permitted in the *Rural* designation subject to the following policies:

- a) the severance will facilitate the division of two or more lots which have merged in title;
- b) the severance will facilitate the division of parts of a lot that are devoted to different uses that existed on the date this Plan was adopted;
- c) the severance will result in the creation of a new lot from a lot having a minimum lot area of 10 hectares, which existed on the date of approval of this Official Plan and which has not been the subject of any prior severance for the purpose of creating a residential lot;
- d) the lot abuts the shoreline of a lake, subject to the policies in Section C1; and,

- e) the severance conforms with applicable criteria listed in Section D4.
- f) the proposed lot complies with the criteria set out in Section D4 (General Consent Policies) of this Plan.

B6.5 DEVELOPMENT POLICIES FOR RURAL USES

B6.5.1 Home Occupations and Home Industries

This Plan will permit additional activities, such as home occupations and home industries in the *Rural* designation.

Home occupations are typically professional work and service activities that are carried out within the residential dwelling or accessory building that typically do not involve the sale of goods not produced on the premises. Such uses will be permitted as-of-right in the implementing Zoning By-law, subject to certain criteria.

Home industries are small-scale industrial uses that are accessory to a rural residential use. These uses should be screened from view and should not detract from the rural residential character of the lot or the surrounding area. Home industries may include welding, carpentry or machine shops, or agricultural related uses that involve the processing or transportation of regional produce or other products. The accessory retail sale of products produced in the home industry is also permitted. The repair, storage or sale of motor vehicles is generally not considered to be a home industry. Home industries will be permitted as-of-right in the implementing Zoning By-law, provided:

- a) the home industry is located on a lot that has a minimum area of 2.0 hectares and is separated from the lot line of any residential dwelling at least 300 metres or a lesser distance as determined through a technical assessment in accordance with the MOE D-Series Guidelines;
- b) the home industry is not a Class 3 industry as defined by the MOE D-Series Guideline;
- c) any open storage associated with the home industry is limited and screened from view;
- d) the home industry has a limited number of employees; and,
- e) the home industry is clearly accessory to a residential use and does not detract from the primary use of the property.

The development of a new home industry may be subject to Site Plan Control.

B6.5.2 Resource Related Research and Training Establishments

The development of resource related research and training establishments is encouraged in the Municipality. Such uses may be permitted subject to rezoning, provided Council is satisfied that:

- a) the use is related to and will benefit the Provincial and/or regional resource or recreation and tourism industries;
- b) the use will assist in the furthering of knowledge in the resource or recreation sectors of the economy; and,
- c) the use will assist the resource or recreation sectors through training and the identification of new methods and procedures.

B6.5.3 Resource Related Exhibitions and Tourism Establishments

This Plan supports the development of uses that promote the potential of the resource, recreation or socio-cultural sectors. On this basis, uses such as art studios, fishing derbies, resource equipment exhibitions, eco-tours, holiday-related exhibitions and small-scale educational or interpretive establishments are permitted in the *Rural* designation. Such uses may be subject to Site Plan Control and/or Development Agreements, depending on their location, scale or frequency.

B6.5.4 Tourist Commercial Uses

Tourist commercial uses such as campgrounds and resort uses may be permitted subject to an amendment to the implementing Zoning By-law. These uses shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan

Before considering an amendment to the Zoning By-law to permit any of these uses in the *Rural* designation, Council shall be satisfied that the proposed use:

- a) is compatible with the rural character of the area;
- b) can be designed and sited to blend in with the topography and setting of the lot;
- c) is located on a lot having an area of no less than 5.0 hectares;
- d) is located where it would have little or no impact on existing aggregate extraction or mineral mining operations;
- e) can be serviced with an appropriate water supply and means of sewage

disposal; and,

- f) can be appropriately buffered from adjacent uses.

B6.5.5 Commercial Dog Kennels

Commercial dog kennels may be permitted in the *Rural* designation provided the lands do not abut the shoreline of a lake and subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, Council shall be satisfied that:

- a) the size of the proposed dog kennel is appropriate for the area;
- b) the building housing the dog kennel and the associated dog runs is set back at least 100 metres from lot lines;
- c) the use is located at least 500 metres from lands within the *Wawa Residential* designation or any lot which abuts the shoreline of a lake;
- d) the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties;
- e) an appropriate animal waste management plan is put in place; and,
- f) an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

A new dog kennel shall also be subject to a Site Plan Agreement in accordance with Section E1.4 of this Plan.

B6.5.6 Cemeteries

In accordance with the Cemeteries Act and its appurtenant regulations, cemeteries may be permitted in the *Rural* designation subject to an amendment to the implementing Zoning By-law. A cemetery may include, as an accessory use, a mausoleum and/or a crematorium. Before considering such an amendment, Council shall be satisfied that the applicant has prepared all of the requisite material required under the provisions of the Cemeteries Act, including the ability to set aside a reserve fund for long term maintenance. Cemeteries will be subject to site plan control and may be subject to other agreements concerning long term maintenance and responsibility.

B6.5.7 Agricultural Uses Including Hobby Farms

Council recognizes that hobby farming is an agricultural use that is in keeping with the character of the rural area. A hobby farm is defined as a farm with a residence where a limited number of domestic animals are kept primarily for

recreational purposes and where buildings related to the hobby farm are clearly subordinate and incidental to the residential use. Agricultural uses including hobby farms are permitted in the *Rural* designation, provided the minimum lot size is 2.0 hectares. Where a new lot is to be created for the purpose of an agricultural use which involves the keeping of livestock, regard shall be had to the Minimum Distance Separation II Formulae.

B6.5.8 Alternative Energy Systems

Alternative energy systems and infrastructure designed to feed hydroelectric power into the grid shall be permitted in the *Rural* designation subject to Provincial statutes and regulations. Council strongly encourages the proponents of alternative energy systems to exceed the minimum Provincial requirements related to public consultation and communication.

Alternative energy systems and infrastructure designed for personal use which are not subject to Provincial statutes or regulation are also permitted in the *Rural* designation, but may be subject to development standards in the Comprehensive Zoning By-law.

B6.6 AGGREGATE EXTRACTION (EXTRACTIVE OVERLAY)

B6.6.1 Intent

The geological composition of lands in the Municipality of Wawa is characterized by consolidated and unconsolidated mineral aggregates that are sought after by the aggregate industry and are considered to be a resource of Provincial Significance. This information has been adapted from geological map resources and is attached to this Plan for information purposes at Appendix 1.

At the time this Plan was prepared, there were several licensed and permitted aggregate extractive operations in the Municipality. These sites are identified on Appendix 1 as *Extractive Overlay*. New sites or expansions to existing sites will not require an Amendment to this Plan, but where new areas become licensed under the ARA, the *Extractive Overlay* will be added to Appendix 1 at the time of an Official Plan Update.

The following policies apply to the entire *Rural* designation and are intended to provide guidance to the community, Council and proponents of aggregate operations with respect to the establishment of new operations or the expansion of existing operations.

B6.6.2 Relationship between this Plan and the Ministry of Natural Resources

It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the *Aggregate Resources Act* in the Municipality of Wawa. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent(s) of the mineral aggregate operation, the community and Council before licenses are issued or modified, in order to ensure that new mineral aggregate operations or expansions to existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.

B6.6.3 Development Adjacent to Existing Extractive Operations

When new development (through a Planning Act application) is proposed within 300 metres of a pit or 500 metres of a quarry within the *Rural* designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. In order to address this issue, the proponent will be required to retain a qualified professional to complete an impact assessment of noise and vibration levels in accordance Publication NPC-119 (MOE) or any successor this publication.

B6.6.4 New Mineral Aggregate Operations or Expansions to Existing Operations

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations shall require an Amendment to the Zoning By-law. All such applications shall be supported by studies that address:

- a) the effect of the mineral aggregate extractive operation on:
 - i) the natural heritage features and functions on the site and in the area proximate to the proposed site. For the purpose of this subsection, natural heritage features include lakes and major navigable waterways;
 - ii) nearby residents including the Michipicoten First Nation;
 - iii) recreational resources and activities;
 - iv) the character of the area;
 - v) the quality and quantity of groundwater and surface water in the subwatershed;
 - vi) the built or cultural heritage resources in the area including cultural heritage landscapes, archaeological sites and areas of archaeological potential as identified on Schedule D or as confirmed by the Ministry of Culture and the Michipicoten First Nation;

- vii) significant geologic formations on the site and in the area;
 - viii) where blasting is necessary as part of the operation, the groundwater recharge functions on the site and in the immediate area assessed by a hydrogeological study;
 - ix) surface water features in the area; and,
 - x) nearby wells used for drinking water purposes which have the potential to be impacted by extractive activities.
- b) the location and suitability of the proposed haul routes;
 - c) the effect of the noise, odour, dust and vibration generated by the proposed use assessed in accordance with the MOE's D-Series Guidelines and other applicable Provincial regulations;
 - d) how the natural features and functions on the site and in the area can be protected and/or buffered during the operation of the facility and/or after the facility has been progressively **and finally**¹ rehabilitated;
 - e) that the proposed facility will not impact Endangered Species or the habitat of Endangered Species as required by the Endangered Species Act;
 - f) how the impacts from the proposed pit or quarry will be mitigated in order to lessen those impacts; and,
 - g) how the site will be progressively **and finally**¹ rehabilitated to accommodate subsequent land uses after the extraction is complete.

B6.6.5 Development of Other Uses in Proximity to Aggregate Resources

Aggregate resources should be protected from development and land uses that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Aggregate resources should also be protected from development or land uses that may preclude or hinder the effective and/or economical extraction of aggregate in the future. However, there may be cases where the economical and/or physical extraction of aggregate is not feasible and/or appropriate. In such cases, development or land use permitted by this Plan on lands so designated may be permitted, if it can be shown to the satisfaction of Council that:

- a) the land use pattern in the area has reduced the feasibility of extraction; or,
- b) there is not enough aggregate in the area to justify its economical

- extraction; or,
- c) the proposed land use or development serves a greater long term public interest; and,
- d) issues of public health, public safety and environmental impact are addressed.

B6.6.6 Conservation and Reuse of Aggregate Resources

The reuse and recycling of concrete, asphalt, brick, glass and other suitable materials should be utilized to conserve aggregate materials, provided such reuse and recycling is permitted in the Zoning By-law and the storage of such material can be accommodated in a manner that is safe and does not pose a contamination risk.

B6.6.7 Rehabilitation

The progressive rehabilitation of all pits and quarries in the Municipality is a goal of this Plan. Wherever possible, Council will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all licenses have progressive rehabilitation plans and where applicable, are actively completing site rehabilitation and restoration.

If a site is to be rehabilitated to a natural state, it is the intent of this Plan that natural self-sustaining vegetation and hydrologic features be established and restored.

B6.6.8 Michipicoten Harbour Special Policy Overlay Area

The Michipicoten Harbour Special Policy Area has been established to identify an area where the quarrying of mineral aggregate resources is a primary permitted use as well as related accessory uses such as crushing, drilling, blasting, screening, washing, stockpiling and loading of mineral aggregate resources and products. The Michipicoten Harbour Special Policy Overlay Area is depicted on Schedule "A" to this Plan. The development of a quarry and related accessory uses in this area is subject to the policies for the Michipicoten Harbour Special Policy Overlay Area.

Given the historical industrial use of the harbour, the Michipicoten Harbour Special Policy Overlay Area complements the existing Industrial and Rural land use designations and related policies and permitted uses contained in the Official Plan.

