



OFFICIAL PLAN FOR THE CORPORATION OF THE TOWNSHIP OF PICKLE LAKE

“Ontario’s Last Frontier”

DRAFT V.3

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*Adopted by Council:
MMAH Approved:*

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SECTION 1 - INTRODUCTION

1.1 PREAMBLE

The Township of Pickle Lake is located within the District of Kenora in Northwestern Ontario, 538 kilometers northwest of the City of Thunder Bay. Pickle Lake is the most northern municipality in Ontario that can be reached year-round by automobile. Given its northern location and distance from urban centres, Pickle Lake is often described as Ontario's Last Frontier. Pickle Lake also acts as a distribution centre to 26 remote First Nation Reserves that are located further north of the Township, through the provision of ground and air transportation and distribution of goods and retail services.

Pickle Lake is comprised of the geographic Townships of Ponsford, Connell and McCullagh in addition to unsurveyed lands. The total land area of the Township is approximately 562.5 square kilometers (56,250 hectares). Located within the Township are two settlement areas, the townsite of Pickle Lake which is the administrative, business, and residential centre and the townsite of Central Patricia, a smaller secondary residential, commercial and industrial area.

The Township's development and economy has historically been based on natural resources, specifically the mining industry. Pickle Lake is the serviced urban area, comprised of residential, commercial, institutional, and recreational uses, while Central Patricia is unserviced land with limited residential and commercial uses. The remainder of the Township is primarily rural land comprised of individual service commercial and industrial uses and a vast undeveloped rural area. The establishment of a strong and diversified economic base providing growth and development opportunities throughout the Township that is less reliant on the boom/bust economy of mining is of importance to the Council and the residents of the Township of Pickle Lake.

Critical to providing growth and development opportunities is the need to establish a balance between the various competing interests. Economic opportunities that the Township has been promoting is eco-tourism and recreational residential opportunities including tiny homes throughout the Township along with new development corridors for industrial and commercial uses. However, majority of the undeveloped rural area of the Township has been identified as having a moderate to high potential for mineral resources and is to be protected for future mining activities. Mining operations have returned and may be viable, however other opportunities for development are warranted and should be considered in



the rural undeveloped area of the Township at a scale that would not obstruct or deter possible mining activities. Possible low density and recreational residential development opportunities may exist without compromising the ability to protect potential mineral resources.

It must also be recognized that Pickle Lake historically is a mining community and is aware of the impact mining can have on the surrounding lands uses and the community as well as the impact surrounding lands uses can have on a mining operation. In addition, Pickle Lake has experienced the economic and social impacts a mining operation has on the community and local economy and the cyclic nature of those impacts. From both an economic and social perspective, there is a need to overcome the boom/bust impact that mining has historically had on the community.

Other economic opportunities available to the Township relate to the expansion of the new transmission line stemming from Pickle Lake. With its development, the anticipation for all season roads is necessary in the near future, which will bring more vehicle traffic through the community from the North. Attributed to this, the community hopes to develop additional distribution, wholesale, and service sector serving the remote communities, including the expansion of facilities in proximity to the airport.

The latest 2016 Census Canada information indicates that the population of the Township of Pickle Lake is 388 persons. The Township has experienced a decline in population in recent years from a peak of 1,100 persons to the current population attributed primarily to the closure of mines and resultant decline in economic opportunities during this period. However, it is anticipated that the decline in population has leveled off and with the promotion of the Township as Ontario's Last Frontier, modest growth is projected for the Township. A successful business enterprise and the opportunity to permit tiny homes in appropriate locations in the Township could result in an increase in population over and above what is projected. Therefore, regular monitoring of the population is important to determine if the population projections remain relevant to the Township.

The townsite of Pickle Lake will continue to be the residential, commercial, recreational, and administrative centre for the Township. It is expected that Pickle Lake will be the focus and centre for new development, particularly serviced development.

In rural areas, opportunities are available for limited rural residential development through the consent process consistent with the rural character of the Township.



Limited rural recreational residential development may be permitted provided the development can be safely serviced by private individual septic and water systems. Areas with scenic vistas in proximity to lakes and rivers are examples of locations in the Township that are appropriate for seasonal residential including the tiny homes and tourism opportunities subject to servicing, design and site-specific considerations. The opportunity to permit tiny homes in residential areas that currently permit mobile/modular homes will assist the Township to deal with the more recent housing crisis.

1.2 PURPOSE OF THE OFFICIAL PLAN

This Official Plan is the Township's principal land use policy document. This Plan follows the Ontario Planning Act requirements for municipalities to provide guidance for the physical development of communities.

- 1.2.1 This Plan is intended to provide guidance to Council, municipal staff and the public when making decisions about future land use and economic development in the Township of Pickle Lake.
- 1.2.2 This Plan establishes the vision, guiding principles, objectives, and policies to manage and direct physical development and the effect of change on the social, cultural, economic, and natural environment for the planning horizon for the next 20 years (until 2041).
- 1.2.3 This Plan establishes policies that will be considered throughout the development approval process and when considering public works and other municipal services.
- 1.2.4 This Plan is prepared to provide the necessary tools and policies to avoid land use conflicts and provide for the appropriate development of the community.
- 1.2.5 This Plan is to ensure that the Township is well prepared for future economic development by establishing clear policies and a development process that will provide certainty with respect to future land use in the Township and maintain the Township's role as a regional service centre for the surrounding population.
- 1.2.6 This Plan is to maintain the high quality of life enjoyed by the present and future residents of the Township and to ensure that this quality of life is sustainable from environmental, cultural, and economic perspectives.
- 1.2.7 This Plan is to ensure the matters of provincial interest identified in the *Planning Act* and is consistent with the Provincial Policy Statement and Growth Plan for



Northern Ontario, particularly the policies relating to active transportation, accessory dwelling units and tiny homes, northern and rural communities, infrastructure, climate change, mineral aggregate resources, First Nations and Aboriginal issues.

- 1.2.8 This Official Plan replaces the July 2000 Official Plan that was adopted by Council on August 23, 2001, by By-law 2000-16 and approved by the Ministry of Municipal Affairs and Housing on December 19, 2001.

1.3 GOALS AND OBJECTIVES OF THE OFFICIAL PLAN

This section of the Plan establishes the fundamental goals and objectives that will guide future development in the Township of Pickle Lake. The policies and land use designations contained in the Plan are based on achieving the goals and objectives.

The goals reflect the present and future needs and values of the Township and the residents.

- 1.3.1 The goals of this Official Plan are:

- a) Protect, maintain, and improve the quality of life in the Township while at the same time provide opportunities for growth and appropriate development.
- b) Establish policies which manage and direct physical change and the effects on the social, economic and natural environment, of the Township, over the next 20 years.
- c) Secure the health, safety, convenience and welfare of the residents of the Township of Pickle Lake by restricting development that causes environmental, health and safety concerns.
- d) Direct development to appropriate areas so as to minimize the servicing costs for the Township and continue to operate in a fiscally and environmentally sustainable manner.
- e) Ensure the Township's resources are rationally used and that both natural and cultural heritage resources are protected and conserved while development opportunities are not overly restricted.
- f) Qualify the Township for various programs funded by senior levels of government.
- g) Provide policies which will encourage the expansion and diversification of the local economic base to become less reliant on the mineral resource industry.



- h) Provide policies that guide development that is environmentally compatible, supports sustainable development and minimizes land consumption.
- i) Provide policies for affordable housing and alternative forms of housing with emphasis on community neighbourhood design and compatibility with existing uses.
- j) Inform the residents of the Township of Pickle Lake of the policies that affect the development of land.
- k) Provide a guiding framework for implementing by-laws and for decisions of local boards, commissions, committees, and other authorities.
- l) Provide policies that have regard to the Provincial Policy Statement and Growth Plan for Northern Ontario in support of local conditions and circumstances.

1.3.2 The objectives of this Official Plan are:

- a) The Township shall commit and actively seek and encourage new development that maintains the quality of life, maintains or improves the health of existing businesses, and diversifies the economy.
- b) The Township shall encourage patterns of development which facilitate the provision of local services with minimal or no impact on local finances and provides for the efficient use of land, infrastructure and public service facilities.
- c) The Township shall preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity of ecosystems.
- d) The Township shall encourage commercial and industrial opportunities that are compatible with the natural environment and are economically feasible.
- e) The Township shall have regard for the importance of natural resources including mineral resources, aggregate resources, forest resources and fisheries and wildlife resources within the Township with respect to their contribution to the economic, and social well being of its residents.
- f) The Township shall encourage the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Township and shall ensure that an adequate supply of land is available to meet the housing needs of its residents including opportunities for redevelopment and intensification within the serviced area of the Township.
- g) The Township shall make an effort to promote and encourage innovative housing options like tiny homes built for year-round use in all zones that permit



residential dwelling use in the Township.

- h) The Township shall encourage the use of existing, vacant lots for new development. Infill development is the most economical approach to growth and development and represents responsible management of the Townships finances and resources.
- i) With this Plan, the Township has achieved the goal of establishing a policy framework for the future that addresses the unique circumstances of the Township of Pickle Lake which also has regard for the Provincial Policy Statement in consideration of local conditions and circumstances.

1.4 AMENDMENT AND REVIEW

- 1.4.1 This Official Plan is not a static document. It is expected that Council will regularly update the Official Plan to ensure that the Plan implements any changes to the Provincial Policy statements or Provincial Plans.
- 1.4.2 The Official Plan update is also an opportunity to ensure the Plan continues to address local priorities and changing community needs. This update should be completed ten (10) years after a municipality prepares a new comprehensive Official Plan or every five (5) years after an update done through an amendment to the Plan.
- 1.4.3 All Official Plan amendments are subject to the approval of the Minister of Municipal Affairs and Housing until such time as official plan amendments are exempt from Provincial approval.

1.5 RESPONSIBILITIES OF THE TOWNSHIP OF PICKLE LAKE

- 1.5.1 With respect to Official Plans, the Township has the responsibility to:
 - a) Prepare Official Plans;
 - b) Review Official Plans from time to time and make amendments as necessary;
 - c) Advise and secure the views of the public, local authorities, agencies and boards with respect to their Official Plan and amendments; and
 - d) Review, consider, and recommend local legislation, zoning by-laws and amendments, which implement the policies of the Official Plan.



1.6 OFFICIAL PLAN

1.6.1 This document constitutes the Official Plan of the Township of Pickle Lake and has been prepared in accordance with the provisions of the *Planning Act*.

1.7 TITLE

1.7.1 This Plan may be known as the "Official Plan for the Township of Pickle Lake".

1.8 SCOPE

1.8.1 This Plan applies to all lands within the municipal boundary of the Township of Pickle Lake.

1.9 PUBLIC WORKS

1.9.1 Any public works undertaken in the Township of Pickle Lake shall conform to the policies of this Plan, in accordance with Section 24 of the *Planning Act* and shall be planned and implemented in accordance with the applicable Class Environmental Assessment under the *Environmental Assessment Act*, as amended.

1.10 ZONING BY-LAWS

1.10.1 All zoning by-laws passed after this Plan is in effect shall conform to the policies of this Plan.

1.11 PRIVATE INTERESTS

1.11.1 Private interests must adhere to the policies of this Plan. The use of private lands will also be regulated in accordance with the Zoning By-law, and other By-laws passed under other relevant Provincial statutes.

1.12 PROVINCIAL POLICY CONTEXT

1.12.1 Conformity with 2020 Provincial Policy Statement (PPS). The PPS is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development and promotes the provincial policy-led planning system. The Official Plan has been prepared to



meet the requirements of the PPS and to be consistent with its policies.

1.12.2 Conformity with the Growth Plan for Northern Ontario. The 2011 Growth Plan for Northern Ontario provides a broad 25 year land use vision for the communities in the north. The vision positions the northern economy to provide diverse opportunities to work, live and participate in the new economy of the twenty first century. The guiding principles of the Growth Plan are:

- a) Create a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents;
- b) Develop a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades;
- c) Partner with First Nation peoples to increase educational and employment opportunities;
- d) Deliver a complete network of transportation, energy, communications, social and learning infrastructure, to support strong, vibrant communities;
- e) Demonstrate leadership in sustainable growth and environmental management; and
- f) Establish innovative partnerships to maximize resources and ensure the Growth Plan achieves its ambitious vision and is fiscally sustainable.

The policies of this updated Pickle Lake Official Plan are consistent with the general vision provided in the Growth Plan for Northern Ontario.

1.12.3 Conformity with *The More Homes, More Choice Act*, 2019, (Bill 108) which amends the *Planning Act* and *Development Charges Act*. One of the associated regulations of Bill 108 requires municipalities to allow additional units within existing single detached, semi-detached, townhouses and accessory buildings, to a maximum of three units per lot (e.g., primary residence, basement apartment, and coach house in the rear yard). This change came into effect to make building additional residential units on properties easier.

Subsection 16(3) of the *Planning Act* requires municipalities to adopt Official Plan policies that authorize the use of additional residential units in both the primary residential units and in another building on the same property. Municipalities may also permit the use of tiny homes on the same property as other residential units.



1.13 STRUCTURE OF THE OFFICIAL PLAN

This Official Plan contains written policies and Schedules. The Plan is divided into eight Sections, including broad policy directions and objectives, specific land use designations and policies, and implementation measures.

Section 1 - Introduction provides the context, goals and objectives, explains the role and structure of the Official Plan and the political and administrative framework within which land use planning is carried out in Ontario.

Section 2 - General Provisions contains development policies that apply to all land use designations.

Section 3 - Land Use Designations is the core of the Official Plan, establishing land use designations and associated policies which will guide decisions for the use of land to 2041.

Section 4 - Municipal Services and Facilities consists of policies related to the sanitary, water and sewer infrastructure, roads, waste disposal, and community facilities and services.

Section 5 - Implementation and Administration contains policies and planning tools related to the implementation of the Official Plan, as well as requirements for development applications.

Section 6 - Definitions



SECTION 2 - GENERAL PROVISIONS

2.1 GENERAL

- 2.1.1 The following land use policies apply to all lands in the Township of Pickle Lake unless specifically mentioned for exclusion.
- 2.1.2 The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

2.2 ACCESSORY USES

- 2.2.1 Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted. Where permitted in the Zoning By-law, residential dwelling units shall be permitted in commercial buildings. However, the commercial use must remain the dominant use in the building and must comprise entire frontage of the building along the street.
- 2.2.2 Any new guest cabins and accessory dwellings above boat houses are not a permitted accessory use in any land use designation.

2.3 ACCESSORY OR SECONDARY DWELLING UNIT

- 2.3.1 An accessory or secondary dwelling unit is a self-contained residential unit that may be permitted in a principle dwelling unit, being single-detached, semi-detached, duplex, or a townhouse. The unit may be in any part of the dwelling, including the basement. The units provide an affordable housing option for many people in the Township. An accessory or secondary dwelling unit is not legal unless the size and required on-site parking has been approved and inspected by the Township to ensure the units are safe, legal and livable. The accessory or secondary dwelling units shall be subject to the applicable requirements of the Ontario *Building Code Act*.



2.4 AFFORDABLE HOUSING

2.4.1 Affordable housing is a critical component of a healthy community. The opportunity to rent or purchase suitable and affordable housing allows all residents to participate fully in the community and in the workforce. The following policies are intended to ensure that adequate and affordable housing is available for all residents, particularly seniors and new entrants into the housing market.

- a) Affordable housing consists of housing options combined with shelter costs that do not exceed more than 30% of a household's gross annual income;
- b) The Township will encourage and promote the development of affordable housing by providing a toolkit of planning incentives and direct supports, including but not limited to:
 - i. Density bonusing;
 - ii. Deferral or waiving of fees and development charges;
 - iii. Alternative development standards; and
 - iv. More flexible zoning.
- c) The processing of development applications for non-profit housing corporations and housing cooperatives, and tiny homes as a form of affordable housing; and
- d) Secondary dwelling units are permitted in accordance with Section 2.3.1 of this Plan.

2.5 AGGREGATES AND MINERAL RESOURCES

2.5.1 The 2020 Provincial Policy Statement states that minerals and petroleum resources shall be protected for long-term use. Minerals are defined by the Provincial Policy Statement as metallic minerals (e.g., gold, copper, nickel) and non-metallic minerals (e.g., mica, salt talc). Mineral aggregate resources are defined as gravel, sand, clay, rock, or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes. Areas having high aggregate or mineral resource potential are identified on Schedule "B" - Development Constraints.

2.5.2 To permit continued development of the extractive industry in a logical and controlled fashion, protection of areas having high quality mineral aggregate resources for long-term use shall be considered for any development proposal. In all cases, any new development should not adversely affect the viability of the



extraction industry in the future.

