

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.

C5 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. 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;
- 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,

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) 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.