The Michipicoten Harbour Special Policy Overlay Area requires the establishment of environmental buffers and linkages that are to be preserved and

will be zoned to reflect their location and function. However, existing uses located within identified buffer and linkage areas will be permitted to continue.

B6.6.8.1 DEVELOPMENT POLICIES

Development in the Michipicoten Harbour Special Policy Area will be implemented through zoning, Site Plan Control and the applicable provisions of the Aggregate Resource Act. Studies may be required by Council to ensure compatibility and to minimize environmental impacts. The following studies are required for any quarry operation

B6.6.8.1.1 Water Quality and Quantity

In order to prevent impacts to water quality or quantity upon groundwater or surface water the following policies shall apply:

a) Groundwater Monitoring

All lands subject to extraction shall undergo a water-monitoring program in accordance with the licensing requirements of the Aggregate Resources Act.

The monitoring program shall confirm water table elevations for the extraction area and be reflected in the Design Reports for any quarry. In addition, subsequent to extraction commencing, a water-monitoring program shall be required which will consist of measuring and documenting the level of the water table on a weekly basis.

b) Sulphur Bearing Rocks

The proponent shall prepare a Contingency Plan which establishes an ongoing monitoring program, the purpose of which is to identify sulphur-bearing rocks and a protocol to follow in the event such a deposit is encountered.

Such a plan shall be prepared to the satisfaction of the Municipality and shall be enforced under the provisions of the Aggregate Resources Act license.

c) Stormwater Management

Prior to extraction occurring on site, a Stormwater Management Plan shall be prepared to the satisfaction of the Municipality. Such a plan shall be prepared by a qualified professional and shall include a surface water monitoring protocol for the adjacent creek and shoreline waters.

d) Spills Contingency

In conjunction with the Stormwater Management Plan mentioned above, the proponent shall also prepare a Spill Contingency Plan. Such a plan will be

prepared to the satisfaction of the Municipality and will identify storage sites for fuels and lubricants, outline handling procedures and a protocol to contain and clean-up accidental spills, including spills of mineral aggregate material into Lake Superior.

B6.6.8.1.2 Waste Disposal

All waste material generated by any facility shall be disposed of at an approved waste receiving facility and/or in accordance with Ministry of Environment regulations.

B6.6.8.1.3 Progressive Rehabilitation

Council places a high priority on the progressive rehabilitation of the lands subject to extraction. Rehabilitation will occur as prescribed by the license issued by the Ministry of Natural Resources under the Aggregate Resources Act and such rehabilitation shall be accommodating to subsequent land uses.

B6.6.8.2 IMPLEMENTATION AND REGULATORY POLICIES

B6.6.8.2.1 Zoning

Lands located in the Michipicoten Harbour Special Policy Overlay Area shall be placed in appropriate zone categories.

In order to mitigate adverse impacts upon fish habitat a minimum 30 metre setback for all permitted uses from the top-of-bank of cold water streams and the high water mark of the Lake Superior shoreline shall be established in the implementing Zoning By-law.

B6.6.8.2.2 Aggregate Resources Act

The quarrying and extraction of mineral aggregate resources in the Michipicoten Harbour Special Policy Overlay Area is subject to the requirements and regulations of the Aggregate Resources Act of Ontario.

B6.6.8.2.3 Development Agreements

Council may require the proponent of any mineral aggregate operation or other land use developed in the Michipicoten Harbour Special Policy Overlay Area designation to enter into one or more agreements to ensure operational aspects are adhered to by the owner and subsequent owners.

B6.6.8.2.4 Site Plan Control

Council shall pass a Site Plan Control By-law in accordance with the Planning Act to regulate development and land use that is appropriately governed by Site

Plan Control. All lands depicted as being subject to the Michipicoten Harbour Special Policy Overlay Area on Schedule "A" are subject to Site Plan Control. Notwithstanding this policy any use authorized or licensed under the Aggregate Resources Act shall not be subject to Site Plan Control.

B6.6.8.2.5 Holding Provisions

Uses permitted in the Michipicoten Harbour Special Policy Overlay Area shall be subject to Holding provisions as per Section 36 of the Planning Act to ensure policy matters are dealt with to the satisfaction of the Municipality and all applicable Provincial agencies, with the exception that uses authorized or licensed under the Aggregate Resources Act shall not be subject to Holding Provisions.

The holding symbol will be removed by Council when:

- a) the Stormwater Management Plan and Spill Contingency Plans as required by Section B6.6.8.1.1 have been completed to the satisfaction of the municipality; and
- b) all applicable agreements with the Municipality and/or securities have been executed or posted.²

B6.6.8.2.6 Interpretation

The Michipicoten Harbour Special Policy Overlay Area is identified on Schedule A to this Plan. These lands have been designated to comply with the policies and requirements set out in Ontario Municipal Board decision PL040025. Where any conflict or further interpretation with respect to the Michipicoten Harbour Special Policy Overlay Area arises Council shall make specific reference to Ontario Municipal Board decision PL040025.

B6.6.9 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an amendment to this Plan, rezoning, or development permit under the Planning Act in all areas of the Municipality, except residential areas and environmentally sensitive areas including those areas designated as Environmental Protection, and provided that they are consistent with the Provincial Policy Statement.

B6.7 MINERAL RESOURCES

B6.7.1 Intent

It is the intent of Council to work with the Ministry of Northern Development, **and** Mines, **and** Forestry (MNDMF³) to obtain information regarding mineral resources, to identify areas of mineral potential and abandoned mine sites.

B6.7.2 Permitted Uses

For the purpose of this Official Plan, mineral mining operations are those facilities designed and authorized under the Mining Act to extract metallic minerals such as ore, gold and copper, or non-metallic minerals such as graphite, mica or talc. Mineral mining operations include above and below ground work, open pits and quarries as well as associated processing, transportation, waste and tailing storage, and directly related activities all regulated in accordance with the Mining Act. Mineral mining excludes pits and quarries used for mineral aggregate extraction authorized under the Aggregate Resource Act.

B6.7.3 Quality of Resources in Wawa

In the preparation of this Plan, the Municipality consulted with the Ministry of Northern Development, Mines and Forestry and it was determined that all land within the municipal boundaries has provincially significant mineral potential. Proposed development should be carefully considered to avoid conflicting land uses.

B6.7.4 Development Policies

Mineral mining and related activities will only be permitted outside of identified settlement areas. The compatibility of mining activities with surrounding land use designations will determine the specific nature of permitted mining and mining related activities.

The establishment of mining related activities shall be subject to the approval of the Ministry of Northern Development, Mines and Forestry under the Mining Act and the Environmental Protection Act and will require the issuance of a Development Permit by the Municipality.

B6.7.5 Abandoned Mine Sites

When a development is proposed within 1,000 metres of an abandoned mine hazard as identified on Schedule A to this Plan, there is potential for impact on a proposed development. The Municipality and proponent shall consult with MNDMF – Regional Land Use Geologist in order to assess the nature of hazards

and what technical studies may need to be completed to determine whether the land is suitable for the type of development proposed and that the development does not interfere with any rehabilitation, maintenance or monitoring requirement for the mine workings/hazards.

B6.8 IMPLEMENTING ZONING BY-LAW

All lands in the *Rural* designation shall be placed in a Rural Zone in the implementing Zoning By-law.

The implementing Zoning By-law shall place all existing licensed aggregate operations and all aggregate permits in a Mineral Aggregate Resource One (MAR1) Zone that permits quarries and sand and gravel extraction operations.

B7 ENVIRONMENTAL PROTECTION

B7.1 PURPOSE

The purpose of the *Environmental Protection* designation is to:

- a) identify natural heritage features and functions in the Municipality which are locally, regionally and Provincially significant;
- b) maintain and enhance the ecological integrity of the Natural Heritage System;
- c) minimize the potential for the loss or fragmentation of Natural Heritage Feature and the habitats and ecological functions they provide; and,

B7.2 LOCATION

The *Environmental Protection* designation is intended to include the following components of the Municipality's Natural Heritage System:

- a) Provincially Significant Wetlands;
- b) Provincially Significant Coastal Wetlands;
- c) Wetlands;
- d) Significant Habitat of Endangered or Threatened Species;
- e) Conservation Reserves established by the Province of Ontario;
- f) Type 1 Fish Habitat;
- g) Provincially Significant Areas of Natural and Scientific Interest (ANSI) and,
- h) Any other areas that have been determined to be environmentally significant as a result of a planning process.

Lands designated Environmental Protection are shown on Schedule A to this Plan. The individual features of the *Environmental Protection* designation are shown on Schedule B to this Plan.

B7.3 PERMITTED USES

Permitted uses on lands designated *Environmental Protection* are limited to conservation and passive recreational uses that do not require development or site alteration. For the purposes of Part B7.2 a), b), c), d) and f) above, works

and infrastructure that by their nature must be located within the floodway, such as flood and erosion control works, are permitted. For the purposes of this section, a golf course or similar land use is not a passive recreational use. Proposals for the development of buildings and structures are required to be accompanied by a supporting Environmental Impact Study which demonstrates, for the purposes of Part B9.2 a), b) and d) that no negative impact on the natural features or their ecological functions will occur due to the proposed development. Mineral mining, forestry and woodlot management activities will not be restricted by this Official Plan, however, such activities must adhere to the statutory provisions of the Endangered Species Act and Fisheries Act, the Migratory Birds Act and other legislation which protects natural heritage features, functions and the species that depend on such features or functions as habitat.

B7.4 GENERAL POLICIES APPLYING TO THE ENVIRONMENTAL PROTECTION DESIGNATION

B7.4.1 Use of Lands in Private Ownership

Where any land within the Environmental Protection system is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public.

B7.4.2 Adjacent Lands

Adjacent lands are the lands adjacent to an environmental feature within which impacts must be considered and within which the compatibility of the development proposal must be addressed. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- a) 120 metres of the boundary of a Provincially Significant Wetland, Provincially Significant Coastal Wetland or wetland that has been evaluated by the Ministry of Natural Resources;
- b) 50 metres from the boundary of a Provincially or Regionally Significant Area of Natural and Scientific Interest (Life Science or Earth Science);
- c) 50 metres from significant wildlife habitat including a habitat of an endangered or threatened species and where scientific data has determined a different setback the greater of the two will be required, and;
- d) 30 metres from the following fish habitat areas:
 - i) a watercourse with no defined bed and banks or intermittent stream;
 - ii) a non-meandering stream with defined bed and banks;

- iii) a meandering stream

No development or site alteration shall be permitted on these adjacent lands unless an Environmental Impact Study and/or a subwatershed study and/or a geotechnical study is completed and approved by Council, subject to the comments of the appropriate agencies. The requirements for an Environmental Impact Study are contained in Section 9.11 (Requirements for an Environmental Impact Study) of this Plan.

The scale and the contents of the required studies shall be determined at the time the development is proposed. The width of the adjacent lands may be increased/decreased, depending on the feature and the nature of the proposed development. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed.

B7.5 DESCRIPTION OF COMPONENTS OF THE ENVIRONMENTAL PROTECTION DESIGNATION

The Natural Heritage System represents a network of natural areas that continues to exist after the area was settled and the lands and waters that support the ecological functions are critical to the survival of these areas. Below is a description of those components of the natural heritage system that are within the *Environmental Protection* designation.