- 2.5.3 In areas shown as Potential Aggregate Area and High Mineral Resource Potential on Schedule "B" - Development Constraints, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
- a) Resource use would not be feasible or;
 - b) The proposed land uses or development serves a greater long term public interest; and
 - c) Issues of public health, public safety and environmental impact are addressed.
- 2.5.4 Non-extractive land uses or developments shall be prohibited in those areas identified as having an aggregate or mineral resource potential unless it can be shown that:
- a) Extraction would not be feasible; or
 - b) The proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
 - c) The proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.
- 2.5.5 Progressive and final rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, and to recognize the interim nature of extraction. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Progressive rehabilitation should be undertaken wherever feasible.
- 2.5.6 Extractions of any size shall be undertaken in a manner which minimizes social and environmental impacts.
- 2.5.7 Existing mineral aggregate operations shall be permitted to continue without the need for Official Plan Amendment, rezoning or development permit under the *Planning Act*.
- 2.5.8 Development of those areas for purposes other than resource extraction shall not be permitted in accordance with Policies 2.5.1 and 2.5.2. If such development is permitted, the underlying designation will apply.



- 2.5.9 Development in or adjacent to an area of known mineral or aggregate resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
- 2.5.10 New or expanding aggregate or mineral extraction operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded aggregate or mineral extraction operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.
- 2.5.11 Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral extraction or when considering the establishment of new extraction operations or the expansion of existing extraction operations. When necessary, Council will require an archaeological assessment be required for any construction activity located in an area of archaeological potential to determine the potential impacts and satisfactory measures to mitigate any negative impacts on cultural heritage resources.

2.6 AIR QUALITY AND CLIMATE CHANGE

- 2.6.1 Climate change can be defined as a long-term change in average weather conditions, including temperature, wind patterns and precipitation, primarily due to increases in greenhouse gas emissions related to human activities. It may involve, for example, increased frequency and severity of extreme weather events, as well as erratic weather patterns. Climate change is highly complex and dynamic, and the timing, nature and severity of its impacts on communities are difficult to predict and will vary locally and regionally. However, scientific research and analysis suggest that communities will need to adjust to the effects of climate change in one way or another, despite our best efforts at reducing our greenhouse gas emissions in the future.
- 2.6.2 Several policies in this Official Plan may directly or indirectly contribute to reducing the Township's overall impact in terms of greenhouse gas emissions. These include a focus on increased energy efficiency, support for alternative means of transportation, and the promotion of mixed-use communities. However, a broader approach is required to establish more comprehensive mitigation.
- 2.6.3 In collaboration with agencies such as Natural Resources Canada and Health Canada, the Township may consider the preparation of a Climate Change



Mitigation and Adaptation Plan that outlines:

- a) Mitigation strategies to reduce the Township's contribution to climate change; and
- b) Adaptation strategies to assist the Township in coping with the effects of climate change on the community.

2.7 ARCHAEOLOGICAL RESOURCES

2.7.1 All new development permitted by the land-use policies and designations of this Plan, including aggregate extraction and wayside pits and quarries shall have regard for archaeological resources including those that are of interest to Aboriginal communities and shall, wherever possible; incorporate these resources into any new development plans. In addition, all new development will be planned in a manner that preserves and enhances the context in which the resources are situated.

2.7.2 Council recognizes that archaeological potential will be determined for individual development applications and building permits and areas of archaeological potential are determined through the use of provincial screening criteria, or criteria developed based on the known archaeological record within the Township and developed by a licensed archaeologist. Archaeological potential criteria include features such as proximity to water, current or ancient shorelines, rolling topography, unusual landforms, and any locally known significant heritage areas such as portage routes or other places of past human settlement.

2.7.3 Council with the advice of the Ministry of Tourism, Culture, and Sports may undertake the preparation of an Archaeological Management Plan. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the municipality having archaeological potential. The Management Plan may also outline policies, programs and strategies to protect significant archaeological sites.

2.7.4 Council shall regularly update municipal archaeological resource mapping under provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified due to land development and the Provincial Archaeological Sites Database.

2.7.5 The Township shall require archaeological assessment by archaeologists licensed under the *Ontario Heritage Act*, in areas where there are known archaeological heritage resources and/or areas exhibiting archaeological



potential within the municipal boundaries of the Township. Alterations to known archaeological sites must only be performed by licensed archaeologists, in accordance with the provisions of the *Ontario Heritage Act*. Any significant archaeological resource or site identified may be preserved in situ, to ensure that the integrity of the resource is maintained, and/or it may be systematically removed through excavation by a licensed archaeologist. The integrity of archaeological resources can be maintained by adopting archaeological zoning by-laws under section 34 of the *Planning Act* or other similar provisions, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- 2.7.6 The Township shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture, and Sport; the Ministry of Government Services; and Cemeteries Regulation Unit, when an identified historic human cemetery, marked or unmarked human burial is affected by land use development. The provisions under the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.

2.8 BED AND BREAKFAST ESTALISHMENTS

- 2.8.1 Bed and Breakfast establishments may be permitted in Residential areas and subject to an amendment to the Zoning By-law subject to the following criteria:
- a) Shall be located on a public road that is maintained year-round;
 - b) Shall have sufficient lot area to accommodate on-site outdoor amenity areas for the guests, on-site parking for guest parking and provide adequate buffering to adjacent use;
 - c) Shall be located in a residential dwelling (e.g., single detached, semi-detached, townhouse) and is the secondary use to the main dwelling use;
 - d) Shall apply for a license application doe the Bed and Breakfast Establishment; and
 - e) Should external expansion be required to the dwelling to accommodate the proposed guest accommodation, the expansion should be consistent with the character of the surrounding residential area.

2.9 BROWNFIELDS

- 2.9.1 A Brownfield site is a property that has been or may be impacted by former industrial or commercial uses and may be contaminated resulting from the former



activities.

- 2.9.2 Should sites be identified the Township will encourage the re-use and redevelopment of sites. The Township will work closely with the development community to support the continued redevelopment of these sites. In addition, the Township will assist property owners of Brownfield sites in seeking Provincial and Federal funding assistance for rehabilitating these sites.

2.10 COMMUNICATION TOWERS

- 2.10.1 The Township recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Local Zoning By-laws cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the *Radio Communications Act*. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surroundings and the community. A proponent seeking to establish a communications tower shall work with the Township, seek input from the community, and meet the requirements as set out in the Council approved Installation of Communication Towers Policy.

2.11 COMMUNITY AND NEIGHBOURHOOD DESIGN

- 2.11.1 Community and urban design objectives and compatibility criteria contribute to the creation of liveable, complete communities and neighbourhoods, and to uses in all designations. A concentration on urban design focuses attention on how buildings and the spaces around them look and function in their setting. It contributes to creating lively places with distinctive character and establishing meaningful connections between people and the built environment. The best urban design is informed by a solid appreciation of the place being built, the people in it, and the community around it.
- 2.11.2 Council shall promote development of complete communities and neighbourhoods throughout the Township, which include a range of uses to meet the residential, employment, shopping, and recreational needs of residents. Where appropriate, establishing community hubs allows the co-location of public service facilities to provide convenient, integrated, and cost-effective services.
- 2.11.3 Council shall make decisions on new development in accordance with the urban design principles outlined below which are high-level and are intended to assist those involved in development. The principles recognize that development proposals should be given the flexibility to address design matters in different ways, allowing for creativity and dialogue, particularly since different design



responses may be appropriate depending on the context of each area. In addition, the *Planning Act* provides municipalities with the ability to include the following in the site plan approval process:

- a) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design; and
- b) Sustainable design elements on any adjoining highway under a municipality's jurisdiction.

2.12 CONTAMINATED SITES

- 2.12.1 Potentially contaminated sites include lands where contaminants may be present due to previous industrial, transportation, mining uses, utility, or similar uses. Sources of site contamination can include disposal of waste materials, including mine tailings, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and automotive repair garages have similar potential.
- 2.12.2 Where planning approvals are required or development is being proposed on lands that are contaminated prior to giving any consideration to the development proposal, Council shall require that the proponent submit, along with the development application, The Ministry of Environment and Climate Change Acknowledgement confirming the submission and filing of a Record of Site Condition on the Brownfields Environmental Site Registry.
- 2.12.3 New land uses will not be permitted until the site has been restored, in accordance with provincial guidelines and legislation.
- 2.12.4 In some cases, where site remediation requirements are known and feasible, planning approvals using a Holding Zone may be considered. In these instances, the remediation of the site and the submission of a Ministry of Environment and Climate Change Acknowledgement confirming the submission and filing of a Record of Site Condition, shall be required prior to the removal of a holding symbol. In the interim, uses permitted on such properties shall be restricted to existing land uses.
- 2.12.5 Development on one or more mine tailings site(s) in the townsite of Central Patricia shall be prohibited unless the mine tailings are stabilized by covering the mine tailings area with 500mm of soil and revegetating the tailings area.



2.13 CROWN LANDS

- 2.13.1 The majority of the rural area of the Town is Crown lands. The Ministry of Natural Resources and Forestry is responsible for the administration of Crown lands and waters. The Ministry of Natural Resources and Forestry is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township with respect to the use and disposition of Crown lands within the municipality. The Town shall also have regard for the policies of the Crown Land Use Policy Atlas where Town lands interface with Crown lands.
- 2.13.2 Authorization for occupation or use of Crown lands is required from the Ministry of Natural Resources and Forestry.
- 2.13.3 The Township recognizes that resource management activities on Crown lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.
- 2.13.4 New aggregate operations may be permitted and require approval of operations on Crown Land subject to the application process set out under the *Aggregates Resources Act*.

2.14 CULTURAL HERITAGE RESOURCES

- 2.14.1 Cultural heritage resources include, but are not restricted to, archaeological sites, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made rural, village, or cultural landscapes of cultural value or interest.
- 2.14.2 The *Ontario Heritage Act* and its provisions will be utilized to conserve, protect and enhance the heritage of the Township through the designation by by-law of individual properties, conservation districts and/or landscapes. A Local Architectural Conservation Advisory Committee (LACAC) may also be established pursuant to advise and assist Council on conservation matters related to heritage resources.
- 2.14.3 Council shall maintain a cultural heritage register for land use planning purposes, resulting in inventories of heritage buildings, heritage districts and/or cultural heritage landscapes and other properties of cultural heritage value or interest located within the Township.



- 2.14.4 Council shall have regard for the conservation of all cultural heritage resources during the undertaking of municipal public works or environmental assessment projects. When necessary, satisfactory measures and/or heritage impact will be required to mitigate any adverse impact to cultural heritage resources.
- 2.14.5 Council shall encourage local utility companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and which do not have a negative impact on the architectural integrity of those resources. Council shall seek the acquisition of easements on properties with heritage value or interest to assure the preservation of these properties in perpetuity.
- 2.14.6 Council shall ensure that each municipally owned heritage resource which is sold, leased, or transferred to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation, maintenance, and use in a manner which respects its heritage restoration agreement, which shall require that certain restoration works be carried out by the new owner or lessee to an accepted heritage property standard.

2.15 DEVELOPMENT ADJACENT TO SHORELINES AND WATERCOURSES

- 2.15.1 Any development or redevelopment which intensifies usage within 300 metres of a waterbody is deemed to have an impact on the waterbody. Therefore, development or redevelopment proposed within 300 metres of a waterbody will require consideration of the impact of development on the ability of the waterbody to sustain additional development.
- 2.15.2 Where significant development or redevelopment is contemplated within 300 metres of a lake, a Lakeshore Capacity Assessment, prepared in accordance with Ministry of the Environment and Climate Change Lake Capacity Assessment Handbook shall be completed prior to consideration of planning approvals. Planning approvals or the creation of lots/units within 300 metres of the shoreline may be considered only where the results of the Lakeshore Capacity Assessment have confirmed that there is sufficient development capacity remaining to support the completed development.
- 2.15.3 Where a Lakeshore Capacity Assessment is not required, development of existing lots may be permitted subject to the following policies:
- a) The sewage disposal system is set back a minimum of 30 metres from the shoreline; and



- b) A natural shoreline vegetation buffer is established within 20 metres of all watercourses and water bodies, wherever possible.

2.15.4 The Township will promote the use of Best Management Practices to minimize the impacts of development on water quality. Best Management Practices shall include measures such as:

- a) Large lot sizes and increased frontage requirements;
- b) Enhanced setbacks for buildings, structures and septic systems;
- c) Protection of lakeshore vegetated buffers;
- d) Avoidance of steeply graded lots;
- e) Restrictions on the amount of impervious surfaces such as parking areas and patios;
- f) The use of lot-level stormwater management practices such as infiltration from roof leaders to reduce runoff;
- g) Limitations on the use of fertilizers; and
- h) The use of erosion control measures during site development and construction.

2.15.5 Where development would result in a significant increase in stormwater runoff, the Town shall require the proponent to complete stormwater management works that will ensure that off-site surface water quality and quantity is not adversely impacted by the development. Direct outfalls to surface waters should be avoided and wherever possible developments shall utilize infiltration as a method for stormwater management.

2.16 DEVELOPMENT IN THE VICINITY OF PICKLE LAKE AIRPORT

2.16.1 Development of airport lands is an integral part of the southern part of the Township. All buildings and structures within the area of the airport must comply with Federal height restrictions. All development in the Township shall recognize the long term importance of air transportation to the economy of the Township.

2.16.2 When considering applications for development in the vicinity of the airport, Council shall ensure that the long-term operation and economic role of the airport is protected.

2.16.3 Permitted uses include:



- a) No new residential or other sensitive land uses shall occur on lands where the Noise Exposure Forecast (NEF) of the airport exceeds 25 NEF. Some commercial establishments (e.g., hotels, motels) are considered sensitive by the Ministry of Environment and Climate Change;
- b) Where planning approvals are required for residential or other sensitive uses at or above the 25 NEF, a noise study, to the satisfaction of Council in consultation with Transport Canada, shall be required; and
- c) As a certified airport, the Pickle Lake Airport is federally regulated by Transport Canada through the *Aeronautics Act* and the airport Zoning By-law regulations. All development in the vicinity of the airport shall comply with these height restrictions and all other applicable federal regulations.

2.17 DEVELOPMENT IN UNSERVICED AREAS

- 2.17.1 Development along the highway corridor shall be the priority. Limited development can occur in the unserviced areas of the Township.
- 2.17.2 Proposals for development or redevelopment based on private services shall be assessed for the adequacy of groundwater quality and quantity, and potential impacts on groundwater in accordance with the requirements of Ministry of the Environment and Climate Change technical guidelines or private wells and individual on-site sewage systems. In considering impacts on groundwater quality and quantity, the Municipality may require a hydrogeological assessment, according to Ministry guidelines, that considers among other matters the cumulative impacts of development on the sustainability of groundwater resources.
- 2.17.3 Confirmation of valuable existing or planned capacity for the treatment of hauled sewage/septage will be required prior to the approval of new lots or units serviced by individual private sewage disposal systems. Where other applicable policies of this Plan permit industrial or commercial land uses serviced by individual on-site sewage and water services, these shall be restricted to dry uses only, in which no industrial liquid wastes, wash or cooling water, or process wastes are permitted. Dry industries are defined as those in which the disposal of less than 10,000 litres per day of the domestic waste of employees is permitted and treated within septic systems and into which the discharge of industrial liquid wastes, wash or cooling water or process wastes is prohibited.



2.18 DRAINAGE

- 2.18.1 The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the Province and the Township in accordance with the *Ontario Water Resources Act*, if applicable. In addition, the management and removal of storm water on properties adjacent to Provincial Highways requires the approval of the Ministry of Transportation.
- 2.18.2 No development shall be permitted which would interfere with or reduce the drainage capacity or flood water storage of any natural watercourse or where the watercourse represents a hazard to the proposed development.
- 2.18.3 A storm water management report or other water quality assessments which demonstrates that the function and quality of existing watercourses and the quantity and quality of ground water resources is not adversely impacted may be required prior to approving development which impacts on these resources. Where adverse impacts are anticipated, mitigative measures during and after construction to control sedimentation, erosion and flooding will be required. The direct discharge of storm water to water bodies should be avoided where possible.
- 2.18.4 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, is subject to the approval of the Province in accordance with the provisions of the *Lakes and Rivers Improvement Act* and/or the *Public Lands Act* and the *Ontario Water Resources Act*. Where required under the *Fisheries Act*, prior authorization from the federal department of Fisheries and Oceans must also be obtained.

2.19 ENERGY EFFICIENCY AND SUSTAINABILITY

- 2.19.1 The Township of Pickle Lake recognizes the importance of supporting policies aimed at reducing energy consumption and reliance on carbon-based fuels in order to develop greener, healthier, active communities and a culture of conservation. The principles of energy efficiency and energy diversity guide the energy policies. Energy efficiency refers to promoting energy efficient urban and building designs, appliances, and modes of transportation, while energy diversity refers to promoting the development and use of alternative and renewable energy systems.
- 2.19.2 Proposed development should incorporate the following best practices in



sustainability:

- a) Buildings should be oriented in such a way as to maximize passive solar energy gain;
- b) New developments shall consider the use of green building technologies and rating systems, such as Leadership in Energy and Environmental Design (LEED);
- c) Land use patterns should support the use of alternative modes of transportation;
- d) Development should reduce hard surfaces and maximize site permeability;
- e) The Township shall promote landscaping and tree planting programs that help moderate summer and winter micro-climatic conditions;
- f) The Township shall promote alternative and renewable energy systems as accessory and standalone uses;
- g) New development should be designed to accommodate more affordable alternative energy and renewable energy technologies in the future; and
- h) Water use and reduction strategies and technologies should be incorporated.