B7.6 WETLANDS

Wetlands are 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. Known wetlands identified by the Ministry of Natural Resources are shown on Schedule B. The four types of wetlands are swamps, marshes, bogs and fens. Wetlands play an important role in the Natural Heritage System, since they:

- provide habitat for plants and animals;
- store water for groundwater recharge purposes;
- trap sediments, nutrients and contaminants thereby improving downstream water quality;
- provide corridors for plant and animal movements; and,
- provide flood control and protect shorelines from erosion.

According to data supplied by the Ministry of Natural Resources at the time this Plan was prepared, no Provincial evaluations have been prepared for wetlands in the Municipality and therefore there are no confirmed Significant Wetlands or Significant Coastal Wetlands. Regardless, it is a policy of this Plan that all wetlands, regardless of classification be placed in the *Environmental Protection* designation.

An endangered species is a species listed in the Regulations under the Endangered Species Act that is at risk of extinction throughout all or a portion of its Ontario range, if limiting factors are not reversed. A threatened species is a native species that is at risk of becoming endangered through all or a portion of its Ontario range. Threatened or endangered species are listed on the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and Committee on the Status of Species at Risk in Ontario (COSSARO) lists. The 'significant habitat' is the area of land that is necessary for the maintenance, survival and/or recovery of naturally occurring or re-introduced populations of endangered, or threatened species.

According to data provided by the Ministry of Natural Resources, there are no known endangered species or habitat located within the municipal boundary. However, where additional studies and/or consultation authorized by the Ministry of Natural Resources confirms such habitats, it is the intent of this Plan that these areas be subject to the policies of this Section.

The Ontario Ministry of Natural Resources is responsible for approving and defining significant habitat of endangered species and threatened species. For significant habitat of endangered species and threatened species in the Municipality of Wawa, the following policies will apply:

- a) An environmental impact study must be undertaken by the proponent to confirm the presence of any endangered species and threatened species and/or their significant habitat.
- b) Development and site alteration shall not be permitted in the significant habitat area of endangered species and threatened species.
- c) Development and site alteration on adjacent lands to the significant habitat of an endangered species or threatened species is not permitted, unless it has been demonstrated (through appropriate evaluation) that there will be no negative impacts on the natural features or their ecological functions. "Adjacent to" will generally mean within 50 metres of such habitat unless it is determined through the consideration of appropriate information or studies that a greater or lesser distance should be considered for particular species or site.
- d) Development proponents should exercise due diligence to ensure that any activities being contemplated would not contravene the Endangered Species Act, 2007, that came into effect on June 30, 2008.

B7.8 DEVELOPMENT IN THE ENVIRONMENTAL PROTECTION DESIGNATION

There may be circumstances where development may be appropriate in the *Environmental Protection* designation, if such development:

- a) is not located within a the habitat of endangered or threatened species;
- b) cannot be located on another portion of the lot that is not within the Environmental Protection Zone;
- c) is essential in the location proposed;
- d) does not result in an expansion or intensification of an existing use as it relates to Provincially Significant Coastal Wetlands and significant habitat or endangered or threatened species;
- e) is set back as far as possible from a watercourse; and,
- f) is supported by an Environmental Impact Study that is prepared in accordance with this Section B7.8 (Requirements for an Environmental Impact Study) and approved by Council, subject to the comments of the appropriate agencies.

The requirement for an Environmental Impact Study may be waived by Council if the intent is to replace an existing building, as long as development, and any new site alteration is in the same existing disturbed area/site alteration envelope as that which it is replacing and will not result in a negative impact on the adjacent natural features or on their ecological functions.

Where new development is proposed within the *Environmental Protection* designation and the proposal conforms with the above criteria, a planning approval will be required. For the purposes of this policy, development is not intended to include the creation of a new lot for conservation purposes, forestry or woodlot management practices.

B7.9 REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT STUDY

Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS shall be prepared in accordance with the requirements of this section.

B7.9.1 Purpose of an EIS

The purpose of an EIS is to:

- a) collect and evaluate all the appropriate information in order to have a

complete understanding of the boundaries, attributes and functions of relevant environmental feature(s);

- b) make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and ecological functions of the Municipality; and,
- c) evaluate the existing and potential forest resources on the property and the effect of the proposed uses on those resources.

Where the focus of study is adjacent to lands as defined by this Plan, the EIS shall evaluate the ecological function of the adjacent lands and demonstrate that there will be no negative impacts on natural features or ecological functions.

Any EIS required by this Plan must describe the critical natural features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the natural heritage system on and off the site. In addition, the EIS must address how the proposed development will protect, maintain or restore the critical natural features and ecological functions of the natural heritage system.

Any EIS must be approved by Council and any other appropriate agencies, before a planning application that facilitates the development, is subject to the EIS and is accepted by Council.

B7.9.2 Contents of an EIS

The EIS shall include a description of:

- a) the proposed undertaking;
- b) the natural features and ecological functions of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to development;
- c) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the *Environmental Protection* designation;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design and how they will be addressed;
- f) any monitoring that may be required to ensure that mitigating measures

are achieving the intended goals;

- g) how the proposed use affects the possibility of linking core areas of the natural heritage system by natural corridors that may or may not be identified on the schedules to this Plan; and,
- h) recommendations with respect to how the adverse effects will be avoided or minimized over the construction period and the life of the undertaking. For example, the EIS may recommend limits of buffers and setbacks adjacent to watercourses, waterbodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development.

B7.9.3 What an EIS Should Demonstrate

The EIS should demonstrate, where applicable, that the proposed use will:

- a) not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
- b) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
- c) not cause erosion or siltation of watercourses or changes to watercourse morphology;
- d) not interfere with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- e) not cause an increase in flood potential on or off the site;
- f) maintain/enhance/restore/rehabilitate the natural condition of affected watercourses, and protect/enhance/restore/rehabilitate aquatic and fish habitats;
- g) not significantly affect the scenic qualities of the area;
- h) not encourage the demand for further development that would negatively affect wetland functions or contiguous wetland areas;
- i) enhance and restore endangered terrestrial, aquatic and fish habitats where appropriate and feasible;
- j) not create noise that will have an adverse impact on the enjoyment of neighbouring properties;

- k) not interfere with the function of existing or potential natural corridors;
- l) not lead to a significant reduction in the forest resource or interior forest habitat in an area; and,
- m) not lead to species loss or negative impacts on endangered, threatened or vulnerable species and/or their habitat.

In addition, the EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the significant natural features that are identified on Schedule B to this Plan or the ecological functions for which the area is identified.

B7.10 ZONING BY-LAW IMPLEMENTATION

The boundaries of the *Environmental Protection* designation as shown on Schedule A reflect current data provided by the Ministry of Natural Resources at the time this Official Plan was prepared. To ensure consistency, this same data will be used in the implementing Zoning By-law and such lands will be placed in appropriate environmental zones in the implementing Zoning By-law.

The Zoning By-law shall also incorporate general setbacks for lot lines, buildings, structures, parking areas and other similar facilities from lands within the *Environmental Protection* in relation to the extent and severity of the natural environmental features and ecological functions of the area.

The implementing Zoning By-law shall also specify that all buildings and structures be set back an appropriate distance from the boundary of an Environmental Protection Zone. A reduction in the setbacks will require either an amendment to the implementing Zoning By-law or a minor variance subject to the comments of the appropriate agencies. Matters to be considered in reviewing an application to reduce the setback include:

- a) the nature and stability of the soils;
- b) the nature and stability of the vegetation and cover;
- c) the slope of the land;
- d) the nature of existing and proposed drainage patterns;
- e) the nature of the fish and wildlife that may be present; and,
- f) the scale of the proposed development.

Council shall be satisfied that the proposed development can be accommodated without there being a negative impact on the features and functions of the corridor and in a safe manner.

B8 OPEN SPACE

B8.1 PURPOSE

The purpose of the *Open Space* designation is to:

- a) identify large land holdings in the Municipality in public ownership;
- b) ensure that the use and development of open space lands is consistent with the environmental objectives of this Official Plan;
- c) ensure that the residents and tourists have access to a properly planned and accessible parkland system, and;
- d) where applicable, providing safe and connected pedestrian and non-motorized vehicular access to public spaces and shorelines.

B8.2 LOCATION

The *Open Space* designation as shown on the Schedules to this Plan applies to municipal parks, buildings and facilities held in public ownership.

B8.3 PERMITTED USES

Permitted uses in the *Open Space* designation may include parks, playgrounds, recreational trails and uses, sports fields, golf courses, community facilities, interpretive centres, museums, cultural heritage uses, banquet facilities and accessory uses such as washrooms, change rooms, administration offices and vending services.

B8.4 COMPONENTS OF THE OPEN SPACE DESIGNATION

B8.4.1 Community Parks in the Settlement Areas

Community parks in the Settlement Areas are also considered to be part of the Municipality's Open Space system. It is a policy of this Plan that these parks will continue to provide a wide range of recreational opportunities for the Municipality's residents and visitors. However, it is also a policy of this Plan that before any major changes in funding or the level of service in each of the existing community parks are made, a long-range plan is prepared. Such a long-range plan should review and obtain public input on the current and proposed functions of the park and the type and scale of the improvements required to ensure that the park meets the community's needs and is cost-effective to operate.

B8.4.2 Sandy Beach

The public beach on Lake Superior known as Sandy Beach is not owned by the Municipality of Wawa. Notwithstanding, these lands have been placed in the *Open Space* designation given the prominent location of these lands on the Lake Superior shoreline and given the historic use of these lands for passive recreational purposes by the public. It is a policy of Council, notwithstanding the permitted uses in Section B8.2, that Sandy Beach only be used and maintained for passive recreational purposes.

B8.4.3 Relationship between the Environmental Protection designation and the Open Space designation

It is recognized that there are lands in the *Open Space* designation which should be designated Environmental Protection given they form part of or are in proximity to a Significant Natural Heritage Feature. Where this occurs, as confirmed by Schedule B, the policies of Section B7 shall take precedence over the Open Space policies. Council has chosen to identify these lands as Open Space in the Plan as it is a source of community pride that such lands are protected in public ownership.

B8.5 ZONING BY-LAW IMPLEMENTATION

All lands in the *Open Space* designation shall be placed in an Open Space Zone in the implementing Zoning By-law.

B9 URBAN HIGHWAY COMMERCIAL

B9.1 PURPOSE

The purpose of the *Urban Highway Commercial* designation is to recognize existing commercial lands along Highway 17 and Mission Road and provide policies to ensure future expansion and redevelopment of this area is orderly and safe.

B9.2 PERMITTED USES

Permitted uses on lands designated *Urban Highway Commercial* include:

- a) auto service and sales;
- b) restaurants;
- c) accommodation facilities;
- d) large format retail uses;
- e) department stores;
- f) supermarkets;
- g) wholesale establishments;
- h) storage and/or warehousing establishments;
- i) mixed use development which combine medium density housing with commercial uses;
- j) institutional uses; and,
- k) space extensive retail uses such as:
 - i) automotive related products;
 - ii) large and bulky goods such as furniture and appliances;
 - iii) home improvement materials;
 - iv) hardware; and,
 - v) nursery or garden supply centres.

B9.3 FORM OF DEVELOPMENT

It is the intent of this Plan that development within the *Highway Commercial* designation be comprehensively planned to ensure that servicing and access can be adequately addressed. In this regard the establishment of new *Urban Highway Commercial* shall be planned in conjunction with other existing and proposed uses to minimize direct access onto Highway 101 (Mission Road) or Highway 17.