2.19.3 Various forms of alternative energy systems and renewable energy systems can generate thermal and electrical power on a site-specific basis or as part of a more expansive utility grid system, thereby providing environmental, social and economic benefits.

Wataynikaneyap Power, a licenced transmission company owned by 22 First Nation communities partnered with FortisOntario Inc. and Renewable Energy Systems Canada (RES) to connect to remote First Nation communities, currently serviced by diesel generation in Northwest Ontario.

The Wataynikaneyap Transmission Project is an unprecedented undertaking. The first phase, a new 300 kilometres transmission line, will reinforce electricity supply into Pickle Lake. The second phase will connect 17 First Nation communities north of Pickle Lake and Red Lake with an estimated 1500 kilometres of new transmission line.

2.19.4 Through the Ontario's *Green Energy and Green Economy Act*, a framework is established for approvals of various types of renewable energy projects which are thereby exempt from municipal approvals. However, the Township has an opportunity to be consulted through the provincial Renewable Energy Approval process.



2.19.5 The Township will review and provide comments to the proponent with respect to servicing, infrastructure, or any other matter related to a proposed renewable energy project for which a provincial Renewable Energy Approval is required, or any other applicable legislation or regulations. The proponent must then supply the Township's comments to the province with their Renewable Energy Approval (REA) Application.

2.20 FISHERIES AND FISH HABITAT

2.20.1 It is the intent of this Plan to promote the wise management and sustainable use of fisheries to provide recreational and economic benefit to Pickle Lake. As defined under the *Fisheries Act*, fish habitat 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.

2.20.2 Any new development or redevelopment within or adjacent to fish habitat, Council shall consider the following:

- a) Development and site alteration may be permitted on adjacent lands to fish habitat, provided that it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the fish habitat or its ecological functions;
- b) Adjacent lands to fish habitat are defined as all lands within a minimum of 120 metres from the normal high water mark of any watercourse or waterbody defined as fish habitat; and
- c) Prior to making a final decision on new development proposals referred to above, Council may require additional studies, special engineering works or design controls to ensure that the resulting development does not adversely affect the ability of the natural habitat to sustain healthy fish populations.

2.20.3 Notwithstanding applicable flood-proofing elevations, all new waterfront structures except docks, uninhabited boat houses or those intended for flood or erosion control shall be set back a minimum of 30 metres horizontally from the water's edge to maintain a natural vegetative buffer to protect fish habitat.

2.21 FORESTRY

2.21.1 Forest resources provide social and environmental benefits in the form of recreation; education; soil and water conservation; wildlife habitat; buffers



between land uses; and natural amenities.

- 2.21.2 Property owners are encouraged to ensure that forest resources on their property are properly managed and may obtain information on the management of forest resources from the Ministry of Natural Resources and Forestry.
- 2.21.3 The maintenance of forest cover along river and stream banks is encouraged and reforestation in areas where forest resources have been depleted is encouraged.
- 2.21.4 Certain areas of the Township are highly susceptible to damage caused by forest, brush and/or grass fires. Forest fire prevention and hazard reduction activities are desirable for environmental, economic and social reasons. Fire Smart Principles shall be used and implemented to ensure development and activities comply with the *Forest Fire Prevention Act*.
- 2.21.5 Development of land adjacent to or within high fire risk areas shall incorporate design measures and construction techniques consistent with the *Forest Fire Prevention Act* which will minimize damage resulting from a forest, brush or grass fire. Such measures may include identifying access and escape routes, layout of fire breaks, use of fire-resistant construction materials and building and property maintenance.

2.22 GARDEN SUITES

- 2.22.1 Garden suites shall be permitted as temporary accommodation for a maximum of ten (10) years pursuant to Section 39 of the *Planning Act*. An agreement may be required between the homeowner and the Township with the following provisions:
- a) The garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
 - b) The design, mass and location of the garden suite should complement the main residential dwelling and streetscape;
 - c) The garden suite should utilize and connect to the services used by the main dwelling. In the areas not serviced by the municipal sewage treatment system, clearance from the Northwestern Health Unit or designated authority is required to permit the garden suite to connect to the septic system servicing the main dwelling;
 - d) The name of the person(s) who is to live in the garden suite; and
 - e) When the garden suite will be removed.



2.23 GROUNDWATER RESOURCES

- 2.23.1 Groundwater resources are used as a source of potable water supply in Pickle Lake. No development shall be permitted that result in the contamination of groundwater resources. The Township should prepare a Groundwater Management Strategy which identifies several strategies and initiatives that provide for the protection of groundwater resources and the municipal water supply.
- 2.23.2 The Groundwater Management Strategy will identify the groundwater aquifer source area of the municipal water supply that is sensitive to potential contamination. Within each of the wellhead capture zones certain types of land uses, that have the potential to adversely impact on the groundwater resources, will be prohibited. Any existing uses that have the potential to adversely impact on groundwater resources will be identified in the Groundwater Management Strategy and best management practices will be adopted to protect against possible adverse impacts. Over the long-term these identified uses would be encouraged to locate outside the groundwater aquifer source area.
- 2.23.3 The Township, together with other government agencies, shall develop contingency plans to address such matters as accidental motor vehicle spills, develop and conduct regular groundwater monitoring, establish hazardous waste collection programme, and encourage the use of water conservation measures.
- 2.23.4 For all development on private wells in areas not serviced by the municipal water supply, the proponent shall provide evidence that the development can be adequately and safely serviced by a private potable water supply and there is no adverse impact on groundwater resources.

2.24 GROUP HOMES

- 2.24.1 The following types of Group Homes administered under Provincial legislation shall be permitted to establish in any residential zone or residence:
- a) Approved homes;
 - b) Homes for special care;
 - c) Supportive housing programs, adult community mental health programs;
 - d) Children's residences;
 - e) Accommodation services for the developmentally disabled;



- f) Satellite residences for seniors; and
- g) Homes for individuals who have physical disabilities, where the Province licenses, funds or approves the home.

2.24.2 A group home is defined as a housekeeping unit in a residential dwelling in which a maximum of four (4) residents, excluding staff, live as a family under responsible supervision.

2.24.3 Only those group homes that can be supported by the existing level and range of community, social and medical services available in the Township shall be permitted.

2.24.4 All group homes shall be licensed or approved under provincial statute and comply with the Zoning By-law.

2.25 HOME INDUSTRIES AND HOME OCCUPATIONS

2.25.1 Home industries and home occupations shall be permitted in residential areas provided they are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means and shall not detract from the principal residential use. All new home industries shall require an amendment to the Zoning By-law and must be adequately separated from residential and other sensitive land uses, both on and off the property.

Amendments to the Zoning By-law to permit home industries and accommodations which may conflict with surrounding residential uses, such as wood-working shops, auto body repair, auto repair, window frame shops, welding shops, carpentry shops, and machine shops shall provide suitable mitigative measures, such as buffering, separation distances, to reduce and minimize the conflict between adjacent residential uses.

2.25.2 The Zoning By-law shall contain regulations with respect to home industries and home occupations. These regulations shall indicate, among other matters, the zones in which home industries and home occupations are permitted, the types of activities which shall be considered as home industries and home occupations and appropriate buffering for home industries.

2.25.3 Generally, home occupations shall include occupations or professions which are conducted entirely within a dwelling unit, while home industries are conducted primarily within an accessory building.



- 2.25.4 The home industry or home occupation shall be secondary to the main use of the property and not generate adverse or incompatible effects with the surrounding area. The home industry or home occupation shall relocate to an appropriately zoned site at such time when the home industry or home occupation can no longer be considered secondary to the main residential use of the property.
- 2.25.5 Access approval from the Ministry of Transportation is required for those home industries or home occupations that have access from a Provincial Highway as per the requirements of Section 2.31.
- 2.25.6 Where required by the *Environmental Protection Act*, a Certificate of Approval must be obtained prior to the commencement of the home industrial use.
- 2.25.7 Where contamination is suspected, the reuse of former home industry sites for alternative land uses shall be considered in accordance with the provisions of Policy 2.12.

2.26 LAND USE COMPATIBILITY

- 2.26.1 The Township of Pickle Lake shall have regard for cultural heritage resources in the undertaking of municipal public works or any similar municipal undertaking causing impact. Where necessary, Council will require satisfactory measures such as archaeological or cultural assessments to mitigate any negative impacts on significant heritage resources.
- 2.26.2 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with the Ministry of the Environment and Climate Change's "D" Series or other applicable guidelines shall be incorporated between sensitive and industrial uses to minimize potential adverse effects, such as noise, odour, vibration, particulate and other contaminants.
- 2.26.3 Information regarding Noise Exposure Forecast (NEF) contours is not available for the Pickle Lake Airport. New residential development and other noise sensitive uses such as hospitals, nursing homes, schools, day care centres, etc. may be permitted in proximity to the airport subject to the findings of a Noise and Vibration Impact Study and recommendations for noise mitigation measures.
- 2.26.4 In all land use designations where noise and vibration, may be a concern with respect to Provincial Highways, sewage treatment facilities, landfills, and any wind-based electric power generation, the following considerations will apply, in



conjunction with or complementary to other separation-related policies in this Official Plan:

- a) New development abutting a Provincial Highway:
 - i. All proposed new development within 150 metres of a Provincial Highway right-of-way may be required to undertake noise studies, to the satisfaction of the Township, consistent with the requirements of the Ministry of Transportation and the Ministry of the Environment and Climate Change and shall undertake appropriate measures to mitigate any adverse effects from noise that are identified.
- b) Wind-based electric power generation:
 - i. Noise studies, as applicable in accordance with all Provincial requirements and guidelines, and any resultant recommended remedial measures, will be required in association with any proposal for wind-based electrical power generation.
- c) New development adjacent to Industrial Uses:
 - i. The Ministry of the Environment and Climate Change “Guideline D-6 Compatibility between Industrial Facilities and Sensitive Land Uses” shall be complied with for the requirements of noise, odour, vibration and dust studies with respect to the impacts of Class I, II, and III industrial uses. Any mitigation measures required from the results of the studies to address adverse impacts will be required as part of the development of new sensitive land uses.

2.26.5 Whenever a change in land use is proposed, consideration shall be given to the effect of the proposed use on existing land uses. Where there are potential compatibility concerns, consideration shall be given to the extent to which increased site plan requirements can reduce the potential impacts. If the impacts cannot be minimized to acceptable levels the proposed development shall not proceed.

Compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless coexists with existing development without causing undue adverse impact on surrounding properties. Compatibility can be achieved in a variety of ways, including the provision of appropriate setbacks, buffering features, and transition in building height and massing.

2.26.6 Compatibility of new developments shall be assessed based on the following criteria:



- a) Height and massing: new buildings must have regards to the height and massing of adjacent buildings. Where variation in height or massing is proposed, a transition is desirable;
- b) Pattern of surrounding community: proposed developments must consider the character of the surrounding buildings, including scale and rhythm, massing, and architectural design;
- c) Outdoor amenity areas: the privacy of outdoor amenity areas of adjacent residential units must be respected;
- d) Shadowing: shadowing on adjacent properties must be minimized, particularly on outdoor amenity areas;
- e) Lighting: the potential for light spill over or glare onto adjacent light-sensitive areas must be minimized;
- f) Noise and Air Quality: the development should be located and designed to minimize the potential for significant adverse impacts on adjacent sensitive uses related to noise, odours, and other emissions.
- g) Parking: adequate on-site parking must be provided, with minimal impact on adjacent uses;
- h) Loading and service areas: the operational characteristics and visual appearance of loading and services areas (including garbage and outdoor storage areas) must be designed to mitigate adverse effects on adjacent properties and should be located away from residential uses, where possible; and
- i) Vehicular access: the location and orientation of vehicular access must take into account impact on adjacent properties including noise, glare and loss of privacy.

2.27 MINE HAZARDS

2.27.1 Development in proximity to the mine hazards located in the former townsite of Pickle Crow, the Thierry Mine site and the Dona Lake Mine site shall be prohibited unless access or development is required to remediate a specific mine hazard.

2.27.2 Progressive rehabilitation is required for any mine hazard in accordance with the requirements of the *Mining Act*. Input from the Township will be via the public review opportunities of a Closure Plan, if the Director appointed by the Minister of Northern Development and Mines requires a plan to be submitted should the progressive rehabilitation not meet provincial standards.



- 2.27.3 Development on lands within 1000 metres of the abandoned mine hazards as shown on Schedule “B” - Development Constraints will be permitted only if rehabilitation measures to address and mitigate the hazard have been completed in accordance with the requirements of the Ministry of Northern Development and Mines. Refer to Ontario Abandoned mine hazards identified at the time of the approval of this Official Plan are illustrated on Schedule “B” - Development Constraints and current information regarding the location of abandoned mine hazards is available from the Ministry of Northern Development and Mines.
- 2.27.4 Proposed development on, abutting or adjacent to lands affected by Mine Hazards to be supported by a study prepared by a qualified professional that:
- a) Identifies potential safety hazards;
 - b) Demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and
 - c) Establishes measures to address and mitigate known or suspected hazards.

2.28 MOBILE HOME PARKS

- 2.28.1 Mobile home parks shall be permitted in the Residential land use designation subject to an amendment to the Zoning By-law and provided the development can be adequately serviced with municipal water and sanitary sewage services.
- 2.28.2 The development of mobile home parks and any future expansion of a mobile home park shall be subject to site plan control pursuant to the requirements of Section 41 of the *Planning Act*, and will include, but not be limited to, the following considerations:
- a) Entrances and exits and road widenings;
 - b) On-site parking for residents and visitors;
 - c) On-site open space and recreational activity areas;
 - d) Landscaping, fencing and buffering;
 - e) Size, orientation and spatial separation of the mobile home sites;
 - f) Emergency access;
 - g) On-site servicing including water and sewage works, grading and storm water management; and
 - h) Outside storage.



2.29 NATURAL HERITAGE FEATURES AND AREAS

Natural heritage features and areas will be protected from incompatible development. Development and site alteration will not be permitted in significant habitat of endangered and threatened species or in significant wetlands. Development and site alteration will not be permitted in fish habitat except in accordance with provincial and federal requirements.

Development and site alteration may be permitted in significant wildlife habitat, in significant areas of natural and scientific interest (ANSI) or on adjacent lands to, fish habitat, significant wetlands, significant wildlife habitat and significant areas of natural and scientific interest if it is demonstrated that there will be no negative impacts on the natural features or their ecological functions. Site specific evaluations may be undertaken by a qualified professional to confirm or determine an alternative adjacent land width. Adjacent lands will be determined through reference to the Ministry of Natural Resources and Forestry Significant Wildlife Habitat Technical Guide.

2.29.1 Applications for development and/or site alteration on or within natural heritage features and areas or on adjacent lands will be subject to an Environmental Impact Study (EIS). This assessment shall be prepared by a qualified professional and shall include:

- a) A detailed study area description including characterization of key functions and features;
- b) A description of the degree and extent of the ecological functions as they exist or are naturally evolving;
- c) A detailed description of the proposed development and an identification of the proposed activities;
- d) A summary of predicted direct and indirect effects of the proposed development;
- e) Identification and evaluation of options for avoidance and where avoidance is unattainable, opportunities for mitigation and rehabilitation;
- f) Selection of the preferred mitigation/rehabilitation strategy;
- g) A summary of the predicted net effects after mitigation and rehabilitation; and
- h) A proposed monitoring program, where necessary.

2.29.2 The cost of the Environmental Impact Study (EIS) will be borne by the proponent of the development and is subject to a peer review by the Township.



2.30 PORTABLE ASPHALT PLANTS

- 2.30.1 A portable asphalt plant means a facility 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. A portable asphalt plant is not of permanent construction but is designed to be dismantled and moved to another location as required.
- 2.30.2 Portable asphalt plants used by a public road authority or their agents, shall be permitted throughout the Township, subject to the approval of the Ministry of the Environment, except for the following locations:
- In the developed area of the townsites of Pickle Lake and Central Patricia;
 - Within 400 metres of an existing residential use;
 - Where severe environmental disruption will occur; and
 - Within any groundwater protection zone.
- 2.30.3 Portable asphalt plants used on public authority contracts shall be permitted without an amendment to this Plan or the Zoning By-law provided the Township of Pickle Lake is given adequate notice and an opportunity to express concern regarding the location of the plant.
- 2.30.4 Portable asphalt plants shall be removed from the site and the site rehabilitated upon completion of the road project.

2.31 PROVINCIAL HIGHWAYS

- 2.31.1 Provincial Highways are roadways under the jurisdiction of the Ontario Ministry of Transportation. These roads are designed to facilitate the movement of traffic to the municipality. Highway No. 599 is the Provincial Highway providing access to the Township.
- 2.31.2 Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of the Ministry of Transportation's access management practices and principles.
- 2.31.3 In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the Ministry of Transportation's permit control area under the *Public Transportation and*



Highway Improvement Act, will also be subject to Ministry of Transportation approval. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity, of a Provincial Highway or interchange/intersection within Ministry of Transportation's permit control area will be subject to Ministry of Transportation's policies, standards and requirements.

- 2.31.4 A Transportation Impact Study, prepared by a professional and certified engineer, may be required to address both the impact of any new development upon the Provincial Highway system, as well as any associated highway improvements that are required prior to the approval of the development.
- 2.31.5 The Ministry of Transportation's policy is one highway entrance for one lot of record. Back lot development cannot use another entrance for access to a Provincial Highway.
- 2.31.6 Where a draft plan of subdivision is proposed adjacent to a Provincial Highway, the layout of the subdivision is to be designed such that the lots back onto the Provincial Highway and front onto a local internal road.
- 2.31.7 Any new proposed access connection (e.g., public road or signalized intersection) onto a Provincial Highway shall meet the Ministry of Transportation's access management practices and principles.
- 2.31.8 Any proposals for snowmobiles or trail crossings of Provincial Highways will require the prior approval of the Ministry of Transportation. Trails running along the right-of-way of a Provincial Highway are not permitted.
- 2.31.9 A drainage/stormwater management report/plan shall be prepared by a qualified engineer and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a Provincial Highway whose drainage would impact the highway and/or downstream properties.
- 2.31.10 Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible to the traveling public.
- 2.31.11 Entrances serving home occupations, home industries or businesses located adjacent to Provincial Highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a



condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations, industry or business. In addition, the Ministry of Transportation would not support a severance that would result in a separate entrance to a business and one for the retained parcel.

2.31.12 For highway safety reasons, wind turbines located adjacent to a Provincial Highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade.

2.32 SIGNIFICANT WILDLIFE HABITAT

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

Wildlife habitat is considered significant where it is: ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Criteria for determining significance of the wildlife habitat is provided in the Ontario Ministry of Natural Resources Significant Wildlife Habitat Technical Guide (October 2000) and Natural Heritage Reference Manual (2005) and features will be identified and delineated consistent with these references and direction from the Ministry of Natural Resources and Forestry.

2.32.1 Where, significant wildlife habitats are designated, development and site alterations shall not be permitted within the feature.

2.32.2 Adjacent lands to significant wildlife habitat are defined as 120 metres from the boundary of the feature at a minimum unless there are other site specific considerations such as species habits, type of development, and/or landscape characteristics that may warrant extending (or in some cases retracting) the adjacent land boundary for the purposes of meeting the preceding policy.

2.32.3 Preliminary ecological assessments will be conducted when development and/or



site alteration is proposed to determine if the proposed development is within or adjacent to significant wildlife habitat. Preliminary assessments (constraints analysis) will be based on existing mapping and reference information, existing local knowledge, and preliminary field visits.

- 2.32.4 Where preliminary assessments indicate proposed development is within or adjacent to significant wildlife habitat an Environmental Impact Study (EIS) will be required to determine whether there will be negative impacts on the natural features or their ecological functions.
- 2.32.5 Where significant wildlife habitat is shown on Schedule “C” - Natural Heritage, new development or site alteration will not be permitted until an EIS is prepared by a qualified professional that demonstrates to the satisfaction of Council that there will be no negative impact on the species at risk or its ecological functions.
- 2.32.6 Where development is proposed within 50 metres of significant wildlife habitat an EIS completed by a qualified person shall be required in accordance with Section 3.8 of this Plan and it shall be demonstrated that the proposed development will have no negative impact on the habitat.
- 2.32.7 The EIS shall also make recommendations with respect to appropriate performance standards and mitigation techniques. The Ministry of Natural Resources and Forestry is the lead agency responsible for approving the delineation of significant wildlife habitat and determining sufficiency of mitigation measures contained within EIS. The Ministry shall be consulted on applications adjacent to significant wildlife habitat.

2.33 THREATENED AND ENDANGERED SPECIES

The *Environmental Species Act* prohibits the killing, harming, harassment, capture or taking of a Species at Risk in Ontario (SARO), and damaging or destroying their habitat. The protection of significant habitat of threatened or endangered species, especially habitat essential for reproduction or for survival at critical points in the life cycle, is fundamental for the recovery of these species at risk. Protection is necessary to prevent the expiration of species and to assist with their recovery.

- 2.33.1 Development and site alteration shall not be permitted in significant habitat of species listed on the Species at Risk in Ontario (SARO) list as endangered or threatened.



- 2.33.2 Where a habitat regulation under the *Endangered Species Act* is in place for a species, the regulated habitat is considered to be significant threatened or endangered species habitat for the purposes of the Provincial Policy Statement.
- 2.33.3 Where preliminary assessments indicate the potential presence of significant habitat of threatened and endangered species, the local Ministry of Natural Resources and Forestry office will be contacted by the Township for review and confirmation of the information.
- 2.33.4 The presence of Species at Risk (extirpated, endangered or threatened species) shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with Ministry of Natural Resources and Forestry.
- 2.33.5 An Environmental Impact Study (EIS) shall be carried out during the planning of development and site alteration projects to determine whether a listed species or its habitat may be present before carrying out an activity that may contravene the *Endangered Species Act*. The EIS should demonstrate that there will be no negative impacts on the habitat of endangered and threatened species or its ecological function. The EIS must be completed by a qualified professional to address potential impacts on the habitat of endangered and threatened species. To accommodate endangered and threatened species and their habitats, and to minimize any adverse effects on these species, some activities may need to be modified and be subject to best management practices to mitigate an activity's impacts. On a case by case basis, additional actions may be required to address specific impacts on a species at a particular site or location.
- 2.33.6 Where developments or site alteration is proposed within 120 metres of the boundary of the habitat of a species at risk, the proponent shall provide the Township with an EIS that demonstrates that there will be no negative impacts on the significant habitat or on its ecological function. Where warranted by site and species specific factors, development proposals further than 120 metres from significant portions of the habitat of endangered and threatened species may also require an EIS.
- 2.33.7 If impacting an endangered or threatened species cannot be avoided, a permit or agreement under the *Endangered Species Act* should be obtained before the activity proceeds. Township staff will work directly with Ministry of Natural Resources and Forestry district staff to develop agreements or permits when required.



2.34 TINY HOMES

2.34.1 Tiny homes are an alternative form of affordable housing and Council should encourage tiny homes in all Residential zones that are used for short term accommodation, long term or year-round use, and as tourism opportunities, subject to servicing, design and site-specific considerations.

2.35 TOURIST ACCOMMODATION

2.35.1 Tourist accommodation is consisted as renting out dwellings including cottages for short term accommodations. The tourist accommodation can be all bedrooms or the entire dwelling as a place of temporary residence, lodging or occupancy by way of concession, permit, lease, rental agreement or similar agreement for any period of 5 to 30 consecutive calendar days.

2.36 WASTE DISPOSAL SITES

2.36.1 Development shall be prohibited on all waste disposal sites located in the Township, including closed sites. Waste disposal sites are considered an Industrial use.

2.36.2 Development proposed within 500 metres of an existing or closed waste disposal site shall not be approved under a plan of subdivision, consent or building permit unless it can be demonstrated that there is no evidence of leachate, methane gas migration or other contaminants present in the soils or ground water supply to the satisfaction of the Ministry of Environment and Climate Change and the Township of Pickle Lake.

2.36.3 Waste disposal sites and facilities will be planned and maintained to ensure the sanitary, economic, efficient and most environmentally appropriate disposal of waste and in accordance with provincial regulations. New waste disposal sites shall proceed only by way of amendment to this Plan.

2.36.4 The planning criteria for the Township's consideration of applications for amendment to this Official Plan and/or the Zoning By-law for new or expanded waste disposal sites within the Township are:

- a) Locations of poor agricultural potential;
- b) Locations removed from proposed or existing built up areas;
- c) The adequacy of access on roads of suitable construction and the nature of



- the roads relative to the type and volume of traffic anticipated;
- d) Locations generally not exposed to public view and the capability of adequate buffer areas to preserve the scenic beauty and amenity of an area;
 - e) The use and character of the surrounding lands and the potential for compatibility of both the landfill and the proposed final use;
 - f) The potential for negative effect to the environment including ground and surface water, soils and air subject to the proposed control and mitigation of such effects; and
 - g) The potential for effect on other land use planning objectives of the Township which may be relevant.

2.37 WATER RESOURCES

2.37.1 Protecting the quality and quantity of groundwater and surface water is a public health and environmental issue. Groundwater contributes to the base flow of streams and to the quantity and quality of potable water that can be drawn from private wells. Towards safeguarding the integrity of the groundwater and surface water resources, the Township will manage the resource to ensure that flows within natural systems are maintained and that new development can be accommodated within the system without affecting the supplies (from both quantity and quality standpoints) available to other users.

2.37.2 The quality and quantity of ground water and surface water will be protected, improved or restored by:

- a) Considering impacts of a development proposal at a watershed scale;
- b) Identifying surface water features, ground water features, hydrologic functions and natural heritage features and areas integral to the ecological and hydrological integrity of the watershed;
- c) Promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality;
- d) Ensuring best stormwater management practices to minimize stormwater volumes and contaminated loads from entering the watercourses and maintain or increase the extent of vegetative and pervious surfaces.

2.37.3 Development in the townsite of Pickle Lake and townsite of Central Patricia can change existing conditions such that the quantity and quality of stormwater run-off is altered. Stormwater management considers both water quantity and quality aspects of stormwater run-off where artificial drainage improvements or practices become necessary. The protection and rehabilitation of stream corridors and



erosion control along watercourses are best approached through an integrated strategy and best management practices. It is especially crucial for the Township to encourage best practices, included but not limited to the following policies:

- a) Stormwater management shall be integrated as a component of the development approval process, particularly for subdivisions, multiple lot/unit residential development; commercial, industrial and institutional and in the design and implementation of stormwater infrastructure within the settlement areas;
- b) Stormwater management shall incorporate an ecosystem approach through the design, construction and post construction phases;
- c) Ecological functions, particularly fish habitat, will be conserved or enhanced on a local and sub-watershed basis;
- d) Stormwater management plans shall be considered as an opportunity to rectify existing nutrient, contaminant, erosion or hydraulic flow issues;
- e) Stormwater management planning should include water quality targets;
- f) In the design and construction of stormwater management infrastructure best management practices shall be used to ensure that, wherever feasible, the emphasis will be on on-site facilities to resolve or manage storm water, so as to minimize the Township's obligation for the assumption and maintenance of ponds or other facilities;
- g) That there will not be any new or increased downstream flooding or erosion;
- h) That natural habitat areas are protected or enhanced or restored;
- i) That a construction mitigation plan is instituted to prevent stream borne sediments, changes in flow or other adverse characteristics from affecting the ecological functions or other impacts on receiving waters during construction;
- j) That the post construction phase shall include rehabilitation continued maintenance or infrastructure and preferably, a monitoring program;
- k) The Township will develop a strategy for stormwater management that incorporates a consistent series of best management practices, point and non-point source contaminant controls and infrastructure improvements on a watershed and sub-watershed basis.

2.37.4 The Township will ensure that clean, safe and reliable drinking water is supplied to all consumers served by the Pickle Lake Drinking Water System. The Township shall comply with all applicable legislation and regulations under the *Safe Drinking Water Act*.



2.38 WAYSIDE PITS AND QUARRIES

- 2.38.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by a public road authority or their agent, solely for the purposes of a particular road project or contract of road construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.
- 2.38.2 Wayside pits and quarries shall be permitted throughout the Township except for the following:
- a) In areas designated Residential;
 - b) Within 90 metres of an existing residential use; and
 - c) Where severe environmental disruption will occur.
- 2.38.3 Wayside pits and quarries used on public authority contracts shall be permitted without an amendment to this Plan or the Zoning By-law provided that the Township is given adequate notice and an opportunity to express concern regarding the opening of the pit or quarry.
- 2.38.4 When considering the establishment of new wayside pits and quarries or the expansion of existing operations, consideration shall be given to cultural heritage resources, including the completion of archaeological assessments and appropriate mitigative measures, as required.
- 2.38.5 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated to the satisfaction of the Township of Pickle Lake. Progressive and final rehabilitation of wayside pits and quarries is required.

2.39 WETLANDS

- 2.39.1 As defined in the Provincially Policy Statement, wetlands are 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.



2.39.2 Wetland areas are a significant environmental resource, which contribute to the ecological well-being of the natural environment. It is the intent of this Plan to protect wetland areas within or adjacent to the Township from incompatible land uses.

2.39.3 There are no known provincially significant wetland areas in the Township. Nevertheless, if one is identified, no development or site alteration will be permitted in or adjacent to the wetland feature. Lands adjacent to a provincially significant wetland are defined to be within 120 metres unless an Environmental Impact Study (EIS) is prepared by a qualified professional that demonstrates to the satisfaction of Council that there will be no negative impact on the wetland its ecological functions.

2.40 ZONING BY-LAWS

2.40.1 The policies of this Plan and all land use designations shall be implemented through a comprehensive Zoning By-law. Any land use designation may have more than one zone category that regulates and controls the permitted uses.



SECTION 3 - LAND USE DESIGNATIONS AND POLICIES

3.1 GENERAL

- 3.1.1 Land use designations have been established for Township of Pickle Lake. Schedule "A" - Land Use Plan illustrates the land use designations and should be read together in conjunction with the policies of this Plan.
- 3.1.2 The intent of this section of the Plan is to promote land use functions by minimizing land use conflicts and providing an attractive development pattern consistent with existing land uses and economic development of the Township.
- 3.1.3 General policies related to existing non-conforming uses, of which existed at the date of adoption of this Plan, may be deemed to conform with the extent of this Plan for the purposes of any Zoning By-law passed under Section 34 of the *Planning Act*. Such uses may be zoned in accordance with their present use and performance standards, or a limited range of similar uses provided:
- a) The zoning will not permit any significant change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
 - b) They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
 - c) They do not pollute air and/or water to the extent of interfering with the ordinary enjoyment of property;
 - d) There is no interference with the desirable development or enjoyment of the adjacent area; and
 - e) The use of land does not conflict with any provincial legislation, regulation or policies.
- 3.1.4 General policies relating to the expansion or enlargement of non-conforming uses, it is Council's intent that any land use existing at the date of approval of this Plan which does not conform with the land use designation shown on Schedule "A" - Land Use Plan, termed a 'non-conforming use', eventually should cease to exist so that the affected land may convert to a use in conformity with this Official Plan and the provisions of the implementing Zoning By-law.



In certain instances, Council may consider enlargement or redevelopment of a non-conforming subject to:

- a) The proposed extension or enlargement shall be dealt with application for an Official Plan amendment or Zoning By-law amendment pursuant to Section 34(10) or Section 44 of the *Planning Act*;
- b) Special attention to the potential and merits for the relocation of such use to a different location where it would be in compliance with this Plan;
- c) Council shall be satisfied that the proposed extension or enlargement of the established non-conforming use will not unduly aggravate the situation created by the existence of the use and to ensure the protection of the wider interests of the general public;
- d) That the proposed extension or enlargement will be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the original implementing Zoning By-law;
- e) That an application which would affect the boundary between areas of different land use designations in this Plan will only be processed under these policies if it can be considered as a 'minor adjustment' under this Plan. Major intrusions will, however, require an amendment to this Plan;
- f) That the characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting and traffic generation. No amendment to the Zoning By-law shall be made if one or more of such nuisance factors will be created or increased so as to add substantially to the incompatibility of the use with the surrounding area;
- g) That the neighbouring conforming uses will be protected where necessary by the provision of areas for landscaping, buffering or screening, appropriate setbacks for building and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations will be applied to the proposed extension or enlargement and, wherever feasible, be extended to the established use in order to improve its compatibility with the surrounding area;
- h) That traffic and parking conditions in the vicinity will not be adversely affected by the approval of the application, and traffic hazards will be kept to a minimum by appropriate design of entrance and exit points to and from the site, and improvement of sight conditions especially near intersections;
- i) That adequate provisions have been or will be made for off-street parking and



loading facilities;

- j) Those municipal services such as water supply, sanitary and storm sewers and roads are adequate or can be made adequate; and
- k) That the proposed expansion or enlargement will not increase the burden on public agencies and public health and safety and shall be compliant with applicable legislation and regulations.

3.1.5 General policies that relate to existing undersized lots, Council shall be satisfied that the construction of a dwelling on an existing lot of record having an area less than 1 hectare (2.47 acres), but greater than 0.4 hectare (1 acre) provided it can be demonstrated by a hydrogeological study that there will be no groundwater impacts.

3.2 AGRICULTURAL - RURAL AREAS

Lands designated as Agricultural - Rural (AR) Area are located beyond the settlement areas of the Township which provide opportunities for limited development.

3.2.1 It is the intent of this Plan to maintain the agricultural and rural character and environment of the Township while at the same time promoting the Agricultural - Rural Area for recreation and tourism related activities and uses. Land designated as Agricultural - Rural Area is shown on the Schedule "A" - Land Use Plan.

3.2.2 Permitted uses in the Agricultural - Rural Area (AR) designation shall be compatible with the agricultural and rural landscape and can be sustained by rural service levels and include:

- a) Low density residential uses (e.g., single detached dwelling units, tiny homes, semi-detached dwelling units);
- b) Seasonal residential uses;
- c) Home occupations, home industries;
- d) Hunting and fishing camps;
- e) Tourism related uses;
- f) Small scale commercial and small scale industrial;
- g) Institutional;
- h) Agricultural;



- i) Agriculture-related uses;
- j) On-farm diversified uses;
- k) Extraction of peat for horticulture or fuel; and
- l) Aggregate and mineral extraction.