B9.4 DEVELOPMENT POLICIES

All new uses shall be subject to an amendment to the implementing Zoning By-law and will be subject to Site Plan Control. Any redevelopment of existing uses which would involve an expansion to the floor area of more than 25% may also be subject to Site Plan Control. Prior to considering an application for a Zoning By-law Amendment and/or Site Plan approval, Council shall be satisfied that:

- a) adequate parking and loading facilities are provided on the site;
- b) such uses are designed to provide or maintain a desirable gateway to the community;
- c) new or redeveloping uses incorporate landscaping to enhance the site and surrounding area;
- d) outdoor storage areas are substantially screened from view from passing traffic;
- e) all options respecting shared access from the road are reviewed and implemented, if feasible;
- f) parking areas are oriented to the rear or side of the lot so the primary building can be brought closer to the road; and,
- g) where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.

B9.5 RELATIONSHIP BETWEEN THE URBAN HIGHWAY COMMERCIAL AREA AND THE DOWNTOWN

As noted in Section B4 of this Plan, the *Downtown* designation in Wawa is intended to function as the primary commercial and service area for the Municipality. Notwithstanding, it is acknowledged that certain contemporary retail formats do not lend themselves to lands within the traditional Downtown area. In addition, given that Wawa intends to strengthen its role as a service centre in North Algoma District it is important that lands be available for contemporary retail space. Notwithstanding, Council will encourage the use and re-use of land

and buildings in the Downtown and may also establish site-specific Development Charges for the establishment of new commercial uses in the *Highway Commercial* designation.

B9.6 ZONING BY-LAW IMPLEMENTATION

All lands within the *Urban Highway Commercial* designation shall be placed in an appropriate Commercial Zone in the implementing Zoning By-law.

B10 RURAL HIGHWAY COMMERCIAL

B10.1 PURPOSE

The purpose of the *Rural Highway Commercial* designation is to:

- a) recognize highway commercial uses in the Municipality which serve the traveling public and/or rural residents; and,
- b) ensure that new rural highway commercial development occurs in an orderly manner; and,
- c) reinforce the Municipality's role as a primary service centre to Northern Ontario residents and to travelers on the Trans-Canada Highway.

B10.2 LOCATION

The *Rural Highway Commercial* designation as shown on the Schedules to this Plan applies to existing commercial uses on or in proximity to Highway 17. New rural highway commercial uses will require an Official Plan Amendment.

B10.3 PERMITTED USES

Permitted uses on lands designated Rural Highway Commercial include auto service and sales, convenience stores, restaurants, wholesale establishments, accommodation uses, storage and/or warehousing establishments, recreation-related retail and service uses, auction yards, garden centres, institutional uses and other similar uses.

B10.4 FORM OF DEVELOPMENT

It is the intent of this Plan that development within the *Rural Highway Commercial* designation serve the needs of the rural community or the traveling public and be planned to ensure that servicing and access can be adequately addressed.

B10.5 DEVELOPMENT POLICIES

All new uses may be subject to an amendment to the Official Plan and/or implementing Zoning By-law and will be subject to Site Plan Control. Prior to considering an application, Council shall be satisfied that:

- a) Adequate parking and loading facilities are provided on the site;
- b) Landscaping will be provided to enhance the site and surrounding area;

- c) Outdoor storage areas are substantially screened from the view of passing traffic;
- d) The proposed use can be serviced with an appropriate water supply and means of sewage disposal; and,
- e) Where a proposed use abuts or is in proximity to an existing sensitive use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.

B10.6 IMPLEMENTING ZONING BY-LAW

All lands within the *Rural Highway Commercial* designation shall be placed in an appropriate Commercial Zone in the implementing Zoning By-law.

B11 INSTITUTIONAL

B11.1 PURPOSE

The purpose of the *Institutional* designation is to:

- a) recognize institutional uses, land and facilities in the Municipality which are maintained by government services or agencies; and,
- b) reinforce the Municipality's role as a primary service centre and complete community in Northern Algoma District.

B11.2 LOCATION

The *Institutional* designation as shown on the Schedules to this Plan applies to existing institutional uses and facilities, primarily within the Settlement Area of Wawa.

B11.3 PERMITTED USES

Permitted uses on lands designated *Institutional* include schools, government offices, servicing infrastructure and facilities, places of worship, storage yards, parking lots and like services and facilities.

B11.4 FORM OF DEVELOPMENT

It is the intent of this Plan that development within the *Institutional* designation serve the needs of the local and/or regional communities and are an appropriate use in the context of surrounding land uses.

B11.5 DEVELOPMENT POLICIES

The conversion of lands within the *Institutional* designation to alternate land uses shall require an amendment to the Official Plan, unless the proposed conversion involves the establishment of affordable housing and/or housing geared to the needs of seniors. Prior to considering an application for the conversion of lands in the *Institutional* designation, Council shall be satisfied that:

- a) Adequate parking and loading facilities are provided on the site;
- b) Landscaping will be provided to enhance the site and surrounding area;
- c) Outdoor storage areas are substantially screened from the view of passing traffic;

- d) The proposed use can be serviced with an appropriate water supply and means of sewage disposal; and,
- e) Where a proposed use abuts or is in proximity to an existing sensitive use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.

B11.6 IMPLEMENTING ZONING BY-LAW

All lands within the *Institutional* designation shall be placed in an appropriate Institutional (I) Zone in the implementing Zoning By-law.

B12 CROWN LAND

B12.1 PURPOSE

The purpose of the *Crown Land* designation is to identify lands in the Municipality which are Crown land and which the Municipality has no regulatory control over in accordance with the Planning Act.

B12.2 LOCATION

The *Crown Land* designation as shown on the Schedule A to this Plan applies to over 60% of the land within the Municipality, primarily in the northern portion of the Municipality.

B12.3 PERMITTED USES

The Municipality has no authority to regulate land use on Crown Land, but encourages 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.

B12.4 DEVELOPMENT POLICIES

Where lands are proposed to be patent in accordance applicable legislation and regulations, an Official Plan Amendment will not be required but a Zoning By-law Amendment will be required to recognize the uses or uses proposed for the patent land. In reviewing a Zoning By-law Amendment, in this context, Council will expect the proponent to conform to other applicable policies in this Plan.

B12.5 IMPLEMENTING ZONING BY-LAW

All lands within the *Crown Land* designation shall be placed in a Crown Land (C) Zone or Rural (RU) Zone in the implementing Zoning By-law.

PART C GENERAL ENVIRONMENTAL POLICIES

C1 OBJECTIVES

It is the intent of this Plan to:

- a) understand and mitigate the potential impacts which can be caused by development and site alteration on Natural Heritage Features not designated Environmental Protection in this Plan;
- b) ensure that development does not occur on lands that are unstable or susceptible to flooding;
- c) prevent development from occurring on hazardous slopes;
- d) protect the quality of water available for drinking water purposes;
- e) identify what is required to support an application for development in an area that is considered to be environmentally sensitive; and,
- f) identify what information is required to support an application that may have an impact on the hydrogeological resources of the Municipality.

C2 ENVIRONMENTAL FEATURES NOT INCLUDED IN THE ENVIRONMENTAL PROTECTION DESIGNATION

C2.1 LAKE SUPERIOR

All communities abutting the Lake Superior shoreline have historically derived social, environmental and economic benefits from this significant water body. Wawa is no exception and the policies this Plan anticipate that Lake Superior will continue to play an important role in the community's future. In recognition that Wawa is one of many stakeholders with a responsibility for the stewardship of this massive fresh water lake, Wawa will encourage and participate in collaboration amongst Federal, Provincial and local municipalities including our American counterparts, as well as landowners, businesses, or other stakeholders who have an interest in the advancement or development of principles and/or strategies aimed at the sustainability of this resource.

C2.2 RIVERS AND STREAMS

All of the rivers and streams in the Municipality as shown on the schedules to this Plan are considered to be environmentally significant since they:

- a) contain fish habitat areas;
- b) function as corridors for migrating wildlife habitat movement and vegetation dispersal;
- c) serve to maintain the quality and quantity of surface and ground water resources; and,
- d) assist in the improvement of air quality.

It is the intent of this Plan to protect all rivers and streams from incompatible development to minimize the impacts of such development on their function. No development/site alteration is permitted within the flooding hazard limit, as defined by the 100-year flood, or within the Erosion Hazard limit, as defined by a qualified person and sealed/stamped by a professional engineer in accordance with the provincial guidelines outlined in the MNR Guide to Understanding Natural Hazards (2001).

C2.3 FISH HABITAT

Fish habitat, as defined in the *Fisheries Act*, refers to spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes. New development may be permitted within fish habitat if it can be demonstrated through an EIS that such development will have no negative impact on the feature and the Department of Fisheries and Oceans has authorized such development or works in accordance with the Fisheries Act. Where Type 1 Fish Habitat has been confirmed by the Ministry of Natural Resources such lands will be protected by a minimum 30 metre setback. For the purpose of this section, lands adjacent to fish habitat are defined, as being within 30 metres of a fish habitat area.

C2.4 WOODLANDS AND VALLEYLANDS

Wooded areas and valleylands within the Municipality have not been identified as Provincially Significant. These areas have not been specifically placed in the *Environmental Protection* designation. However, these areas greatly contribute to the character of the Municipality as a whole and provide key wildlife habitat and important linkages to other environmental features such as lakes and wetlands. It is a policy of this Plan that such areas be retained in their natural state, whenever possible and appropriate, as a condition of development approval. Furthermore, Council may pass a tree cutting by-law to prevent the cutting of trees in sensitive areas. Such a by-law shall not be passed without a specific

assessment of the impacts of a tree cutting by-law together with opportunity for public comment.

C2.5 AREAS OF SIGNIFICANT WILDLIFE HABITAT

Significant wildlife habitat area is an area where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. In some cases, these areas may be considered significant due to the ecological importance of features, functions, representation or amount, thereby contributing to the quality and diversity of an identifiable geographic area.

Wildlife habitat areas are not specifically identified on the schedules to this Plan but may include migratory staging areas, aquatic feeding areas and nesting sites. It is a policy of this Plan that when such information is made available it be added to this Plan by an Official Plan Amendment.

Where significant wildlife habitat is identified and confirmed by the Ministry of Natural Resources through a development application, such development may be permitted in proximity to the habitat if it can be demonstrated through an EIS that such development will have no negative impact on the feature or its ecological functions.

C2.6 COLD WATER "LAKE TROUT" LAKES

The following lakes have been identified by the Ministry of Natural Resources as sensitive cold water "lake trout" lakes where further development and site alteration will be restricted to protect the sensitive habitat of the Lake Trout species:

- i) Wawa Lake
- ii) Black Trout Lake
- iii) Deep Lake
- iv) Reed Lake

New development on private services within 300 metres of the high water mark of a cold water "Lake Trout" lake will not be permitted except for development on existing lots of record or where the tile bed or filter bed can be located more than 300 metres from the high water mark of the lake. Notwithstanding, in some limited cases, new development may be permitted, provided an EIS has been prepared in consultation with the Ministry of Natural Resources or the Ministry of Environment which demonstrates that the proposal will not impact or further degrade the water quality of the lake.

Existing uses on cold water "Lake Trout" lakes may be permitted to expand subject to the preparation of a scoped EIS confirming that such improvements

and expansion will not be detrimental to the ecology of the lake and provided such EIS recommends, if appropriate, plantings or remediation designed to compensate and improve the shoreline habitat of the lake.