3.2.2 While land in the Agricultural - Rural Area designation may be developed for a variety of uses, regard shall be given to ensure that development is compatible with surrounding land uses and appropriate for the site before development approval is given.

3.2.3 A limited number of permanent and seasonal low density residential uses shall be permitted in the Agricultural - Rural Area on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan and provided that:

- a) New residential uses should be a reasonable distance and are oriented away from Industrial uses to minimize the adverse effects of odour, dust, noise, vibration and other contaminants. The Ministry of the Environment and Climate Change may be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to industrial uses; and
- b) New lots for residential uses must be a minimum area of 1 hectare (2.47 acres) that is necessary for the installation of a private water supply and sanitary sewage disposal system approved by the Northwestern Health Unit or designated authority.

3.2.4 Plans of subdivisions for rural residential purposes greater than five (5) lots shall require a Planning Justification Study that addresses the need and scale of the proposed development based on the following considerations:

- a) Demand for the type of development proposed;
- b) The amount of developable land available within existing residential areas;
- c) An evaluation of other sites available to accommodate the development within other areas of the Township;
- d) Long term servicing impacts, environmental factors and impact on surrounding land uses;
- e) The scale and design of the development is compatible with the surrounding development and rural character in general;
- f) Any necessary infrastructure and public facilities can be provided or are



available to service the development in an efficient manner;

- g) Minimum lot area of 1 hectare (2.47 acres) is required to ensure there is sufficient area necessary for the installation of a private water supply and sanitary sewage disposal system;
- h) A water quality/quantity assessment which demonstrates that there is adequate water quantity and quality available to meet the domestic requirements of the development; and
- i) Comply with the Minimum Distance Separation formulae by the Province to minimize odour conflicts between livestock facilities and development, as amended time from time.

3.2.5 Garden suites accessory to the main residential use may be permitted in the Rural area pursuant to the policies contained in Section 2.23 of this Plan.

3.2.6 Tiny homes are permitted subject to the following standards that shall be provided:

- a) The site should have safe and convenient access to a maintained public or private road;
- b) On-site water and sanitary services shall be adequate for the use;
- c) Maximum density of 20 units per hectare of developable land area;
- d) The size of the tiny home shall not be smaller than the minimum required size set out in Ontario's Building Code, of 17.5 m² (188 ft²); and
- e) On-site parking shall be required.

3.2.7 An accessory or secondary dwelling unit within an existing dwelling is permitted and shall be subject to the following requirements:

- a) The unit may be located in a single detached and semi-detached dwelling;
- b) The lot size and configuration are sufficient to accommodate adequate parking and open/amenity spaces;
- c) The building age and condition are capable of supporting the intensified use and the building code requirements as well as health and safety requirements, can be satisfied;
- d) Shall be permitted in compliance with all relevant Zoning By-law provisions;
- e) While permitted in basements, are not be permitted in the cellar area of a dwelling;
- f) The availability and adequacy of municipal services to accommodate the



increased density shall be available; and

g) Shall not be less than approximately 45 m² (584 ft²).

3.2.8 The release of Crown Land in the Agricultural - Rural Area for low density seasonal residential and recreational infrastructure, such as docks and boat launch/parking areas, is supported by the Township.

3.2.9 Until such time as there is mineral resource extraction, alternative land uses will be considered in the Agricultural - Rural Area. Low density cottage or seasonal residential uses and recreational infrastructure are considered appropriate alternative land uses that would not restrict access to possible mineral resources or hinder mining operations and activities at some point in the future.

3.2.10 In order to further mitigate against possible conflicts between future mining activities and seasonal residential uses, it is the intent of Council that warning clauses be registered on title with the individual seasonal residential lots in areas of mineral resource potential indicating the rights of mining operations to access and extract the mineral resource over the rights of other land uses to prevent such activities from occurring. It is Council's intent that access to the mineral resource is to be protected for possible future mining activities and that seasonal residential development and recreational infrastructure shall not restrict access to the mineral resource or preclude extraction of the resource.

3.2.11 The development of seasonal residential uses will only be permitted provided there is no permanent year-round public road access to these sites, that the residential uses are not occupied on a permanent year-round basis as principal residences and that no permanent year-round residential community is established. These restrictions on seasonal or cottage residential development are provided as added safeguards to ensure that possible future access to potential mineral resources is not hindered by seasonal residential development.

3.2.12 In order to address land use compatibility concerns between possible future mining and mineral aggregate operations and seasonal residential development or recreational infrastructure in the Rural area, appropriate buffering and setback measures may need to be applied against possible negative impacts mining or mineral aggregate operations may have on these types of uses. The potential impacts and appropriate mitigative measures will be assessed and determined on a case by case basis.

3.2.13 Mining and mineral aggregate operations shall be permitted in the Agricultural - Rural Area subject to an amendment to the Zoning By-law and provided that:



- a) The operation is compatible with the surrounding land uses;
- b) A site plan agreement pursuant to Section 41 of the *Planning Act* and such agreement shall address the following matters, but not be limited to:
 - i. Hours of operation;
 - ii. Location of proposed buildings, machinery and equipment;
 - iii. Setbacks, landscaping and buffering;
 - iv. Storm water management;
 - v. Existing and anticipated final grades of excavation;
 - vi. Access to the site, ingress/egress;
 - vii. Haulage routes;
 - viii. Improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
 - ix. Progressive site rehabilitation.

3.2.14 Where other applicable policies allow for Industrial uses, these uses shall be capable of being serviced by rural service levels and shall be restricted to dry industrial uses only, where no industrial liquid waste, wash or cooling water, or process waste are permitted.

3.2.15 Small scale commercial uses providing personal or retail services, recreational commercial uses and small scale dry industrial uses relating to a natural resource and bulk storage or warehousing may be permitted in the Agricultural - Rural Area subject to an amendment to the Zoning By-law provided that:

- a) The use is located on a provincial highway or on an open road maintained year-round by the Township;
- b) Buffering and separation distances in accordance with the Ministry of the Environment and Climate Change's guidelines and to the satisfaction of the Township shall be provided where an industrial use is located adjacent to a residential or recreational use;
- c) There is no adverse impact on the amenity and character of the rural environment as established by the Zoning By-law;
- d) Adequate parking is provided;
- e) A site plan agreement pursuant to Section 41 of the *Planning Act* may be required;
- f) Small scale processing of forest products, such as portable sawmill



operations, are considered an industrial use and may be permitted provided that no equipment or machinery is located:

- i. Within 120 metres of a residential lot or a lot used for recreational, institutional or commercial uses;
- ii. Within 30 meters of any road or road allowance; and
- iii. An agreement is entered into with the Township governing the hours of operation for operations that are adjacent to residential and sensitive land uses.

3.2.16 Institutional uses that provide local public services may be permitted in the Agricultural - Rural Area subject to an amendment to the Zoning By-law in accordance with the following:

- a) Adequate parking and loading area is provided;
- b) Adequate site servicing is provided;
- c) Adequate buffering is provided where necessary; and
- d) A site plan agreement pursuant to Section 41 of the *Planning Act* is required.

3.2.17 Forestry uses may be permitted in the Agricultural - Rural Area and without an amendment to the Zoning By-law. Lands used for forestry purposes as defined by the *Crown Forestry Sustainability Act* includes the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation and protection of water supplies. The processing of forest products is considered an industrial use and subject to the policies in Section 2.22.

3.2.18 Lands used for public or private recreational purposes may be permitted in the Agricultural - Rural Area subject to an amendment to the Zoning By-law in accordance with the following provisions:

- a) Development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions and traffic generation; and
- b) A site plan agreement pursuant to Section 41 of the *Planning Act* may be required.

3.2.19 Development within the Agricultural - Rural Area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time. New and/or expansions to existing



livestock operations shall comply with the Minimum Distance Separation II criteria, as amended from time to time.

3.3 RESIDENTIAL AREAS

Lands designated as Residential (R) Area are primarily located within the township of Pickle Lake with adequate municipal water and sewage services to support the residential uses.

3.3.1 The intent for residential development shall be the Residential Area serviced by municipal water and sewage treatment systems within the township of Pickle Lake. The Residential Area is shown on Schedule "A" - Land Use Plan.

3.3.2 It is the objective of this Plan for residential development is to:

- a) Ensure that an adequate supply of land and range of housing types and densities is available to accommodate residential growth and the demands for residential development for at least twenty (20) years;
- b) Ensure that new residential development or redevelopment is physically compatible with the surrounding area and land use conflicts are minimized;
- c) Ensure the provision of adequate services including water, sanitary sewers, and storm drainage;
- d) Ensure, wherever possible, in the design of residential developments, the protection and enhancement of the natural environment and amenities;
- e) Promote a cost and energy efficient residential development pattern; and
- f) Encourage residential development to locate in designated Residential Areas.

3.3.3 The permitted uses in the Residential Area include:

- a) Single detached dwelling units, semi-detached dwelling units, duplexes, triplexes, townhouse units, and tiny homes;
- b) Accessory or secondary dwelling units;
- c) Rooming, boarding and lodging;
- d) Bed and breakfast establishments;
- e) Group homes;
- f) Garden suites;
- g) Local convenience commercial;



- h) Minor private and public open space facilities; and
 - i) Home occupations and home industries may also be permitted and will be evaluated based on their compatibility in terms of scale, design and fit with the physical character of the residential community.
- 3.3.4 Small scale institutional and public service facilities use may be permitted in the Residential Area provided there is no adverse or negative impact on the surrounding residential neighbourhood with respect to noise, traffic, parking, and subject to an amendment to the Zoning By-law.
- 3.3.5 Local convenience commercial uses may be permitted within the Residential Area subject to an amendment to the Zoning By-law. The local convenience commercial uses shall be limited to and cater to the day-to-day convenience and shopping needs of the immediate neighbourhood. The local convenience commercial uses shall be of a size and scale that is compatible with the surrounding residential uses and shall be subject to site plan control pursuant to Section 41 of the *Planning Act*.
- 3.3.6 Residential development or redevelopment shall generally be by plan of subdivision or condominium. Consents to sever individual parcels less than five (5) new lots will be permitted when development by plan of subdivision is not necessary to implement the policies of this Plan and the provisions of Section 51(24) of the *Planning Act*.
- 3.3.7 In existing built-up residential areas which are relatively stable and where the potential for new development or redevelopment is limited, the building designs and densities shall be compatible with the physical character and identity of the surrounding residential lands.
- 3.3.8 Low density residential uses shall generally include single detached, semi-detached, duplex and triplex dwellings. The maximum net residential density shall be 14 units per hectare (6 units per acre) in the serviced area of the township of Pickle Lake.
- 3.3.9 The design and locational criteria for Low density residential development shall include the following considerations:
- a) The site should have safe and convenient access to a public road;
 - b) The height, bulk and arrangement of buildings and structures should achieve a harmonious design and integrate with the surrounding area; and



- c) Water and sanitary services and storm drainage facilities shall be adequate to accommodate the new development.

3.3.10 Medium density residential uses shall generally include townhouses, nursing and seniors homes and mobile home parks on full municipal services. The maximum net residential density shall be 30 units per hectare (12 units per acre).

3.3.11 The design and locational criteria for Medium density residential development shall include the following considerations:

- a) The site should have safe and convenient access to a year-round maintained public road;
- b) The height, bulk and arrangement of buildings and structures should achieve a harmonious design and integrate with the surrounding area and not impact negatively on lower density residential uses;
- c) Water and sanitary services and storm drainage facilities shall be adequate to accommodate the increased residential densities;
- d) Appropriate open space, including landscaping and buffering, shall be provided to maximize privacy and minimize the impact on adjacent lower density residential uses;
- e) On-site parking shall be required to satisfy the need of the particular development. All parking areas shall be well designed and properly related to the buildings and landscaped areas; and
- f) Garbage storage and disposal shall be provided and screened from view and do not create nuisance impacts such as odour, rodents onto adjacent uses.

3.3.12 The following standards for tiny homes shall be provided:

- a) The site should have safe and convenient access to a maintained public or private road;
- b) Water and sanitary services shall be adequate for the use;
- c) Maximum density of 20 units per hectare of developable land area;
- d) The size of the tiny home shall not be smaller than the minimum required size set out in Ontario's Building Code, of 17.5 m² (188 ft²); and
- e) On-site parking shall be required.

3.3.13 The following standards for accessory or secondary dwelling units shall be provided with any residential development or redevelopment:



- a) The unit may be located in a single detached, semi-detached dwelling, duplex, triplex and townhouse unit;
- b) The lot size and configuration are sufficient to accommodate adequate parking and open/amenity spaces;
- c) The building age and condition are capable of supporting the intensified use and the building code requirements as well as health and safety requirements, can be satisfied;
- d) Shall be permitted in compliance with all relevant Zoning By-law provisions;
- e) While permitted in basements, are not be permitted in the cellar area of a dwelling;
- f) The availability and adequacy of municipal services to accommodate the increased density shall be available; and
- g) Shall not be less than approximately 45 m² (584 ft²).

3.3.14 The following standards of residential open/amenity space shall be provided for with any residential development or redevelopment:

- a) The provision and maintenance of adequate off-street parking for the development;
- b) The provision and improvement and/or maintenance of on-site landscaping, parks and recreational areas;
- c) The provision and maintenance of adequate separation distances and the placement of buffer features between residential uses of differing densities and between different types of land uses; and
- d) The development is to be adequately served by community facilities such as parks, commercial uses, churches and school sites.

3.4 INSTITUTIONAL AREAS

The Institutional (I) Area designation is for the predominant use of land for public uses and operations carried on by or on behalf of the Township and for private institutions and organizations.

3.4.1 It is the intent of this Plan to provide for appropriately located public and private institutions that are accessible to the people they serve, while not having an adverse effect on the surrounding area.



3.4.2 The permitted uses in the Institutional Area include:

- a) Community recreational facilities;
- b) Public and private schools;
- c) Religious institutions;
- d) Medical centres;
- e) Day care centres and nursery schools;
- f) Social and cultural facilities;
- g) Fire halls;
- h) Government offices; and
- i) Cemeteries.

3.4.3 New institutional uses shall be subject to an amendment to this Plan and the Zoning By-law and shall be conveniently located and access onto an open year-round publicly maintained road.

3.4.4 New institutional uses shall be conveniently located with access to water, sanitary and storm drainage services or equipped to provide on-site water and sanitary services and adequate landscaping and buffering to residential uses.

3.4.5 New institutional uses shall be oriented in such a manner so that there are no adverse impacts on nearby residential uses with regards to parking, traffic and noise.

3.5 COMMERCIAL AREAS

The Commercial (C) Area designation is for the use of land where the predominant use will be the buying and selling of goods and services for the Township. Council is to promote business and commerce primarily within those areas designated Commercial Areas as shown on Schedule "A" - Land Use Plan.

3.5.1 It is the intent of the Commercial Area designation to:

- a) Encourage the provision of a sufficient level and variety of retail activity within the Township to satisfy the consumer demands of the residents;
- b) Promote planned development of business and commercial uses consistent with the needs of the Township's residents;
- c) Enhance business and commercial activities within the Township;



- d) Ensure that commercial development does not have negative impacts on adjacent land use, particularly residential uses; and
 - e) Recognize and provide for emerging tourist commercial opportunities.
- 3.5.2 Commercial uses shall be regulated by separate zone categories in the Zoning By-law. The Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and residential or institutional uses.
- 3.5.3 When considering an application to establish a commercial use or uses, the Township shall have regard for the following:
- a) The compatibility of the proposed use with the surrounding area;
 - b) The physical suitability of the site for the proposed use;
 - c) The adequacy of the existing street system to accommodate access and on-street parking;
 - d) The convenience and accessibility of the site for both pedestrian and vehicular traffic; and
 - e) The adequacy of utilities and water, sanitary services, and storm water drainage.
- 3.5.4 The Commercial Area within of the Township are a site plan control area and commercial uses will be subject to site plan control pursuant to Section 41 of the *Planning Act*.
- 3.5.5 The design of all proposed new commercial uses shall be in keeping with the character of the surrounding area. The following design criteria shall apply to the development and redevelopment of all Commercial Areas:
- a) The provision of landscaped areas and all landscaping shall form an integral part of all commercial developments. Landscaping and tree planting shall be provided to improve the streetscape, to function as screening and buffering between adjacent uses and for aesthetic and resting purposes;
 - b) Open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law;
 - c) Loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible; and
 - d) Adequate off-street parking facilities shall be provided in accordance with the provisions of the Zoning By-law.



- 3.5.6 Tourist commercial uses such as hotels, lodges, commercial recreational facilities, marinas, and similar type of uses are permitted as a means to encourage the expansion of the tourism industry in the Township. These uses shall be permitted subject to the criteria established in Policy 3.5.5 and provided there is no adverse impact on the surrounding properties relating to traffic, noise and intensity of use.
- 3.5.7 Existing residential uses in the Commercial Areas shall be permitted.
- 3.5.8 New residential uses above the ground floor commercial uses are permitted subject to an amendment the Plan and the Zoning By-law. The new residential use shall not exceed 10% of the commercial use.

General Commercial Area

- 3.5.9 It is the intent of this Plan to maintain and promote the General Commercial Area. New commercial development shall not jeopardize the commercial viability of the commercial uses in the commercial core area of the townsite of Pickle Lake.
- 3.5.10 Permitted uses in the General Commercial Area designation are those uses that serve the residents of Pickle Lake and include:
- a) Local convenience commercial uses;
 - b) Retail uses;
 - c) Offices;
 - d) Personal services;
 - e) Restaurants;
 - f) Hotels and motels;
 - g) Commercial recreational facilities; and
 - h) Institutions, and public and government uses.
- 3.5.11 New development or redevelopment in the General Commercial Area shall be sensitive to the character and scale of existing commercial uses, shall provide adequate off-street parking and shall not generate traffic that will result in negative impacts on adjacent residential neighbourhoods.
- 3.5.12 The Township may consider accepting cash-in-lieu for parking spaces from new commercial developments or commercial redevelopments if adequate parking



exists in the vicinity of the proposed development.

3.5.13 Apartment units may be permitted above or behind the General Commercial Area subject to the following criteria:

- a) The residential use shall not detract from the prime function of the commercial designation;
- b) Amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
- c) Parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

Highway Commercial Area

3.5.14 Business and commercial uses permitted within the Highway Commercial Area are those uses located beyond the General Commercial Area which require a substantial land area and provide services related to the service commercial and distribution activities of a service centre for their economic viability.

3.5.15 Permitted uses in the Highway Commercial Area include:

- a) Retail uses;
- b) Offices;
- c) Warehousing and distribution;
- d) Building supplies;
- e) Automotive related retail uses;
- f) Automotive service;
- g) Recreation vehicle and equipment sales and service;
- h) Commercial recreational uses; and
- i) Public and government uses.

3.5.16 New development or redevelopment in the Highway Commercial Area shall not detract from the viability of the commercial core area of the townsite of Pickle Lake.

3.5.17 Automobile traffic and adequate parking shall be a major design consideration for Highway Commercial uses. Efforts shall be made to minimize the number of



entrances and exits to and from roads and to segregate service and customer traffic. Where appropriate, joint entrances between commercial uses shall be encouraged to minimize traffic conflicts.

3.5.18 Highway Commercial uses shall be developed in an attractive manner to provide a positive statement to the Township and open storage shall be prohibited unless it can be demonstrated through appropriate landscaping and screening that the storage areas will not detract from the character of the area.

3.5.19 Accessory residential dwelling unit may be permitted in the Highway Commercial Area for a caretaker, employee or proprietor of the commercial use, subject to the following criteria:

- a) Shall not detract from the prime function of the commercial designation;
- b) Amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
- c) Parking shall be provided for the residential use in conjunction with the requirements for the commercial use as determined in the Zoning By-law.

3.6 INDUSTRIAL AREAS

The Industrial (I) Area designation and policies are intended to promote development through the expansion of the existing industrial base and stimulation of new industrial growth. Appropriate areas that accommodate the needs of existing industries through expansion or relocation and the establishment of new industries are shown on Schedule "A" - Land Use Plan.

3.6.1 It is the intent of the Industrial Area designation to:

- a) Expand the Township's existing industrial base by providing lands for continued industrial growth;
- b) Minimize the impact of industrial areas on surrounding areas, particularly on residential uses and on the natural environment; and
- c) Guide the location of new industrial uses and industrial redevelopment within the Township.

3.6.2 Permitted uses in the Industrial Area designation shall include:

- a) Airport uses;
- b) Manufacturing;



- c) Processing, assembling, fabricating, servicing;
- d) Storage of goods and raw materials;
- e) Warehousing;
- f) Wholesaling and service sector industries including transportation, communication, business services, government services, medical and other health laboratories;
- g) Mineral exploration, mining, mineral aggregate resource extraction operations; and
- h) Waste disposal sites.

3.6.3 Uses that are incidental or ancillary to industrial operations, such as retailing or wholesaling, may be permitted in the Industrial Area. Retailing will not be permitted to become the predominant use and will be limited in size so as not to interfere with or detract from the primary function of the Industrial Area.

3.6.4 Industrial uses shall have regard for the proximity of residential uses, exposure to major roadways and the degree to which the industrial use affects the physical and aesthetic characteristics of the natural environment.

3.6.5 The Industrial Area is a site plan control area in the Township and industrial uses will be subject to site plan control pursuant to Section 41 of the *Planning Act*.

3.6.6 The Zoning By-law shall regulate industrial uses through the establishment of appropriate industrial zone categories and shall address among other matters the need for a compatible environment for industries free from interference and restriction by other uses and the protection of adjacent uses from the effects of industry.

3.6.7 Wherever industries abut residential, institutional, recreational or other similar uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and separation distances in order to minimize the impact of the industrial activity including visual appearance.

3.6.8 Industrial uses shall be developed in an attractive manner to provide a positive statement to the Township. To achieve this, building and site design shall have consideration of the following design standards:

- a) Open storage shall be prohibited unless it can be demonstrated that appropriate landscaping and screening to shield the open storage areas will



not detract from the intended character of the area;

- b) Parking and loading areas will generally be restricted to side and rear yards;
- c) All industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the highway; and
- d) Development or redevelopment of industrial uses shall comply with the applicable standards of the Ministry of the Environment and Climate Change regarding emissions and noise.

3.6.9 Aggregate extraction operations shall be allowed in the Industrial Area designation provided that:

- a) The operation is compatible with surrounding land uses;
- b) Adequate buffering is provided;
- c) An approved amendment to the Zoning By-law is obtained;
- d) An approved site plan agreement pursuant to Section 41 of the *Planning Act* is registered on title. The agreement may address the following matters, but not be limited to:
 - i. Hours of operation;
 - ii. Location of proposed buildings, machinery and equipment;
 - iii. Setbacks, landscaping and buffering;
 - iv. Storm water management;
 - v. Existing and anticipated final grades of excavation;
 - vi. Access, ingress/egress;
 - vii. Haulage routes;
 - viii. Improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
 - ix. Site rehabilitation.

3.6.10 There is a need for additional aggregate extraction operations and Council and the Ministry of the Environment and Climate Change shall be satisfied with:

- a) The disposal of liquid wastes, pumping operations and the control of air and noise pollution, among other matters;



- b) No excavation, building, equipment, machinery or stockpiling of material is allowed:
 - i. Within 30 metres of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes;
 - ii. Within 30 metres of any area designated residential;
 - iii. Within 30 metres of any road or road allowance; and
- c) A quarry with blasting operations is to be setback a minimum of 800 metres from a residential building.

3.6.11 Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Township of Pickle Lake and with the Ministry of the Environment and Climate Change through the issuance of a Certificate of Environment Compliance Approval.

3.6.12 Related aggregate industrial uses such as asphalt plants, concrete batching plants and aggregate recycling operations may also be permitted provided they are compatible with adjacent land uses and subject to an amendment to the Zoning By-law.

3.6.13 The reuse of Industrial land for alternative land uses may be considered in accordance with the provisions of policies 2.12 and 2.27.

3.7 OPEN SPACE AND RECREATIONAL AREAS

The Open Space and Recreational (OS) Area designation is to preserve and conserve those lands which are ecologically sensitive and those areas of scenic qualities and to provide community and cultural facilities to serve the Township's residents.

3.7.1 The intent and primary land uses for areas designated as Open Space and Recreation shown on Schedule "A" - Land Use Plan shall be for:

- a) Active and passive recreational uses;
- b) Public and private parks;
- c) Trailer parks and campgrounds;
- d) Golf courses;



- e) Playing fields and playgrounds;
- f) Swimming facilities;
- g) Nature trails;
- h) Marinas; and
- i) Natural and wildlife management areas.

3.7.2 Small scale commercial uses which are ancillary to and support the permitted recreational and open space uses may also be permitted by amendment to the Zoning By-law.

3.7.3 Open space linkages which provide access to recreational and open space uses in the Township will be encouraged.

3.7.4 This Plan recognizes the following hierarchy of parks:

- a) Local Neighbourhood Park – a neighbourhood park approximately 0.4 to 2.0 hectares (1 - 5 acres) in size and serves the surrounding residential neighbourhood area. Facilities may include a softball diamond, soccer field, playground, wading pool and passive recreational areas; and
- b) Community Park – a park approximately 2.5 to 10 hectares (6 - 25 acres) in size and is often located in conjunction with a school facility and serves a larger population base than compared with a neighbourhood park. A community park may include sports fields, tennis courts, community playgrounds, washrooms, community centre, meeting room/areas and passive recreational areas.

3.7.5 The dedication of lands or acceptance of cash-in-lieu of park land dedication of new development or redevelopment of land shall be in accordance with the following requirements:

- a) Development or redevelopment of land for residential purposes shall be at a standard of 5% of that land being developed or redeveloped; and
- b) Development or redevelopment of land for commercial or industrial purposes shall be at a standard of 2% of the land being developed or redeveloped.

3.7.6 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Township and satisfy the following criteria:

- a) Be relatively level and are not required for drainage purposes, nor contain



lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;

- b) Be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access;
- c) Provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, soccer fields, baseball fields, etc.;
- d) Have adequate access within the development; and
- e) Be provided with basic service requirements.

3.7.7 Development within areas designated Open Space and Recreation Area will complement the natural environment.

3.7.8 In areas intended for Open Space and Recreation in the vicinity of the Pickle Lake shoreline, the Township shall cooperate with the Ministry of Natural Resources and Forestry or other relevant agencies, in their efforts to establish recreational facilities and a functional water oriented open space network.

3.7.9 The Township, in the design and development of parks, open space areas and recreational facilities shall encourage accessibility for the physically challenged.

3.8 ENVIRONMENTAL PROTECTION AREAS

Land designated Environmental Protection (EP) Area shown on Schedule “A”- Land Use Plan and Schedule “C” - Natural Heritage and generally include shoreline protection works, floodplain protection works, top-of-bank of any watercourse, significant woodlands, fisheries management, significant wildlife and management, waterfowl production, forestry.

3.8.1 The provision of protection works or the dumping of material along the shoreline of the lakes and rivers in the Township is prohibited without the prior written approval and authorization from the Province in accordance with the provisions of the *Lakes and Rivers Improvement Act* and/or the *Public Lands Act*.

3.8.2 With the exception of docks, boathouses and pump houses, construction shall not normally occur on lands designated as Environmental Protection.

3.8.3 Within the Environmental Protection Area designation development, including the erection and/or construction of buildings or structures or additions thereto, or the placement or removal of fill, shall not be permitted in any hazardous site or land



that could be unsafe as a result of naturally occurring processes unless it can be demonstrated, to the satisfaction of the Township that:

- a) The hazard will not result in public health, safety or potential property damage;
- b) No new hazards are created or existing hazards aggravated;
- c) No negative environmental impacts will result from the development;
- d) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
- e) The development does not include institutional uses, essential emergency services or the disposal, manufacture, treatment, or storage of hazardous substances.

3.8.4 No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Province. Where required under the federal *Fisheries Act* prior written authorization from the federal Department of Fisheries and Oceans must also be obtained.

3.8.5 Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansions to such uses will be discouraged; however, reconstruction and/or minor alterations to existing buildings and structures, and additions or extensions which are not likely to incur significant flood damage and will not result in impediments to flow or floodwater storage, may be considered by the Township. Where required under the *Lakes and Rivers Improvement Act*, or the *Public Lands Act*, prior written authorization must be obtained.

3.8.6 Proposals for development or redevelopment within the Environmental Protection Area designation, including construction of buildings or structures, or additions thereto, will be considered on an individual basis, provided that such proposals are supported by engineered designs demonstrating that the site is safe for development in spite of naturally occurring hazards, such as flooding and erosion.

3.8.7 Any applications to re-designate Environmental Protection Area lands will be carefully reviewed and shall not adversely impact on the natural environment. The Township shall require the proponent to submit an Environmental Impact Study (EIS) prepared by a qualified environmental specialist to address the following considerations:

- a) A description of the natural environment and existing physical characteristics, including a statement of environmental quality;
- b) A description of the proposed development and potential effect on the natural



environment;

- c) A description of the costs and benefits in terms of economic, social and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects; and
- d) An evaluation of alternatives including other locations for the proposal.

3.8.8 There is no public obligation to either change the designation of or to purchase any lands within the Environmental Protection designation, particularly if the environmental hazard would be difficult or costly to mitigate or overcome.

3.8.9 Environmental Protection lands may not be considered acceptable as part of a parkland dedication pursuant to the *Planning Act*.

3.8.10 Environmental Protection Area lands shall be placed in appropriate zone categories in the implementing Zoning By-law.

3.8.11 Property owners, in consultation with the Province, are encouraged to provide a coordinated approach to the use of land and management of water in areas subject to flooding to minimize social disruption.

Natural Heritage

3.8.12 The natural heritage values have been supplied by the Ministry's Natural Resource Values Information System (NRVIS). The natural values are shown on Schedule "C"- Natural Heritage of this Plan and are constantly changing and being updated as new information becomes available.

3.8.13 The Township recognizes the importance of the natural environment to its citizens. The Township may create a culture of environmental awareness and encourage and enable its citizens, visitors, and businesses to adopt lifestyles of the lowest possible environmental impact while maintaining a sustainable quality of life.

3.8.14 Council shall encourage development to demonstrate sustainable design concepts, such as designing with nature as a commitment to environmental protection for future generations. Natural heritage consists of an overall natural heritage system, which consists of natural heritage features and areas, which are linked by natural corridors, which are important to maintain biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems.



- 3.8.15 The diversity and connectivity of natural features and the long-term ecological function and biodiversity of the Township’s natural heritage systems shall be maintained, restored, or improved, recognizing linkages between and among natural heritage features and areas, surface water features, and ground water features.
- 3.8.16 Natural heritage features and areas include the following elements:
- a) Wildlife habitat which refers to the habitat for flora and fauna that is ecologically important in terms of features, functions, representation or amount, and contributes to the quality and diversity of an identifiable geographic area or natural heritage system;
 - b) Fish habitat which 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 cycle processes; and
 - c) Habitat of endangered species and threatened species means the habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations. According to the Ministry of Natural Resources and Forestry. There are no Areas of Natural and Scientific Interest (ANSIs) in Pickle Lake.
- 3.8.17 Council recognizes that all undeveloped land of the Township is suitable habitat for a variety of wildlife species. Certain wildlife habitat has been identified by the Ministry of Natural Resources and Forestry as having special significance and is shown on Schedule “C” - Natural Heritage.
- 3.8.18 Wildlife habitats may include one or more of the following characteristics:
- a) Seasonal concentrations of animals, such as caribou, heronries, and waterfowl concentration areas;
 - b) Rare vegetation communities and specialized habitats for wildlife;
 - c) Habitats of species of “special concern” and other wildlife habitats, such as provincially rare plants, reptiles, amphibians and birds, as well as bird nests; and
 - d) Animal movement corridors.
- 3.8.19 Lands designated wildlife habitat are important components of natural heritage systems in the Township and will be protected from incompatible development and site alteration.



- 3.8.20 A wildlife habitat evaluation must be performed by a qualified environmental professional before any planning approvals are processed for areas that have characteristics or components of a wildlife habitat. Proponents may be required to prepare an Environmental Impact Statement (EIS), in accordance with the EIS section of this Plan, which demonstrates that there will be no negative impacts on wildlife habitat.
- 3.8.21 Any evaluated habitat that is deemed to be significant will be granted the protections afforded in this section without the need for an amendment to this Plan.

Endangered and Threatened Species

- 3.8.22 The presence of, or high potential for, Species at Risk (extirpated, endangered or threatened species) shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with Ministry of Natural Resources and Forestry.
- 3.8.23 The *Endangered Species Act* (ESA) prohibits the killing, harming, harassment, capture, or taking of a species at risk, and the damaging or destroying of their habitat. As a result, an Environmental Impact Study shall be carried out during the planning of development and site alteration projects to determine whether a listed species or its habitat may be present before carrying out an activity that may contravene the ESA.
- 3.8.24 Proponents shall prepare an Environmental Impact Statement (EIS), which demonstrates that there will be no negative impacts on the habitat of endangered and threatened species or its ecological function. The EIS must be completed by a qualified professional to address potential impacts on the habitat of endangered and threatened species. Current best management practices may assist to mitigate an activity's impacts. On a case-by-case basis, additional actions may be required to address specific impacts on a species at a particular site or location.
- 3.8.25 Proponents are responsible for ensuring that any development or activity does not contravene the *Endangered Species Act*, and all development or site alterations must be planned and considered in accordance with the provisions of the *Endangered Species Act*.
- 3.8.26 Where developments or site alteration is proposed within 120 metres of the boundary of the habitat of a species at risk, the proponent shall provide the Township with an Environmental Impact Statement (EIS) that demonstrates that



there will be no negative impacts on the habitat or on its ecological function. If impacts are identified the application cannot proceed unless it is redesigned to avoid the habitat. Where warranted by site and species-specific factors, development proposals further than 120 metres from significant portions of the habitat of endangered and threatened species may also require an Environmental Impact Statement.