Further to the above, where a “Lake Trout” lake has been reached its development capacity, lot creation and land use changes which result in a more intensive use will not be permitted unless the lake’s capacity for development is assessed with the Lakeshore Capacity Model as outlined in the Ministry of the Environment Lakeshore Capacity Assessment Handbook.

In addition, to being identified as a Cold Water “Lake Trout” Lake, Wawa Lake is also the source of the community’s drinking water. As such, Council will support the preparation of a Source Water Protection Plan for Lake Wawa and its sub-watershed in partnership with applicable Provincial agencies, landowners and stakeholders to assess and understand issues and potential risks to water quality and implement strategies to manage or mitigate such risks.

All waterfront development and site alteration on Cold Water “Lake Trout” Lakes may be subject to Site Plan Control or the Development Permit System.

C2.7 OTHER AREAS IDENTIFIED THROUGH A PLANNING PROCESS

It is anticipated that there will be areas of land where a detailed planning approval process or Provincially initiated study has identified an environmental or topographical feature that should be protected from development in accordance with Provincial Policy requirements. In such instances, Council will integrate such features or areas into the Official Plan through a site-specific amendment or at the time of an Official Plan Update.

C3 STORMWATER MANAGEMENT

All proposals for development within the settlement areas of the Municipality shall be supported by a Stormwater Management (SWM) report. The content and depth of the SWM report shall be determined when the development is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of Council and the appropriate agencies and be prepared in accordance with The Stormwater Management Practices Planning and Design Manual (1994) or its successor and shall:

- a) provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year Timmins Flood Event;
- b) document the possible impacts of development on watershed flow

- regimes including their interconnection with groundwater resources;
- c) provide recommendations on how to maintain pre-development water quality and improve run-off where appropriate;
 - d) document the means by which stormwater volume control will be provided; and,
 - e) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.

All proposals for development located adjacent to or in the immediate vicinity of a provincial highway shall submit to the Ministry of Transportation a stormwater management plan or stormwater management report for review and approval when the drainage from such development has the potential to impact a provincial highway.

C4 HAZARD LAND POLICIES

C4.1 STEEP SLOPES AND RAVINES

The following policies shall apply to development proposed in association with steep slopes and ravines.

- a) Development will not be permitted on slopes that are subject to active erosion or historic slope failure.
- b) Development shall be sufficiently setback from the top of bank of slopes greater than 1 in 3. The development setback distance may be determined in consultation with an engineer and/or surveyor subject to the following criteria:
 - i) soil type and groundwater patterns;
 - ii) vegetation type and cover;
 - iii) severity of slope; and,
 - iv) nature of development.
- c) In some instances, where a sufficient development setback cannot be achieved, the proponent will be required to provide a slope stability analysis as a prerequisite to any development. The analysis shall be prepared by a qualified professional to the satisfaction of Council.

C4.2 NATURAL HAZARDS

C4.2.1 Development will generally be directed to areas outside of hazardous site and hazardous lands adjacent to the shoreline of Lake Superior, inland lakes, and river and stream systems which pose risks due to wave uprush, flooding and/or erosion hazards. Hazardous sites may consist of steep slopes, unstable soils, organic soils, and unstable bedrock. Where development is proposed within or partly within these features, the development proponent shall submit a technical study prepared by a qualified professional to the satisfaction of the appropriate approval authority which demonstrates the following:

- a) the hazard can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- b) new hazards are not created and existing hazards are not aggravated;

- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- e) the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

Recommendations made in the technical report(s) will be implemented through the planning process. Where the technical report indicates that development within a particular hazard is not feasible, the development shall not proceed.

C4.2.2 Development and site alteration within a floodway is prohibited, except for development and site alteration which, by its very nature, must be located within a floodway. A floodway consists of those areas, usually low lands adjoining watercourses, which have been or may be subject to flooding hazards.

Where development and site alteration is proposed in the vicinity of flooding hazards, a detailed engineering study will first confirm the actual extent of the flooding hazard. Development and site alteration will only proceed if it has been demonstrated to the satisfaction of the approval authority that it can occur safely on the subject lands outside of the flooding hazard, and not upon lands which are high points surrounding the flood hazard. Lands impacted by flooding hazards will be zoned appropriately to prohibit development and site alteration, except for that development and site alteration which must, by its very nature, be located within a floodway.

C4.2.3 No buildings or structures shall be permitted on lands adjacent to Lake Superior lying below the elevation of 184.2 metres above sea level C.G.D. Buildings or structures on lands adjacent to the Lake Superior shoreline between the elevation of 184.2 and 184.05 metres C.G.D. may be permitted subject to the following restrictions:

- a) all structures are adequately protected from damage due to wave erosion and wave action;
- b) that the finished grade levels on all structures are above 184.8 metres C.G.D, and;
- c) that there are no building openings below 185.05 metres C.G.D.

Council may impose additional setbacks in some areas depending upon site-specific conditions related to such items as ice and wave action.

WASTE DISPOSAL AREAS

There is one open and one closed waste disposal site in the Municipality as shown on the Schedule A to this Plan. It is a policy of this Plan to ensure the residents of Wawa are provided with a safe and cost efficient waste management program. Given that the current landfill site's lifespan has expired, Council is currently considering options with respect to long-term waste management. In the event a new landfill site is opened on patent land, an amendment to this Plan will be required unless the site is located on Crown land. The requirement for an Official Plan Amendment shall not apply to a communal sewage or septage facility.

The development of new uses or new or enlarged buildings or structures within an assessment area of approximately 500 metres from the boundary of a fill area of an open or closed landfill site, may be permitted provided an assessment is completed to determine:

- a) the impact of any potential methane gas migration;
- b) whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the waste disposal site;
- c) potential traffic impacts;
- d) whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the waste disposal site; and,
- e) the impact of the proposed use on leachate migration from the landfill site.

The studies required to support a development application within the assessment area shall be prepared by a qualified professional and may be scoped based on the type and/or scale of the development proposed.

All lands within the assessment area shall be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding provision permitting the development of any new use or primary buildings or structures within the assessment area shall not occur until Council is satisfied that all of the studies required have been satisfactorily completed. It is not the intent of this policy to require assessment for minor additions or renovations to existing uses.

In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies dealing with the matters set out above shall be submitted for Council's consideration.

C6 LAND USE COMPATIBILITY

It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries in addition to uses adjacent to waste disposal sites or sewage treatment facilities. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other in accordance with Provincial standards and guidelines. Where a proposed development is located adjacent to a potentially incompatible land use, an assessment of the compatibility of the proposal may be required by Council in accordance with the Ministry of Environment D-Series Guidelines, or its successor, to the satisfaction of Council or Council and the appropriate agencies and shall include recommendations on how the impacts can be mitigated. The approval of development proposals shall be based upon the achievement of adequate distances and the recommendations of the required studies. Where practical and enforceable, such distances or other recommendations may be implemented through zoning or site plan agreements.

C7 BROWNFIELD SITES AND CONTAMINATED LANDS

Brownfields refer to lands that may be contaminated as a result of historical industrial or commercial uses. One of the most notable brownfield sites in Wawa is the former Sinter Plant on lands located in MC SSM11087-11091, 10477 MC DJ36PT, 37PT, 38PT, 94, JC435, PCLS 2308, 3246, 3348, 3349, 3350 and 4339 AWS.

If the site location of a proposed use is known or suspected to be contaminated, Council shall require the proponent to prepare a study prepared in accordance with the Ministry of Environment guidelines which determines the nature and extent of the contamination and the identification of a remedial plan if required. Where the need for remediation is identified, the site shall be restored and a Record of Site Condition be obtained before development approvals are granted. A Record of Site Condition shall be required regardless of whether a change in land use designation is proposed.

Council may also place a Holding symbol on such lands until it is acceptably cleaned up and decommissioned in accordance with Ontario Regulation 153/04 of the *Environmental Protection Act*.

The final approval of development applications on brownfield lands shall be conditional on the verification of final site conditions and registration of the Record of Site Condition on the Province's Brownfields Site Registry.

PART D – GENERAL DEVELOPMENT POLICIES

D1 WATER AND SEWER SERVICING STRATEGY

D1.1 OBJECTIVES

It is the intent of this Plan to:

- a) ensure that public health is protected;
- b) ensure that new development is serviced in a manner that respects the environmental policies of this Official Plan;
- c) identify the preferred means of servicing in the Municipality;
- d) ensure that all servicing options are considered when major new development is proposed; and,
- e) ensure that appropriate agreements are in place before development on private communal services occurs.

D1.2 PREFERRED MEANS OF SERVICING IN WAWA

Given the available sewer and water servicing capacity in the Wawa Settlement Area, the preferred means of servicing lands in the Wawa Settlement Area is by municipal water and sanitary sewage services.

D1.3 PREFERRED MEANS OF SERVICING IN THE MICHIPICOTEN RIVER VILLAGE

The Michipicoten River Village Settlement Area is currently a partial service settlement area with municipal water and private septic systems. During the lifespan of this Official Plan, it is anticipated that partial services will remain the preferred means of servicing in the Michipicoten River Village, with the exception that a communal septic system may be considered as an option to address a failed private water or septic system.

In addition, future infilling and rounding out of the Michipicoten River Village Settlement Area will be accommodated by partial services, provided reserve capacity is available and site conditions are suitable for the long-term provision of such services.

D1.4 SERVICING OF DEVELOPMENTS WITH FIVE OR MORE LOTS ON
INDIVIDUAL ON-SITE SERVICING

Proposed development of five or more lots on individual on-site sewage services and/or individual on-site water services shall submit to the satisfaction of the Municipality and applicable agencies a servicing options study, as well as a hydrogeological study prepared by a qualified professional in accordance with the Ministry of the Environment D-5-4 Guideline *“Technical Guide for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment”* and the D-5-5 *“Technical Guideline for Private Wells: Water Supply Assessment”*. All wells must be established in accordance with Ontario Regulation 903 “Wells”.

D1.5 THE SERVICING OF DEVELOPMENT OUTSIDE OF THE
SETTLEMENT AREAS

New development on lands outside of the Settlement Area shall be serviced by private wells and septic systems. Communal water and septic servicing systems may be considered subject to the preparation of a Servicing Options Study and provided the Municipality is not obliged to assume or maintain the communal systems.

D2 TRANSPORTATION

D2.1 OBJECTIVES

It is the intent of this Plan to:

- a) facilitate the safe movement of both people and goods to and from the various communities within the Municipality.
- b) ensure that new development does not create a traffic hazard.
- c) ensure appropriate right-of-way widths for all existing and proposed roads.
- d) restrict development on non-winter maintained roads, private roads and individual rights-of-way unless an agreement on services is registered on title.

D2.2 ACCESS TO THE ROADS IN THE MUNICIPALITY

The responsibility for approving an entrance onto a public road in the Municipality depends on which of the two levels of government maintains the road. The types of roads described in this section of the Plan are shown on Schedule C.

D2.2.1 Access to Highway 17 and 101

Highway 17 and 101 are Provincial highways. All development abutting Highway 17 and 101 is subject to the requirements of the Ministry of Transportation. New development will be discouraged from locating on lands adjacent to these highways and direct access onto a provincial highway will be restricted with the exception of lands designated in the Plan for industrial or commercial land use. New development shall be required to maintain a 50 metre noise buffer from a provincial highway, wherever feasible. Land uses proposed within the 50 metre noise buffer shall be subject to noise feasibility and/or detailed noise studies in accordance with the Ministry of the Environment's *"Noise Assessment Criteria in Land Use Planning: Requirements, Procedures and Implementation"*.