- 3.8.27 If impacting an endangered or threatened species cannot be avoided, a permit or agreement under the *Endangered Species Act* must be obtained before the activity proceeds. The proponent should work directly with Ministry of Natural Resources and Forestry district staff to develop agreements or permits when required.

Fish Spawning and Nursery Area

- 3.8.28 Important habitat and natural values are constantly changing and mapping the locations of these features are likely incomplete. As these habitats and values change, the schedules of this Plan will be updated based on information from the Ministry of Natural Resources and Forestry. As these changes are usually minor in nature, formal amendments to this Plan will not be required.
- 3.8.29 Where detailed habitat mapping has not been completed, all water features will be considered fish habitat, unless it can be demonstrated to the satisfaction of the Township that the features do not constitute fish habitat as defined in the federal *Fisheries Act*. Evaluations of water features must be performed by a qualified biologist.
- 3.8.30 The Township supports the management of fisheries. Such management has important economic, social and environmental benefits. It is also recognized that it is the mandate of the Department of Fisheries and Oceans to protect and preserve fish habitat on Crown and private land under the *Federal Fisheries Act*. Under that Act, fish habitat is defined as spawning grounds and nurseries, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes.
- 3.8.31 Development or site alteration shall not be permitted within areas identified as Fish Spawning and Nursery Area shown on Schedule “C”- Natural Heritage unless an Environmental Impact Statement (EIS) demonstrates that there will be no negative impact on the fish spawning and nursery area or its ecological function.



3.8.32 Where development or site alteration is proposed within 120 metres of a fish spawning and nursery area, the development should be designed to ensure that there are no negative impacts on the adjacent land, which shall also include land adjacent to all watercourses and waterbodies. The Township shall require the proponent to prepare an Environmental Impact Statement (EIS) including a fisheries assessment and to be submitted with any development application. The EIS must be completed by a qualified professional. The report shall identify the features of the fish spawning and nursery area, the nature of the proposed development, the potential impacts that the development may have and the mitigation measures required to prevent adverse impacts on the fish spawning and nursery area.

Waterfowl Habitat

3.8.33 Waterfowl Habitat is identified as providing nesting, feeding and staging areas for waterfowl. Common waterfowl species include but not limited to Canada Goose, common loon, canvasback, mallard, American black duck.

3.8.34 Development or site alteration shall not be permitted within areas identified as waterfowl habitat shown on Schedule “C” - Natural Heritage unless an Environmental Impact Statement (EIS) demonstrates that there shall be no negative impact on the waterfowl habitat or its ecological function.

3.8.35 Where development or site alteration is proposed within 120 metres of these areas, the development should be designed to ensure that there are no negative impacts on the adjacent sensitive areas. The Township shall require the proponent to prepare an Environmental Impact Statement (EIS) to be submitted with any development application. The EIS must be completed by a qualified professional in support of the development proposal. This report shall identify the features of the waterfowl habitat, the nature of the proposed development, the potential impacts that the development may have, and the mitigation measures required to prevent adverse impacts on the waterfowl habitat area.

Nesting Sites

3.8.36 The locations of heronries, nests of ospreys and nests of bald eagles are shown as on Schedule “C” - Natural Heritage and are considered wildlife habitat areas. Council recognizes the importance of shielding the heronries and nests of osprey and bald eagles from habitat destruction or disturbance and it is a policy of this Plan that:

- a) Heronries: no road or pipeline construction, logging, blasting or other similar



heavy development activities should take place within 200 metres of a heronry during the sensitive breeding season (between April 1 and August 15). No development that would result in activities of any kind, including pedestrian traffic, all terrain vehicles, etc., shall be permitted within 400 metres of a heronry during the sensitive breeding season. The policies of the Ministry of Natural Resources and Forestry regarding activities permitted within 300 metre during the non-nesting season (August 16 to March 31) are supported.

- b) Bald Eagles: The protection of bald eagle habitat shall be tailored to the sites specific situation based on an Environmental Impact Statement (EIS) that demonstrates no negative impacts and includes mitigation measures.
- c) Osprey: No development activity shall take place within a 200 metres radius of an osprey nest. No development shall take place within 800 metres of an osprey nest between April 15 and September 1 inclusive. The policies of the Ministry of Natural Resources and Forestry regarding activities permitted within 800 metres of an active nest during nesting and non-nesting periods are supported.

Caribou Winter Habitat

3.8.37 Although not designated in Ministry's Natural Resource Values Information System (NRVIS) and therefore not illustrated on Schedule "C" - Natural Heritage, the winter concentration and habitat areas are important for caribou and these areas should be considered and assessed as part of the development review process.

3.8.38 Development in these areas shall generally be limited to low-density, rural residential. Development patterns should consist of large acreages and frontages that encourage dispersed residential use in a rural setting.



SECTION 4 - MUNICIPAL SERVICES AND FACILITIES

4.1 GENERAL

- 4.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the urban and rural character and environment of the Township of Pickle Lake. Capacity is available within the water and sewer treatment service facilities to allow for reasonable expansion of these services within the townsite of Pickle Lake. It is recognized that servicing in a rural area is generally difficult and expensive to provide due to dispersed development patterns consistent with the rural character. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.
- 4.1.2 The objective of this section of the Plan is to provide policies that will ensure adequate services are provided that recognize the Township's financial capabilities and not place undue strain on the Township's financial resources.
- 4.1.3 The use of alternative development standards is encouraged for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in urban design and housing, enhances the liveability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.

4.2 ROADS

- 4.2.1 Safe and efficient movement of people and goods within the Township and to and from adjacent municipalities is encouraged by this Plan. The road system should safely serve the Township but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Township.
- 4.2.2 The classification of roads in the Township as shown on Schedule "A" - Land Use Plan are as follows:
- a) Provincial Highways - this system of roads applies to the numbered Provincial Highways under the jurisdiction of the Ministry of Transportation. Development along Provincial Highways is subject to the permit control of the Ministry of Transportation which is obtained prior to construction or grading taking place on the site. Access to Provincial Highways is permitted provided the entrance meets the minimum safety and geometric requirements of the



Ministry of Transportation; and

- b) Township Roads - this system of roads applies to all public roads under the jurisdiction of the Township of Pickle Lake. The Township is responsible for the maintenance of public roads within their jurisdiction. The primary purpose of the Township roads is to facilitate local travel and areas for development. Direct access to Township roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.

4.2.3 Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to meet approved standards and the road shall be suitable for assumption into the Township road system.

4.2.4 The Township of Pickle Lake is not responsible for the costs associated with the design and construction of new roads or the extension of existing roads. These costs are the direct responsibility of the proponent for the new road and/or road extension.

4.2.5 Unless it is clearly in the public interest, private roads will not be assumed by the Township into the Township road system.

4.2.6 Year-round maintenance will be provided on all roads under the jurisdiction of the Township of Pickle Lake and the Ministry of Transportation.

4.2.7 The right-of-way width of Township roads shall generally be a minimum of 20 metres (66 feet). As a condition of development, the Township may require the dedication of road widenings to achieve the 20 metres (66 feet) road right-of-way widths where they presently do not exist.

4.2.8 All new roads developed by the Township shall be planned in accordance with the appropriate Class Environmental Assessment under the *Environmental Assessment Act*.

4.3 WATER SUPPLY

4.3.1 All new residential, commercial, institutional and industrial development within the Urban Service Area boundary of the townsite of Pickle Lake shall be connected to the municipal water supply system. Any water line extensions outside of the Urban Service Area boundary shall require an amendment to this Plan unless the service



is required to remedy a health concern or resolve a problem with an existing private water supply system.

- 4.3.2 The need for municipal water supply to the area outside the Urban Service Area boundary of Pickle Lake is not considered feasible over the life of this Plan.
- 4.3.3 The source of water supply in areas beyond the Urban Service Area boundary of the townsite of Pickle Lake is primarily from private individual wells. Any surface water used for domestic purposes should be filtered and treated prior to consumption.
- 4.3.4 The responsibility for water supply in those areas outside of the Urban Service Area boundary of Pickle Lake will be with each property owner.
- 4.3.5 Individual private wells serve as an adequate supply of water for the rural development of the Township. It is intended that lot sizes remain large enough to ensure that private wells remain the primary source of water in the Rural area of the Township.
- 4.3.6 The Township will not accept ownership or responsibility for the operation or maintenance of communal water systems. Developments proposed to be serviced by communal water systems shall be permitted on the basis that the communal servicing system will be owned, operated and managed by another public body other than the Township and will not be privately owned, operated or maintained.

4.4 SEWAGE DISPOSAL

- 4.4.1 All new residential, commercial, institutional and industrial development within the Urban Service Area boundary of the townsite of Pickle Lake shall be connected to the municipal sanitary sewage treatment system. Any sewage line extensions outside of the Urban Service Area boundary shall require an amendment to this Plan unless the service is required to remedy a health concern or resolve a problem with an existing private septic system.
- 4.4.2 The Township operates and maintains the municipal sanitary sewage treatment and distribution system in the townsite of Pickle Lake.
- 4.4.3 Private individual septic tanks and tile field systems are the primary means of sewage disposal in the area outside of the Urban Service Area boundary of the townsite of Pickle Lake.



- 4.4.4 The need for public sanitary sewage disposal in the area outside of the Urban Service Area boundary of the townsite of Pickle Lake is not considered feasible over the life of this Plan. Therefore, each individual property owner is responsible for the provision of private sanitary sewage disposal in areas outside of the Urban Service area subject to the approval of the Northwestern Health Unit or designated authority.
- 4.4.5 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems. Private sewage disposal systems will remain the primary source of sewage disposal in the Agricultural - Rural Area of the Township.
- 4.4.6 All new individual private sewage disposal systems require the approval of the Northwestern Health Unit or designated authority.
- 4.4.7 The Township encourages the regular inspection and maintenance of private sanitary sewage disposal systems to ensure their safe operation. Any private sanitary sewage system that is not functioning properly or is failing shall be repaired or replaced in accordance with the requirements of the Northwestern Health Unit or designated authority.
- 4.4.8 The Township will not accept ownership or responsibility for the operation or maintenance of communal sewage systems. Developments proposed to be serviced by communal sewage systems shall be permitted on the basis that the communal servicing system will be owned, operated and managed by another public body other than the Township and will not be privately owned, operated or maintained.

4.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL

- 4.5.1 Expansion to the existing solid waste disposal facility is anticipated in the next 10 years.
- 4.5.2 If additional solid waste disposal sites are required or an expansion to an existing facility is required, these sites shall be planned in accordance with the requirements of the *Environmental Assessment Act* and should:
 - a) Avoid areas of high ground water;
 - b) Maintain an adequate separation and buffer from all existing development;
 - c) Avoid pollution of the ground water and watercourses;



- d) Require an amendment to the Zoning By-law; and
- e) Be approved by the Ministry of the Environment and Climate Change.

4.5.3 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment and Climate Change that the facility may be established without adverse impacts on surrounding land uses and the natural environment. A Certificate of Compliance Approval from the Ministry of Environment and Climate Change is required for all liquid waste disposal sites.

4.6 RECREATIONAL FACILITIES

4.6.1 The existing recreation facilities that are available to the residents of the Township are considered suitable. However, with increased population growth additional recreational and open space facilities may be required.

4.6.2 It is the intent to this Plan to encourage the provision of additional public and private recreational and open space facilities at appropriate locales for use by the Township residents and tourists.

4.6.3 It is the intent of this Plan, that new public and private recreational opportunities shall not put an undue financial burden on the Township.

4.7 COMMUNITY FACILITIES AND SERVICES

4.7.1 The existing services provided by the volunteer fire departments, the Ontario Provincial Police and other provincial agencies are considered adequate to meet the needs of the residents of the Township.

4.7.2 The existing public school facilities within the Township meet the needs of the community regarding educational facilities. However, there is a need to expand the educational programme to provide full high school education in the Township.

4.7.3 It is the policy of this Plan to encourage the joint use of recreational facilities between the community at large and the school board where appropriate.



SECTION 5 - IMPLEMENTATION AND ADMINISTRATION

5.1 THE TOWNSHIP'S ROLE IN IMPLEMENTATION

5.1.1 This Official Plan shall be implemented by means of the powers conferred to the Township of Pickle Lake by the *Planning Act* and other statutes which may be applicable. In particular, the Plan shall be implemented through:

- a) Preparation, adoption and enforcement of the zoning by-laws;
- b) Preparation, adoption and enforcement of other zoning provisions such as property maintenance and occupancy standards by-laws, interim control, temporary use by-laws and holding by-laws;
- c) Consent and subdivision approval process;
- d) Site plan control process;
- e) Development permit process; and
- f) Participation in programs funded by senior levels of government for housing, community improvement, etc.

5.2 PUBLIC PARTICIPATION

5.2.1 The Township intends that the public be involved in the formulation and implementation of planning policies. To this end, the Township shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment applications pursuant to the provisions of the *Planning Act*.

5.2.2 The Township may forego public notification and public meetings in connection with a technical Official Plan or Zoning By-law amendments if such an amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto.

5.3 STREAMLINING REVIEWS OF PLANNING APPLICATIONS

5.3.1 The Province has implemented a “one window” planning service for provincial review and approval of certain municipal planning applications at the Ministry of Municipal Affairs and Housing. The “one window” approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as needed.



5.3.2 The Township is also responsible for the implementation of the municipal plan review function as it relates to matters of provincial interest and will take these matters into consideration when making decisions on such planning items as consent and subdivision of land applications, zoning by-law and official plan amendments and minor variance applications. Where appropriate, the Township will rely on the expertise of other ministries and may through the Ministry of Municipal Affairs and Housing seek technical support from provincial ministries on matters of provincial interest.

5.4 OFFICIAL PLAN - AMENDMENTS AND REVIEW

5.4.1 No developments or activities shall occur which contravene the intent and policies of this Plan.

5.4.2 Developments or activities deemed beneficial to the Township, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

5.4.3 The Official Plan shall be amended to reflect other municipal policies that may impact on land use planning matters in the Township.

5.4.4 The Plan shall be subject to a continual review by the Township. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.

5.4.5 The Official Plan shall be subject to a formal review at least once every ten (10) years pursuant to Section 26 of the *Planning Act*.

5.4.6 Prior to considering an amendment to this Plan, the Township shall pre-consult with the Ministry of Municipal Affairs and Housing and any other person or public body that Council considers to have an interest in the amendment, pursuant to Section 17(21) of *The Planning Act*, to ensure that provincial and local interests are considered.

5.5 ZONING BY-LAW

5.5.1 The Zoning By-law divides the lands within the Township into a number of zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land. The Township may also pass a zoning by-law for the protection of a site of a cultural



heritage or archaeological resource.

5.5.2 The Zoning By-law is one of the main methods of implementing the Official Plan policies.

5.5.3 The Zoning By-law shall ensure that all lands within the Township are zoned for purposes compatible with the Official Plan.

5.5.4 All amendments to the Zoning By-law shall be in conformity with the Official Plan.

5.6 NON-CONFORMING USES

5.6.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may be zoned in the Zoning By-law in accordance with the existing use, after due consideration, provided that:

- a) The zoning will not permit any change of use or performance standard that may aggravate or cause conflicts with adjacent complying uses;
- b) The use of land will not constitute a danger or nuisance to surrounding uses and persons by virtue of a hazardous nature, poor property conditions, traffic generation or similar characteristics;
- c) There is no pollution of air or water to the extent of interfering with the ordinary enjoyment of the property and surrounding uses;
- d) The use does not interfere with the desirable development of the surrounding area that is in conformity with this Plan; and
- e) Where the existing use is discontinued for more than one (1) year, any rezoning may only take place in accordance with the policies of this Plan.

5.6.2 Non-conforming uses shall cease to exist in the long term.

5.6.3 Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted by a minor variance to the Zoning By-law provided that:

- a) The proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
- b) The extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.



5.6.4 The repair or replacement of a legal non-conforming use may be permitted provided that:

- a) The repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
- b) The repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

5.7 SUBDIVISION OF LAND

5.7.1 Subdivision of land by plan of subdivision shall be permitted provided that:

- a) The plan is considered to serve the public interest;
- b) The plan is not deemed premature;
- c) The lands can be provided with adequate services and utilities including the following:
- d) In the Urban Service Area of the townsite of Pickle Lake sufficient reserve capacity in the water and sewage systems shall be available to service the subdivision;
- e) In the area outside of the Urban Service Area, the applicant shall provide a report prepared by a qualified consultant indicating that there is adequate water quality to meet the Ontario Drinking Water Objectives and quantity available to service the subdivision; and
- f) Outside of the Urban Service Area, plans of subdivisions consisting of 5 lots or more, where the proposed lots are 1 hectare (2.47 acres) or less, and are privately serviced by on-site sewage disposal systems, the applicant shall demonstrate by a report prepared by a qualified consultant that there will be no cross contamination of water supplies between lots or adjacent lots will assess the ability to treat sewage effluent, assess the risk to groundwater resources from the sewage disposal systems, and verify that there is adequate capacity to accommodate the disposal of hauled sewage as per the *D-5-4 Technical Guideline for Individual On-site Sewage Systems: Water Quality Impact Risk Assessment*;
- g) The development of land on partial services is discouraged except where it is necessary to address failed services, or to allow infilling and rounding out of existing development provided that site conditions are suitable for the long-term provision of such services with no negative impacts;
- h) The development is not likely to adversely affect the economic or financial position of the Township if such subdivision is approved;



- i) The development is directed away from hazard lands and development and site alteration is not permitted within floodways of rivers and streams; and
- j) Waterfront residential development in the Agricultural - Rural Area will not be permitted on those lakes identified by the Ministry of the Environment and Climate Change as having reached their assimilative capacity. The identification of such lakes will be by an amendment this Plan.

5.7.2 It is the intent that plans of subdivision for residential purposes will be primarily within the Residential areas of the Township in conformity with the policies of this Plan. Plans of subdivision for industrial and commercial uses will be permitted if such plan is located within an area that conforms with the designation and policies of this Plan.

5.7.3 Consents shall only be granted that conform with the policies of this Plan and provided that:

- a) The retained and severed lot(s) can be adequately and safely serviced. In areas not serviced by municipal sewage systems, the Northwestern Health Unit or designated authority shall be consulted prior to consent approval being given to obtain support for the consent proposal;
- b) The soil and drainage conditions are adequate for the proposed use and permit the proper siting of buildings and if required, the installation of private septic disposal systems;
- c) The lands front onto a public road that is maintained year-round by the Township or the Province and is of an acceptable standard of construction;
- d) Where access is proposed from a provincial highway, the Ministry of Transportation shall be consulted prior to consent approval being given to obtain input and support regarding access and entrance permit requirements;
- e) No traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible;
- f) The consent does not result in land use conflicts with existing nearby uses;
- g) The lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development;
- h) Adequate protection and preventative services for persons and property are available including health, welfare, fire and police;
- i) The consent does not result in land locked parcel(s) being created;
- j) The proposed use can be safely located away from hazard lands and outside



of floodways of rivers and streams;

- k) The consent for waterfront residential lots will not be permitted in the Agricultural - Rural Area on those lakes identified by the Ministry of the Environment and Climate Change as having reached their assimilative capacity. The identification of such lakes will be by an amendment to this Plan; and
- l) In the Agricultural - Rural Area, a maximum of three (3) new residential lots per holding can be created by consent, exclusive of the retained part, provided all of the above matters and other policies of this Plan can be suitably addressed.

5.7.4 The following may be considered as conditions of consent by the Township: that the Zoning By-law be amended, if required;

- a) That any necessary land for road widening, allowances or easements be dedicated to the Township or the Province;
- b) That the applicant improve road access, grading, drainage, to a standard satisfactory to the Township and/or the Province;
- c) That warning clauses be registered on title on those lots created in the area known to have Mineral Resource Potential, as shown on Schedule "B" - Development Constraints, indicating the rights of mining operations to access and extract the mineral resource over the rights of other land uses to prevent such activities from occurring; and
- d) Any other condition reasonable to the granting of the consent.

5.7.5 Notwithstanding the policies of this section, consents may be granted for the following technical purposes, provided that the retained and severed portions conform with the zoning by-law:

- a) Boundary corrections or adjustments;
- b) Lot enlargements;
- c) Discharge of mortgage;
- d) Road widening and road allowances; and
- e) Easements.

5.8 FEES

5.8.1 Pursuant to Section 69 of *The Planning Act*, the Township of Pickle Lake may



prescribe tariff of fees through a Tariff of Fee By-law for the processing of applications made in respect to planning matters such as Official Plan amendments, Zoning By-law amendments, Consents, Subdivisions, Minor Variances, Site Plan Approval or any other planning matter.

5.8.2 The Tariff of Fee By-law shall prescribe the fees to be charged for processing applications in respect of planning matters and shall indicate the authority to which the fee is payable.

5.9 MINOR VARIANCE

5.9.1 The Township shall recommend minor variances for relief from regulations to the Zoning By-law, in accordance with Section 45 of the *Planning Act*, the rules of procedure and regulations issued by the Minister under the *Planning Act* and the policies of this Plan.

5.9.2 The Township may also recommend minor variances to other by-laws, such as Interim Control by-laws and the Property Maintenance and Occupancy Standards By-law.

5.10 SITE PLAN CONTROL

5.10.1 The Official Plan may be implemented through the use of site plan control subject to the provisions of Section 41 of the *Planning Act*. All of the area affected by the Official Plan shall be deemed to be a site plan control area with the exception of single and two unit residential dwellings.

5.10.2 The goals of implementing site plan control are to:

- a) Ensure safe and efficient vehicular and pedestrian patterns;
- b) Ensure that the design of the development will not have a detrimental visual impact on adjacent uses;
- c) Ensure industrial and commercial developments do not reduce the enjoyment of adjacent lands;
- d) Ensure parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts; and
- e) Ensure on-site drainage and grading are adequately provided and sustainable design elements are taken into consideration on any adjoining public



roadway; and

- f) Ensure development is situated away from hazard lands.

5.10.3 A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Township. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in policy 5.10.4.

5.10.4 Prior to the issuance of a building permit, the applicant may be required to enter into a site plan agreement with the Township which may address one or more of the following matters:

- a) Widening to any roads or highways that abut the lands subject to the application. Any proposed widening requested must be shown on the site plan drawing;
- b) Provision of sufficient parking, access driveways and similar matters;
- c) The construction of walkways, ramps and pedestrian access;
- d) Proper lighting of buildings and lands;
- e) The provision of adequate landscaping and buffering in the form of trees, shrubs, walls, and berms;
- f) Storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
- g) The conveyance of any easements for the construction, maintenance and improvements of any drainage works, water works and other public utilities;
- h) Adequate grading, drainage and management of surface storm water and waste water from the lands, buildings or structures;
- i) The location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and structures;
- j) Matters relating to exterior design including scale, massing, appearance, and architectural design of buildings and their sustainable design; and
- k) Sustainable design elements on adjoining municipal roads including the planting of trees, shrubs, hedges, or other ground cover, permeable paving materials, street furniture, curb ramps, waste recycling containers, and bicycle parking facilities.



5.11 HOLDING PROVISIONS

- 5.11.1 In accordance with Section 36 of the *Planning Act*, the Township may approve a by-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.
- 5.11.2 During the interim period, when the holding provision is in place, uses permitted on the affected lands are limited to existing uses only.
- 5.11.3 Prior to removal of the holding symbol, the Township must be satisfied that the following conditions where applicable have been met:
- a) The servicing requirements for the subject lands are in place;
 - b) That any impacts on surrounding lands can be mitigated through the use of site plan control or other design requirements;
 - c) That a site plan agreement or subdivision agreement has been executed in accordance with the policies of this Plan and *The Planning Act*.
 - d) That existing mine hazards have been rehabilitated to the satisfaction of the Province;
 - e) That an archaeological assessment, to the satisfaction of the Province, has been undertaken by an archaeologist licensed under the *Ontario Heritage Act*, and any archaeological resources have been conserved by removal and documentation, or preservation in situ, to the satisfaction of the Province; or
 - f) That site contamination or other environmental constraints have been appropriately addressed.
- 5.11.4 It shall be the responsibility of the applicant requesting the removal of the holding symbol to demonstrate that the conditions for the removal of the holding symbol have been satisfied.

5.12 INTERIM CONTROL

- 5.12.1 In areas where the Township wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Township may approve an Interim Control By-law.
- 5.12.2 The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study and desired



use.

5.12.3 Pursuant to Section 38 of the *Planning Act* the length of time the Interim Control By-law is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the by-law is in effect provided the total period of time does not exceed two (2) years from the approval of the by-law.

5.13 TEMPORARY USE BY-LAWS

5.13.1 Pursuant to Section 39 of the *Planning Act*, the Township of Pickle Lake may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.

5.13.2 The Township shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and Zoning By-law, prior to approval of a Temporary Use By-law.

5.13.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.

5.13.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Zoning By-law as permanent uses, may be permitted by Temporary Use By-laws, subject to the above.

5.14 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES

5.14.1 The Township of Pickle Lake shall attempt to use all possible means to implement Community Improvement policies and these shall include:

- a) Participation in and support for Federal and Provincial community improvement programs;
- b) Use of authority granted under Section 28 of the *Planning Act*, to designate a Community Improvement Area, develop Community Improvement Plans and acquire and redevelop land;
- c) Enforcement of the Property Maintenance and Occupancy Standards By-law; and



- d) Encouragement of activities aimed at developing the economic viability and attractiveness of the Township.

5.14.2 The townsite of Pickle Lake is identified as a Community Improvement Area.

5.15 PARKLAND DEDICATION

5.15.1 The dedication of lands or acceptance of cash-in-lieu of the land dedication for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:

- a) The development or redevelopment of land for residential purposes may require a land dedication to the Township at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and
- b) Development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Township at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.

5.15.2 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Township and satisfy the following criteria:

- a) Be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
- b) Be located within the community context to provide convenient pedestrian and vehicular access;
- c) Provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields (e.g., soccer fields, baseball fields);
- d) Have adequate access;
- e) Be provided with basic service requirements; and
- f) Be developed in accordance with the Township's parkland standards.

5.16 PROPERTY MAINTENANCE AND OCCUPANCY STANDARD BY-LAW

5.16.1 The Township is committed to the maintenance and development of a safe, healthy and attractive environment. The Township may adopt a By-law pursuant



to the *Building Code Act*, which sets out standards for the maintenance and occupancy of property and prohibits the use of property which does not conform with the standards. The By-law shall require that all substandard properties be repaired in conformance with the By-law or be cleared of all buildings, debris, structures or refuse and left in a graded and leveled condition. The By-law shall specify the manner in which the By-law will be administered and enforced.

5.16.2 The above By-law may address the following items:

- a) The physical condition of yards and passageways, including an accumulation of debris and rubbish and discarded motor vehicles and trailers;
- b) The adequacy of sanitation, including drainage, waste disposal and garbage;
- c) The physical condition of accessory buildings; and;
- d) The physical condition of all buildings and dwellings.

5.16.3 After passing the above By-law, a Property Standards Officer shall be appointed and a Property Standards Committee shall be established.

5.17 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION

5.17.1 From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted to refer to those agencies named, or their successors, as conditions dictate.

5.17.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted to refer to legislation as amended from time to time.

5.18 LAND USE BOUNDARIES

5.18.1 It is intended that the boundaries of the land use designations, shown on the attached Schedule, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor



adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.

5.19 REQUIREMENTS FOR PRE-CONSULTATION

5.19.1 The *Planning Act* permits the Township to require applicants to consult with the Township prior to formal submission of planning applications. Applicants shall consult with the Township in advance of submission of an application for:

- a) An Official Plan Amendment;
- b) A Zoning By-law Amendment;
- c) A Plan of Subdivision;
- d) A Site Plan;
- e) Minor Variance;
- f) Consent; and
- g) Any other plan.

5.19.2 Pre-consultation will determine what is required to be submitted for a complete application and will provide an opportunity to discuss the nature of the application, the need for supporting studies, and the planning approvals process. Where appropriate, pre-consultation may also require the involvement of the Province.

5.19.3 If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the Township, the Application may be deemed incomplete.

In addition to the information and materials required under the *Planning Act* and any other legislation or regulation, additional information in the form of studies or assessments may be required to consider a planning application complete.

Depending on the nature of the proposed development and planning application, the Township may require the following studies or additional information to deem applications complete and to properly evaluate a development application.

The Township shall review all reports and studies and may also require a peer review by an appropriate public agency or by a qualified professional consultant retained by the Township at the applicant's expense. Any such studies, or peer reviews thereof, shall be at the expense of the applicant/proponent:



- a) Planning Justification and Impact Analysis Report
- b) Cultural Heritage Impact Assessment
- c) Environmental Impact Statement
- d) Transportation Impact Study
- e) Minimum Distance Separation
- f) Servicing Options Study
- g) Drainage/Stormwater Management Report/Plan
- h) Geotechnical Study
- i) Hydrogeological Study
- j) Erosion and Sediment Control Plan
- k) Noise/Vibration Study
- l) Noise Control Study (Airport)
- m) Obstacle Limitation Surfaces (Airport Zoning Regulations)
- n) Sun-Shadow Study
- o) Fisheries Assessment
- p) Shoreline Riparian Control Study
- q) Archaeological Assessment
- r) Water Quality Report



SECTION 6 - DEFINITIONS

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

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

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

Areas of Archaeological Potential: means areas with the likelihood to contain archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of Mineral Potential: means areas favourable to the discovery of mineral resources due to geology, the presence of known mineral deposits or other technical evidence. Areas of mineral potential are identified using acceptable scientific methodology.

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

Contaminated Site: means land that is contaminated from past land use activities relating to, but not limiting to, industrial uses, transportation or utility purposes including municipal and Ministry of Transportation refuelling yards, waste disposal sites, and commercial uses such as gas stations, auto repair shops and lands where filling has occurred.

Cultural Heritage Landscape: means a defined geographical area that may have been



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

Cultural Heritage Resource: means a defined geographic area of heritage significance which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

Developable Land Area: means the net land area that can be utilized for development including residential, commercial, institutional, industrial uses although excludes the required public or private roads and infrastructure, stormwater management ponds, parking, environmental constraint areas (e.g., wetlands, watercourses) and their required buffers.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include: activities that create or maintain infrastructure authorized under and environmental assessment process, or works subject to the Drainage Act.

Floodway: means that portion of the river or stream system floodplain where development and site alteration would cause a danger to public health and safety or property damage. Uses which by their nature must be located within the floodway, flood or erosion control works or non-structural works that do not affect flood flows are permitted in the floodway.

Hazard Lands: means property or lands which could be unsafe for development due to naturally occurring processes or hazards. Along the shoreline of lakes, rivers and stream systems this means lands covered by water to the farthest landward limit of the flooding and erosion hazard limits and would also include unstable soils such a sensitive marine clays (leda clay) and unstable bedrock (karst topography).

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



Home Profession: means the use of part of a dwelling unit for service or profession by at least 1 of the permanent residents of such dwelling unit, is clearly secondary to the main residential use of the dwelling unit for gain, profit or reward, and does not compete with existing businesses in the commercial areas of the Township. A home profession shall be licenced in accordance with the Business Licence By-law and shall include such home professions as surveying, engineering, architecture, accounting, shoe and leather working and repairs, real estate, bookkeeping, computer services, dressmaking, painting, sculpting, weaving, engraving, and instruction in arts, crafts and music.

Infrastructure: means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electrical power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

Mine Hazards: 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

- lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act, or successors thereto;
- 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
- associated facilities used in extraction, transport, 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, woolastonite, mine tailings or other material prescribed under the Mining Act.

Mineral Deposits: means an unusually large or rich concentration of valuable minerals identified within a small part of the earth's crust.

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 and non-metallic minerals, but does not include mineral aggregates or petroleum resources.

Net Residential Density: means the number of dwelling units per hectare and is a measure based on the area of land exclusively for residential use, including private roads and parking areas but excluding public streets, rights-of-way, parks, environmental areas and non-residential uses.

Natural Heritage Features: means features and areas such as significant wetlands, fish habitat, significant portions of a habitat or endangered 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 landscape of an area.

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

Petroleum Resources: means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. They may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Portable Asphalt Plant: means a facility 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. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

Portable Concrete Plant: means a building or structure 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. A portable concrete plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

Public Service Facilities: means land, buildings and structures for the provision of public services, but does not include infrastructure.

Public Works: means any improvement, structural work or undertaking that is within the



jurisdiction of Council, a local board, a ministry, department, board, commission, agency or official of the provincial or federal government or a First Nation.

Regulatory Flood Area: means the area of the Township which would be flooded during a storm occurring on average once every 100 years. In areas where the Regulatory Flood elevation is not known and where there has not been air photo interpretation of the potential flood plain boundary beyond that which identifies the normal high water mark, lands below the normal high water mark, as measured by an Ontario Land Surveyor, shall be considered Hazard Lands.

Residential Intensification: means the creation of new residential unit or accommodation in existing buildings or on previously developed, serviced land and includes infill, accessory apartments and rooming houses.

Rural Residential Use: means a residential use located in the rural area that is a principal residence, intended to be occupied on a year-round basis, and is privately serviced by individual sewage and water systems.

Seasonal Residential, Waterfront Residential or Cottage Residential Use: means a recreational residential use located in the rural area that is not a principal residence, intended to be occupied on a seasonal or part time basis for recreational purposes and is privately serviced by individual sewage and water systems.

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.

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

Tiny Homes: means a small, private and self-contained dwelling unit:

- with living and dining areas
- with kitchen and bathroom facilities
- with a sleeping area
- intended for year-round use

A tiny home can be 37 m² (400 ft²) and shall not be smaller than the minimum required



size set out in Ontario's Building Code, of 17.5 m² (188 ft²).

Waste Management System: means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Wayside Pits and Quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purposes of a particular project or contract of road construction or maintenance and not located on the road right-of-way. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.

Wetlands: means 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.

Woodlands: means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.