D2.2.2 Municipal Roads

Municipal roads are those roads which are assumed and maintained by the Municipality of Wawa. Access to these roads is under the jurisdiction of the local municipality.

D2.2.3 Other Roads

There are a number of private roads and Crown Land roads throughout the Municipality. Such roads will not be assumed by the Municipality except where the financial benefit of doing so far exceeds annual maintenance costs. Where planning and development approvals are proposed on such roads, the Municipality may require the proponent to enter into agreements to address access, road maintenance and liability issues. Existing land use located on private roads may be placed in a zone category that reflects that the lands do not have access to the same level of municipal service and maintenance as lands which front on a municipal assumed road.

D2.3 RIGHT OF WAY WIDTHS

The minimum right-of-way width for all municipal roads shall generally be 20 metres. Every effort will be made to secure this right-of-way width as a condition of Planning Act approvals.

D2.4 TRAFFIC IMPACT STUDIES

Traffic impact studies may be required by the Province or Council to support a development application. The intent of such a study is to ensure that the proposed development can be designed and sited to ensure that the impacts of the development on the adjacent road network are addressed. The Ministry of Transportation is required to review all studies for development adjacent to, or in close proximity to, provincial highways.

D3 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES

D3.1 OBJECTIVES

It is the intent of this Plan to:

- a) recognize that the maintenance of the Municipality's heritage resources will contribute to the preservation of the Municipality's character.
- b) ensure that the nature and location of heritage and archaeological resources are known and considered before land use decisions are made.
- c) prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources and encourage development which is adjacent to significant cultural heritage resources to be of an appropriate scale and character.
- d) consult and seek the advice of a Heritage Committee, the Michipicoten First Nation or other established heritage organizations when making decisions regarding the conservation of cultural heritage resources in the Municipality.

D3.2 POLICIES

D3.2.1 Public Works

The carrying out of any public work by any Public Authority shall have regard to the retention and protection of identified cultural heritage resources in accordance with the goals and objectives of this Plan.

D3.2.2 Restoration and/or Rehabilitation of Identified Cultural Heritage Resources

It is the intent of this Plan to encourage the restoration or rehabilitation of identified cultural heritage resources by assisting with funding applications, establishing partnerships with agencies or associations. A Council may also encourage the restoration and retention of heritage properties ~~through the use of bonusing and density transfers and other means as permitted by the Planning Act~~ by granting increases in building heights and density transfers and other means as permitted under Section 37 of the *Planning Act*⁴. A Council may also lead by example by restoring, rehabilitating, enhancing and maintaining municipally owned cultural heritage resources, through appropriate heritage stewardship practices.

D3.2.3 Cultural Heritage Sites

A number of cultural heritage sites located in the Municipality have been identified on Schedule D. At the time of this Plan was prepared one site, the Sir James Dunn homestead, has been designated in accordance with the *Ontario Heritage Act*.

Schedule D is not an exhaustive list of cultural heritage features in Wawa and new sites may be added subject to Council's consideration. Approved sites may be consolidated at the time of an Official Plan Review. These sites have been identified for their historic or socio-cultural significance in the community. Many of these sites are at very little risk of being impacted by development or site alteration, however, some sites may be sensitive to the impacts of development or site alteration. In instances where development is in proximity to these sites, Council will complete a site-specific assessment of the site relative to the proposed use and its potential impact. In doing so, Council may require the proponent to complete a Heritage Evaluation of the site or feature prior to the declaration of a complete application. To facilitate the identification and preservation of cultural heritage sites in the Municipality, Council will establish and maintain a municipal register of heritage properties in accordance with Section 27 of the *Ontario Heritage Act*.

D3.2.4 Michipicoten First Nation

The Michipicoten First Nation is a proud and prominent First Nation Community and neighbour of the Municipality of Wawa. Council respects the beliefs and values of the Michipicoten First Nation as well as the role that this First Nation Community played as the first inhabitants of the Northeast, which includes lands now incorporated as the Municipality of Wawa.

It is acknowledged that Schedule D does not identify all sites that may be significant to the Michipicoten First Nation. Council is prepared to identify those sites that the Community wishes to identify in the Official Plan and at the same time, Council respects that there are other sites of cultural significance located within municipal boundaries that the Community wishes not to make public.

It is a policy of this Plan that the Michipicoten First Nation be provided notice of all applications for development submitted under the Planning Act in accordance with statutory requirements for the giving of public notice. Further it is a policy of this Plan that Council meet with the Michipicoten Band Council on an annual basis to specifically review and collaborate on matters related to land use planning.

D3.2.5 Designation under the Ontario Heritage Act

Council may by by-law designate buildings of Cultural Heritage Significance pursuant to the *Ontario Heritage Act* and the policies of this Section. Prior to the passage of such a by-law, Council shall be satisfied that:

- a) the building or property is strongly associated with the life of a person who played an integral role in the development of the Municipality and/or is well-known locally, nationally or internationally;
- b) the building or property has historical value or associative value because it has direct associations with a theme, event, belief, activity, organization or institution that is significant to the community; it yields, or has the potential to yield information that contributes to an understanding of a community or culture;
- c) the buildings or property has design value or physical value because it is rare, unique, representative or early example of a style, type, expression, material or construction method; displays a high degree of craftsmanship or artistic merit; demonstrates a high degree of technical or scientific achievement.
- d) The property has contextual value because it is important in defining, maintaining or supporting the character of an area; is physically, functionally, visually or historically linked to its surroundings, or is a landmark.

D3.2.6 Heritage Conservation District

Where merited by the concentration and significance of cultural heritage resources in accordance with Section D3.2.5 of this Plan, Council may consider the establishment of a Heritage Conservation District to conserve an area's heritage character.

Prior to designating a Heritage Conservation District pursuant to Part V of the *Ontario Heritage Act*, Council shall:

- a) pass a by-law to define an area to be studied for possible future designation;
- b) consider passing a by-law to impose an interim control of alteration, demolition or removal of cultural heritage resources in the area defined as under study for possible future designation pursuant to the Ontario Heritage Act;
- c) prepare and adopt a Heritage Conservation District Plan; and,

- d) establish a District Committee to advise Council on matters pertaining to the designated district.

Within designated Heritage Conservation Districts, property owners, in consultation with the appropriate District Committee, will be encouraged to maintain and repair heritage buildings and seek government grants and loans for eligible conservation work.

D3.2.7 Contents of a Heritage Conservation District Plan

The general principles and process for the administration of a Heritage Conservation District will be outlined in a Heritage Conservation District Plan. The Heritage Conservation District Plan will contain the following:

- a) *delineate boundaries of the designated area and reasons for the designation;*
- b) *inventory cultural heritage resources;*
- c) *prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the district's unique character;*
- d) *be adopted by Council after consultation with affected property owners and other interested agencies as considered appropriate; and,*
- e) *be administered by municipal review of heritage permit applications for changes and alterations to individual buildings and structures within the designated district.*

In reviewing proposals for the construction, demolition or removal of buildings or structures, or the alteration of buildings within a Heritage Conservation District, Council shall be guided by the applicable Heritage Conservation District Plan.

D3.2.8 Demolition of Built Heritage Resources

Council shall ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alteration and that such documentation shall be the responsibility of the applicant in consultation with the Ministry of Culture. Council shall ensure that significant records and documentation will be located in an appropriate repository, such as a municipal archive or library.

Pursuant to the Ontario Heritage Act, Council may also refuse to permit the demolition of heritage buildings or structures that have been designated under the *Ontario Heritage Act*.

D3.2.9 Retention/Relocation of Heritage Buildings

The local municipalities shall encourage the retention of buildings of architectural and/or historical significance in their original locations whenever possible. All options for on-site retention shall be considered before approval is given for relocation to another site. These options include: integration within new development areas, adaptive re-use of the building in its original location (e.g. use as a community centre within a residential subdivision), and relocation of the building on the development site.

D3.2.10 Archaeological Assessments

Council acknowledges that there are archaeological remnants of prehistoric and early historic habitation as well as areas of archaeological potential throughout the Municipality. Archaeological sites and resources contained within these areas can be adversely affected by any future development.

Council shall therefore require archaeological impact assessments and the preservation in situ or excavation of significant archaeological resources in accordance with Provincial regulations set out by the Ministry of Culture, as well as licensing regulations referenced under the Heritage Act. The need for impact assessments will be determined in conjunction with development applications through the use of provincial screening criteria, qualified mapping or the inventories referenced earlier in the Section. Areas of archaeological potential can be found in areas close to water, current or ancient shorelines, rolling topography, unusual landforms or areas of known historic settlement.

Archeological assessments completed on conjunction with a development application will be referred to the Ministry of Culture for review.

Council shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Culture and the Ministry of Consumer and Business Services when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. In these cases, the provision of the Heritage Act and Cemeteries Act shall apply.

Council may also maintain the integrity of archaeological resources by adopting zoning by-laws under Section 34(1) 3.3 of the *Planning Act* to prohibit any land use activities or the erection of buildings or structures on land which is a site of Significant Archaeological Resources.

D4 SUBDIVISION OF LAND

This section is intended to contain policies that are to be considered with every application for subdivide land in the Municipality. Regard shall also be had to the specific policies dealing with lot creation in each land use designation.

D4.1 PREFERRED MEANS OF LAND DIVISION

Land division by Plan of Subdivision, rather than by consent, shall generally be deemed necessary if:

- a) the extension of an existing public road or the development of a new public road is required to access the proposed lots; or,
- b) the area that is proposed to be developed is not considered to be infilling; or,
- c) a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,
- d) more than three new lots are being created.

D4.2 NEW LOTS BY CONSENT

D4.2.1 General Criteria

Prior to considering an application to create a new lot for any purpose, the Committee of Adjustment shall be satisfied that the proposed lot:

- a) fronts on and will be directly accessed by a public road that is maintained on a year-round basis;
- b) will not cause a traffic hazard as a result of its location on a curve or a hill;
- c) the severed and retained lots are generally no smaller than 1.0 hectare **unless on full municipal water and sewer services⁵**;
- c) can be serviced with an appropriate water supply and means of sewage disposal;
- d) will not have a negative impact on the drainage patterns in the area;
- e) will not affect the developability of the remainder of the lands, if they are designated for development by this Plan; and,
- f) will not have a negative impact on the features and functions of any

environmentally sensitive feature in the area.

D4.2.2 Boundary Adjustments

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.

D4.2.3 Lots for Utilities

The creation of new lots for public utilities, communication utilities and water and sewer infrastructure may be permitted, provided:

- a) the area of the proposed lot is minimized and reflects what is required for the use; and,
- b) the implementing zoning by-law, as a condition of Provisional Consent, only permits uses that are related to the utility on the lot.

D4.3 SUBDIVISION/CONDOMINIUM DEVELOPMENT POLICIES

This section is intended to contain general Plan of Subdivision/Plan of Condominium policies that are to be considered with every application for Plan of Subdivision/Plan of Condominium. Regard should also be had to the specific policies dealing with lot creation in each land use designation.

Prior to the consideration of an application for Plan of Subdivision/Plan of Condominium, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities;
- c) there is sufficient reserve sewage system capacity, including treatment capacity of disposal capacity for hauled sewage from private communal systems and individual on-site sewage services;
- d) the density of the development is appropriate for the area;
- e) the subdivision/condominium, when developed, will be integrated with other development in the area;
- f) the subdivision/condominium conforms with the environmental protection

and management policies of this Plan;

- g) the proposal conforms to Section 51 (24) of the Planning Act, as amended; and,
- h) where new waterfront development is proposed by Plan of Subdivision or Condominium, the lands must be zoned for shoreline residential purposes.

Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the Municipality will be required.

D4.3.1 Affordability

It is a policy of this Plan to ensure existing and new residents have access to diverse and affordable housing choices. In order to fulfill this policy, Council will work with developers, service delivery groups and funding agencies in an effort to create affordable housing opportunities primarily through redevelopment and intensification in the Wawa and Michipicoten River Village Settlements.

In the case of new development approved during the life of this Official Plan, at least 25% of such development should be affordable to low and moderate income households.

D4.3.2 Energy Efficiency and Air Quality

Council encourages subdivision design that promotes or derives energy efficiency and improved air quality through land use and development patterns which maximize the use of alternative or renewable energy, such as solar and wind energy as well as the mitigating effects of vegetation.

D4.4 PUBLIC PARKLAND

D4.4.1 Objectives

It is the objective of this Plan to:

- a) establish and maintain a system of public open space and parkland areas that meets the needs of present and future residents;
- b) enhance existing parkland areas wherever possible to respond to changing public needs and preferences;
- c) ensure that appropriate amounts and types of parkland are acquired by the Municipality through the development process;
- d) encourage the dedication and donation of environmentally sensitive lands into public ownership to ensure their continued protection; and,

- e) manage the public open space and parkland areas in a manner that is consistent with the environmental objectives of this Official Plan.

D4.5 GENERAL POLICIES APPLYING TO ALL PUBLIC PARKLAND

D4.5.1 Integration of Other Public Uses with the Public Parkland System

Where a public parkland area is to be integrated with an educational or major recreational facility, it is the intent of this Plan that the two uses complement each other by ensuring that there are no physical barriers between the uses.

D4.5.2 Dedication of Land through the Development Process

Council will require the dedication of five percent (5%) of the land within a residential Plan of Subdivision to be dedicated to the Municipality as parkland. Two percent (2%) of the land within a non-residential development shall be dedicated as parkland. In lieu of the above requirements, Council may require cash-in-lieu of parkland instead, as deemed appropriate. In the establishment of a Parkland Dedication By-law, Council may determine value on the basis of either the value of raw land on the day prior to draft approval (Provisional Consent) or on the basis of the value of the new lot(s) prior to issuance of a Building Permit.

All lands dedicated shall be conveyed in a physical condition satisfactory to the Municipality.

Lands within the *Environmental Protection* designation and/or which have been identified as hazard lands shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

D4.5.3 Use of Monies Received Through the Cash-in-Lieu Process

All monies received under the provisions of Section D4.5.2 should be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities in accordance with the Planning Act. This policy shall not prevent Council from acquiring a residential lot in a subdivision which will not be used as parkland but will be held as an asset of the Corporation.

D4.5.4 Parkland Dedication By-law

A Council may enact a Parkland Dedication By-law that establishes:

- a) the lands to which the by-law is applicable;
- b) the rate of parkland dedication in accordance with Section D4.5.2 of this Plan;

- c) the development applications which are subject to parkland dedication requirements;
- d) land uses which are exempt from parkland dedication requirements; and,
- e) in the case of cash-in-lieu, whether the value of parkland will be determined on the basis of raw land prior to approvals or on the basis of value of the individual lot(s) prior to issues of a building permit.

D4.6 PARKLAND DEVELOPMENT POLICIES

D4.6.1 Parkland Siting and Design

All public parkland shall:

- a) have as much street frontage as possible and be open to view on as many sides as possible for safety purposes;
- b) be appropriately lit for safety purposes;
- c) have direct and safe pedestrian access from adjacent residential areas;
- d) be designed to minimize any potential negative impacts on adjacent residential areas through the use of such measures as planting, fencing and the provision of appropriate access and parking;
- e) incorporate natural heritage features wherever possible into the design of the parkland;
- f) be integrated into the fabric of the adjacent neighbourhood; and,
- g) be connected, wherever possible, to trail systems, cycling routes and natural heritage corridors.

D5 TECHNICAL STUDIES AND PEER REVIEWS

Where a policy in this Plan requires the submission of technical studies, such studies must be prepared at the applicant's expense by a qualified professional. When technical studies are submitted with a development application, Council may authorize a qualified professional to peer review such studies and provide advice to Council at the applicant's expense.

PART E - PLAN IMPLEMENTATION AND ADMINISTRATION

E1 PLAN IMPLEMENTATION

E1.1 ZONING BY-LAWS

The Municipality's zoning by-law will be updated within three years of the approval of the Official Plan as required by Section 26(9) of the Planning Act.

Where appropriate, and subject to the proper authority under the Planning Act, the Municipality may use Zoning with Conditions as a planning tool to assist in achieving the goals and policies of this Plan.

E1.2 TEMPORARY USE BY-LAWS

The Municipality may pass temporary use by-laws for a specific time period up to three years and should be applied where it is considered inappropriate by Council to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. A garden suite may be permitted on a property for up to 10 years. Subsequent by-laws granting extensions of up to three years ~~(or 10 years for a garden suite)~~⁶ may be passed. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the implementing Zoning By-law.

Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- a) The proposed use should be of a temporary nature and should not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) The proposed use should be reasonably compatible with adjacent land uses and not be out-of-character with the surrounding neighbourhood;
- c) The proposed use should not require the extension or expansion of existing municipal services;
- d) The proposed use should not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;

- e) Parking facilities required by the proposed use should be provided entirely on-site;
- f) The proposed use should generally be beneficial to the neighbourhood or the community as a whole; and,
- g) The owner has entered into an agreement with the Municipality and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

E1.3 HOLDING PROVISIONS

In accordance with the Planning Act, Council may use a Holding (H) symbol in conjunction with the zoning of land to suspend development permissions until specific conditions of the Municipality have been met. These conditions may be set out in the policies applying to the land use designations in this Plan or may be specified within a site-specific zoning by-law amendment.

E1.4 SITE PLAN CONTROL

All areas of the Municipality are designated as proposed Site Plan Control areas under the provisions of the Planning Act. All uses may fall under Site Plan Control. All lands within designations that permit single detached dwellings are also designated as proposed Site Plan Control areas.

The following items may be regulated under a site plan agreement:

- a) the massing and conceptual design of proposed buildings;
- b) the relationship of proposed buildings to adjacent buildings, streets, and public areas;
- c) interior walkways, stairs, elevators, and escalators accessible to the public from streets, open spaces and interior walkways in adjacent buildings;
- d) exterior design including character, scale, appearance, and design features of buildings and their sustainable design;
- e) sustainable design elements on any adjoining highway including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
- f) facilities designed to have regard for accessibility for persons with disabilities.

E1.5 DEVELOPMENT PERMIT SYSTEM

The Municipality shall through a By-law passed pursuant to Section 70.2 of the Planning Act, and Regulation 608/06 establish a development permit system for one or more specific areas of the Municipality.

E1.5.1 Lands Subject to Development Permit System

The following area(s) are described as proposed development permit area(s) and may be designated as such by a Development Permit By-law passed by Council pursuant to the provisions of the Planning Act and its associated regulations:

- a) All land within 300 metres of the shoreline of a Lake Trout Lake as identified on Schedule B of this Plan and listed in Section C2.5 of this Plan.

E1.5.2 Intent

Cold water lakes that are capable of sustaining lake trout are considered to be Provincially significant wildlife habitat and Section C2.5 of this Plan recognizes the importance of these lakes by restricting future development and lot creation. However, this Plan permits development on lake trout lakes in some circumstances and the Development Permit System is considered to be an effective way of regulating future development in these sensitive areas.

It is noted that the largest lake trout lake in the Municipality, Wawa Lake, is also the source of drinking water for residents of the Wawa Settlement Area. As such, it is prudent to establish effective regulations governing future development and site alteration on the community's water supply.

E1.5.3 Goals

In developing and implementing a Development Permit System for lands that abut lake trout lakes, the goals are to:

- a) protect lake trout lakes and their ability to sustain lake trout populations;
- b) minimize disruption to the eco-system of Lake Trout Lake through management and regulation of development and site alteration;
- c) enact a system that facilitates discussion and collaboration between the Municipality and landowners with a collective goal of protecting or enhancing the health and quality of the lake eco-system; and,

- d) create an efficient approval process that provides for informed decision-making and the execution of binding agreements to occur at the same time.

E1.5.4 Scope of Authority

The Development Permit By-law is intended to be restricted to shoreline residential and shoreline recreational uses, which will be more specifically defined in the Development Permit By-law.

Within the areas for which a Development Permit By-law has been enacted, the Zoning By-law will continue to apply, however zoning regulations relating to building construction may be modified, without the need for a zoning amendment.

E1.5.5 Criteria

The modification of zoning regulations will be dependent on the extent to which criteria established through the Development Permit By-law have been met. Examples of such criteria may include:

- a) the submission of environmental assessment reports and site plans;
- b) protection, enhancement and/or restoration of shoreline vegetation;
- c) protection, enhancement and/or restoration of critical areas of fish habitat;
- d) in the case of redevelopment or expansion, siting new building and structures to achieve greater shoreline setbacks than currently exist;
- e) installation of phosphorus retaining or phosphorus removing septic technology; and,
- f) stormwater management designs that restrict or intercept stormwater from flowing directly to the lake.

E1.5.6 Conditions

The modification of zoning regulations may require the landowner to fulfill certain conditions established through the Development Permit By-law. Examples of such criteria and conditions may include:

- a) agreeing to conserve certain lands in a natural state;
- b) agreeing to enhance and/or restore of critical areas of fish habitat;
- c) agreeing to enhance and/or restore shoreline vegetative buffers;

- d) installing phosphorus retaining or phosphorus removing septic technology; and,
- e) designing on-site stormwater management systems to restrict or intercept stormwater from flowing directly to the lake.

E1.5.7 Administration

The Development Permit System in the Municipality of Wawa will be administered in accordance with O. Reg 608/06 with the further requirement that a Notice of Complete Application for a Development Permit shall be forwarded to all abutting landowners of the applicant's land at least 10 days prior to Council's consideration of the permit.

E1.6 MINOR VARIANCE

Council may appoint a Committee of Adjustment in accordance with Section 44 of the *Planning Act* to consider and/or grant minor variances to the implementing Zoning By-law. In determining whether to approve an application for a minor variance, The Committee of Adjustment will need to be satisfied that the application meets all of the four tests:

- 1) That the requested variance conforms with the general intent of the Official Plan;
- 2) That the requested variance is in keeping with the spirit and intent of the Municipality's Zoning By-law;
- 3) That the requested variance is appropriate for the desirable development of the lot; and,
- 4) That the requested variance is minor in nature.

In making a determination of whether a variance is minor as required in item four, the Committee of Adjustment should have greater regard for the degree of impact which could result from the variance and less regard to the magnitude of numeric or absolute relief sought by the applicant. In addition, applicants who request a minor variance should be prepared to demonstrate a need for the requested relief on the basis that the subject zoning provision is not warranted in a particular circumstance, causes undue hardship, or is otherwise impossible or not reasonable to comply with.

E1.7 COMMUNITY IMPROVEMENT

These policies are intended to provide a basis and mechanism for Council to utilize the provisions of Section 28 of the Planning Act to encourage the planning or replanning, design or redesign, resubdivision, clearance, development, or redevelopment, construction, reconstruction and rehabilitation, improvement of

energy efficiency, or of any them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary for specific areas of the municipality. It may also include the provision of affordable housing.

Council may undertake Community Improvement Plans (CIP) in order to implement the policies of this Plan as municipal finances and other sources of funding permit. Wherever possible Council will seek funding from senior government sources and other partnerships to assist in community improvement programs after clarifying what components of improvement plans will be eligible for Community Improvement grants and loans as prescribed by Section 28(7) and Section 32 of the *Planning Act*. Council may also include tax assistance programs as prescribed by Section 365.1 of the *Municipal Act*. Through a Community Improvement Plan the municipality may also register agreements relating to grants and loans issued to fulfill CIP objectives.

E1.7.1 Community Improvement Areas

All lands located within the Settlement Areas as shown on Schedules A-1 and A-2 to this Plan shall be defined as Community Improvement Areas.

E1.7.2 Community Improvement Projects

Community Improvement projects could include, but are not limited to:

- a) the development of seniors housing or forms of affordable housing;
- b) the development of parks, recreational trails and public uses at or near the waterfront;
- c) improvements to sidewalks and road surfaces to enable safe and comfortable travel by pedestrians, bicycles and vehicles;
- d) projects designed to foster accessibility and active transportation in the community;
- e) tree planting and street beautification programs and improvements to private buildings and properties; or,
- f) the construction and improvement of buildings and structures that promote energy efficiency.

E2 NON-CONFORMING USES

E2.1 INTENT OF OFFICIAL PLAN

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the implementing Zoning By-law. In some instances, where issues of compatibility are not created, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the implementing Zoning By-law. In such instances, Council shall have regard for the following principles:

- a) the feasibility of acquiring the property for holding, sale, lease or development by the municipality for a more appropriate permitted use; and,
- b) the possibility of relocating the non-conforming use to a more appropriate location.

E2.2 ROLE OF THE IMPLEMENTING ZONING BY-LAW

Existing uses which do not conform with the policies of this Official Plan may be zoned in the implementing Zoning By-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the use does not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;
- c) the use does not interfere with the appropriate development of the surrounding lands; and,
- d) when the use is discontinued, re-zoning may only take place in accordance with the policies and intent of this Plan.

E3 PRE-CONSULTATION AND COMPLETE APPLICATIONS

In order to ensure that all the relevant and required supporting information pertaining to a planning application is provided at the time of submission, Council may, by By-law, require a proponent to attend a pre-consultation meeting with staff prior to the submission of a planning application. Subsequent to a pre-consultation meeting, the Municipality will determine what supporting information (i.e. reports and studies) is required as part of the complete application submission and inform the proponent of these requirements.

The following information, at a minimum, shall be required as part of a complete application:

- a) prescribed application fee;
- b) completed application form together with requisite authorizations, if necessary;
- c) prescribed information and material as required by the Planning Act Regulations;
- d) covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) concept plans and/or drawings; and,
- f) any studies identified as necessary through pre-consultation.

The following supporting information may be required as part of a complete application, to be determined through the pre-application consultation with staff:

- a) Transportation Impact Study;
- b) Functional Servicing Report;
- c) Stormwater Management Plan;
- d) Tree Preservation Report and Plan;
- e) Hydrogeological Assessment;
- f) Watershed or Subwatershed Study;
- g) Floodline Delineation Report;
- h) Architectural/Urban Design Study;
- i) Environmental Site Assessment;
- j) Planning Justification Report;
- k) Ministry of the Environment (MOE) Record of Site Condition (RSC);
- l) Contaminant Management Plan;
- m) Environmental Impact Study;
- n) Lake Impact Study;
- o) Archaeological Assessment;
- p) Heritage Impact Assessment;
- q) Wind Study;
- r) Noise Study;
- s) Vibration Study;
- t) Geotechnical Study;
- u) Slope Stability Study;
- v) Market/Retail Impact Study or Analysis;
- w) Viewscape or Shadow Impact Assessment;
- x) Conceptual Site Plan and Building Elevations; or,
- y) Erosion and Sediment Control Plans.

E4

MINOR ALTERATIONS TO THE PLAN

The following types of minor alterations may be made to this Plan without the need for a formal Official Plan Amendment provided the Ministry of Municipal Affairs is provided with a copy of the revised Official Plan referencing the nature of the alteration:

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

In all other instances, notification of public meetings held by Council shall be given to the residents of the Municipality in accordance with the procedures of The Planning Act.

E5

INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

The boundaries between land use designations on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

It is recognized that the boundaries of the *Environmental Protection* and *Hazard* designations may be imprecise and difficult to confirm. Given this reality, Council shall use available resources to determine the extent of the environmental areas on a site by site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Environmental Protection* or *Hazard* designation shall not require an amendment to this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

E6 DEFINITIONS

For the purposes of interpretation of this Plan, the definitions in the *Planning Act*, R.S.O. 1990, the Provincial Policy Statement 2005, and other applicable legislation shall apply. In all other instances, terms shall be defined in accordance with common usage and if necessary, reference to the **Canadian Oxford Dictionary, 2nd Edition**.

E7 OFFICIAL PLAN REVIEW PROCESS

The assumptions, objectives and policies of this Plan shall be reviewed and revised no less than every five years after this Plan comes into effect at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended. The five-year review shall consist of an assessment of:

- a) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- b) the degree to which the objectives of this Plan have been achieved;
- c) the degree to which the Plan has responded to economic and social challenges in the community;
- d) Global, National, Provincial and Regional land use and development and their effect on development in Wawa; and,
- e) the Plan's regard to matters of Provincial Interest; conformity to Provincial Plans; and consistency with Provincial Policy Statements.

APPENDIX 1

GLOSSARY OF TERMS

Accessory Use

Means: a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot.

Adjacent Lands

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.

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
- h) interference with normal conduct of business.

Affordable

Means:

- a) in the case of ownership housing, the least expensive of:
 - i) 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
 - ii) 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:
 - i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) 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:

- a) growing crops, including nursery and horticultural crops,
- b) raising livestock and other animals, including poultry and fish, for food and fur,
- c) aquaculture, and
- d) agro-forestry and maple syrup production.

Agriculture-Related Uses

means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in proximity to the farm operation.

Alternative Energy Systems

means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Alvars

Naturally open areas of thin or no soil over essentially flat limestone, dolostone or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs.

Archaeological Resources

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

Area of Settlement

means an area of land designated in an official plan for urban uses including urban areas, urban policy areas, towns, villages, hamlets, rural clusters, rural settlement areas, urban systems, rural service centres or future urban use areas, or as otherwise prescribed by regulation.

Areas of Archaeological Potential

Areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of Mineral Potential

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)

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

Buildings and/or lands that may be contaminated by virtue of historic use. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built Heritage Resources

Refers to one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Carrying Capacity

The capacity of a site to support a use without substantial negative impact on environmental features such as water quality, natural vegetation, soil, wildlife population and visual attractiveness.

Coastal Wetland

Means:

- a) any wetland that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, 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. (PPS)

Connectivity

Refers to the degree to which key natural heritage features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

Conservation

The wise management of the environment in a way which will maintain, restore, enhance and protect its quality and quantity for sustained benefit to humans and the environment.

Cultural Heritage Landscape

Means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Cumulative Effect

The effect on the Escarpment environment as a result of the incremental impacts of development when considered in conjunction with other past, present and possible future actions, occurring over a period of time and area.

Deeryards

An area where deer concentrate during the winter months.

Defined portions of the one hundred year flood level along connecting channels

Means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of Mineral Aggregate Resources

Means an area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated Vulnerable Area

Areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

Development

Includes 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) 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.

Dynamic Beach Hazard

Means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance.

Easement

A negotiated interest in the land of another which allows the easement holder specified uses or rights without actual ownership of the land.

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.

Employment Area

Means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

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.

Existing Uses

Uses legally established prior to the date that the Greenbelt Plan came into force. Existing agricultural accessory buildings and structures including farm dwellings can expand on the same lot subject to the provisions of the municipal zoning by-law. (GP)

Fish

Means fish, which as defined in S.2 of the Fisheries Act, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish Habitat

As defined in the *Fisheries Act*, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood Fringe

When used in reference to rivers, streams and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flood Plain

When used in reference to rivers, streams, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

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:

- i) 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;
- ii) the one hundred year flood; and
- iii) 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). (PPS)

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. (PPS)

Floodway

When used in reference to river, stream and small inland lake systems, means the portion of the flood plain where development and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous flood plain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

Great Lakes - St. Lawrence River System

Means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Ground Water Feature

Refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Group Home

Means a residence that is licensed or funded by a Public Agency for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition, require a group living arrangement for their well being.

Habitat of Endangered, Rare and Threatened Species

Means land that,

- a) is an area where individuals of an endangered species, a rare species or a threatened species live or have the potential to live and find adequate amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and
- b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

Hazardous Land

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 the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of 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 individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, 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, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

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.

Legal or Technical Reasons

Means severances or a consent to sever for purposes such as corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Lot

Means a parcel of land;

- a) Described in a deed or other document legally capable of conveying an interest in land, or
- b) Shown as a lot or block on a registered plan of subdivision.

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.

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.

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, or successors thereto;
- 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.

Minerals

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

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

Minimum Distance Separation Formulae

Means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal Sewage Services

Means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Municipal Water Services

Means a municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002.

Natural Heritage Features and Areas

Means features and areas, including significant wetlands, significant coastal wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valleylands south and east of the Canadian Shield, significant habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural Heritage System

Means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

Negative Impacts

Means:

- a) 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;
- b) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and
- c) 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.

One Hundred Year Flood

When used in reference to river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One Hundred Year Flood Level

Means:

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

Other Water-Related Hazards

Means water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

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.

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.

Protected Heritage Property

Means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Protection Works Standards

Means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by flooding hazards, erosion hazards and other water-related hazards, and to allow access for their maintenance and repair.

Provincial Plan

Means a plan such as the Northern Ontario Growth Plan approved by the Lieutenant Governor in Council or the Minister of Municipal Affairs and Housing, but does not include municipal official plans.

Provincial Policy Statement

The Provincial Policy Statement (PPS) sets out the Ontario government's interests in land-use planning and development and provides policy direction on matters of provincial interest to those involved in land-use planning.

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.

Public Work

Means any improvement of a structural nature or other undertaking that is within the jurisdiction of the council of a municipality or a local board.

Quality and Quantity of Water

A measure of indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Quarry

Means land or land under water from which consolidated aggregate is being or has been excavated and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the *Aggregate Resources Act*.

Recreation

Means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment

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

Renewable Energy Systems

Means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

River, Stream and Small Inland Lake Systems

Means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural Areas

Means lands in the rural area which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Secondary Uses

Means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

Sensitive

When used 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.

Sewage and Water Services

Refers to municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

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 the habitat of endangered species and threatened species, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) 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;
- d) in regard to other features and areas in not noted in a), b) or c), 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;
- e) in regard to mineral potential, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;
- f) in regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time; and
- g) in regard to cultural heritage and archaeology, resources that are valued 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)-(g) 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

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

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 the elderly.

Surface Water Feature

Refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened Species

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.

Valleylands

Means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable

Means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Wave Uprush

Means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

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 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 life cycle; and areas that are important to migratory and non-migratory species.

Woodlands

Means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.

Zoning By-Law

A by-law passed under Section 34 of the *Planning Act* to regulate the use of land.