

Township of Terrace Bay Official Plan



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File P-2560

Tunnock Consulting Ltd.

Box 2032, 57 Foster Street
PERTH ON K7H 3M9
Tel. 613 464-8805
gtunnock@tunnockconsulting.ca



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1 Table of Contents

PART ONE - INTRODUCTION.....	4
1.1 Community Vision	4
1.2 Coordination.....	4
1.3 Introduction	6
1.4 Statement of Purpose.....	7
1.5 Objectives of the Plan	8
1.6 Effect of the Plan.....	11
1.7 Responsibilities of Council	11
1.8 Responsibilities of Others	12
1.9 Crown Land.....	12
1.10 Illustrations	12
1.11 Planning Context	12
1.12 Planning Resource Kits	13
2 PART TWO - DEVELOPMENT CONCEPT	14
2.1 Historic Development	14
2.2 New Trends	15
2.3 Urban Settlement Area.....	16
2.4 Rural Area	17
2.5 Future Development Expectations	17
2.6 Development Concept.....	18
2.6.1 Growth Related Community Change.....	18
2.6.2 Retention of At Risk Population Groups	19
3 PART THREE -- GENERAL DEVELOPMENT POLICIES	20
3.1 Accessory Uses	20
3.2 Affordable Housing.....	20
3.3 Bed and Breakfasts.....	21
3.4 Community Design Principles	21
3.5 Economic Development	24
3.5.1 Forestry	26
3.5.2 Growth Plan for Northern Ontario.....	26
3.5.3 Transportation and Utilities	27
3.5.4 Tourism/Hospitality	28
3.5.5 Mineral Extraction	32
3.5.6 Commerce/Institutions.....	32
3.5.7 Industry	33
3.6 Exemption from Parking Requirements.....	33
3.7 Garden Suites	33
3.8 Home Occupations	34
3.9 Intensification, Infill and the Residential Land Supply.....	35
3.10 Public Service Facilities and Infrastructure.....	36
3.10.1 Water, Wastewater and Stormwater	36
3.10.2 Waste Management Facility	39
3.10.3 Transportation	40

3.10.4	Infrastructure Corridors	44
3.10.5	Protection and Education Services.....	44
3.11	Parks, Recreation and Healthy Communities	44
3.12	Public Service Uses	46
3.13	Shoreline Road Allowances.....	46
3.14	Special Needs Housing.....	46
3.15	Renewable and Alternative Energy Systems.....	47
4	PART FOUR - PROTECTING OUR NATURAL ENVIRONMENT AND RESOURCES	48
4.1	Natural Heritage and Natural Resources.....	48
4.1.1	Natural Heritage Features and Areas	48
4.1.2	Environmental Impact Study	53
4.1.3	Lake Capacity	53
4.1.4	Agriculture	54
4.1.5	Mineral Aggregate Resources.....	55
4.1.6	Mineral Resources	59
4.1.7	Water Resources	61
5	PART FIVE – CULTURAL HERITAGE AND ARCHAEOLOGY	64
5.1	Cultural Heritage.....	64
5.2	Archaeological Resources.....	66
5.3	Marine Archaeological Resources	67
6	PART SIX – PROTECTING PUBLIC HEALTH AND SAFETY	68
6.1	Natural Hazards.....	68
6.2	Land Use Compatibility	70
6.3	Noise/Contamination.....	70
6.3.1	Noise	70
6.3.2	Man-Made Hazards.....	72
6.3.3	Mine Hazards	73
6.3.4	Wildland Fires.....	73
7	PART SEVEN - LAND USE DESIGNATIONS	75
7.1	Land Uses.....	75
7.2	Urban Settlement Area.....	76
7.2.1	General Policies for the Urban Settlement Area.....	76
7.2.2	Residential Area.....	79
7.2.3	Terrace Waterfront District.....	82
7.2.4	Commercial and Institutional Area.....	83
7.2.5	Highway Commercial	84
7.2.6	Industrial Area	86
7.2.7	Open Space	88
7.3	Rural Area	89
7.3.1	Rural Designation	89
7.3.2	Waste Management Facility	94
7.3.3	Environmental Protection	94
	PART EIGHT - IMPLEMENTATION	95
8.1	General	96
8.1.1	Hardship.....	96

8.2	Acquisition of Land.....	97
8.3	Amendments to the Official Plan.....	97
8.4	Building Code Act.....	97
8.5	Community Improvement.....	97
8.6	Development Charges.....	98
8.7	Height and Density Bonusing.....	98
8.8	Holding By-laws.....	99
8.9	Interim Control By-laws.....	100
8.10	Land Division.....	100
8.10.1	Consent.....	100
8.10.2	Plan of Subdivision/Condominium.....	101
8.11	Non-conforming Uses.....	103
8.12	Lots of Record.....	104
8.13	Parkland Dedication (or Cash-in-lieu).....	104
8.14	Plan of Condominium.....	104
8.15	Planning Applications.....	105
8.16	Public Works.....	106
8.17	Site Plan Control.....	106
8.18	Temporary Use By-laws.....	107
8.19	Property Standards By-law.....	107
8.20	Zoning By-law.....	108

SCHEDULES

- SCHEDULE "A" - Terrace Bay Settlement Area
- SCHEDULE "B" - Terrace Bay Rural Area
- SCHEDULE "C" - Terrace Bay Rural Area Constraints

<u>ITEM</u>	<u>PAGE NO.</u>
Figure 1: Township Boundaries.....	6
Figure 2: Aerial Photograph.....	7
Figure 3: Aguasabon Falls and Gorge.....	29
Figure 4: Aerial View of Aguasabon Golf Course and Lake Superior Shoreline.....	30
Figure 5: Casque Isles Hiking Trail.....	31
Figure 6: Location of Crosswalks.....	32
Figure 8: Wetlands.....	49
Figure 9: Terrace Waterfront District.....	82

PART ONE - INTRODUCTION

1.1 Community Vision

As illustrated in Terrace Bay's 2015-2018 Strategic Plan, it is the vision of Terrace Bay that it will become "A Progressive Community Welcoming the World".

Residents of Terrace Bay share in the perception and belief that their community is a special place;

- The town site is constructed on the crest of a Lake Superior shoreline terrace that offers outstanding aesthetic and quality of life attributes.
- The planned layout of the various plans of subdivision that define the town site fit into the underlying physical landscape and maximize the scenic views of nearby Lake Superior.
- The community offers access to and enjoyment of a rich natural environment.
- The community offers a strong social and cultural support.
- The town site is an evolving tourist destination.

Recognition of these unique scenic qualities is integrated into a historic setting involving early mill town site beginnings; and a continuing strong company presence characterized by evolving technologies in the forest products industry in the production of textiles from pulp fibre.

These attributes, in conjunction with significant community, social and medical facilities and a long standing reliance upon natural resource development deliver a unique and highly desirable quality of life, and drive a strong sense of community pride and identity.

In Council's management of ongoing operation of the municipality; consideration of new services and/or facilities; and efforts to diversify the community's economic base, respect and regard will be given to the above noted aspects and vision of the community that are valued and enjoyed by residents and visitors.

1.2 Coordination

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

Terrace Bay is a single-tier municipality in the District of Thunder Bay. The Township is also part of the Thunder Bay District Social Services Administration Board, whose mandate is to deliver social services and social housing to all municipalities in the district. Terrace Bay works collaboratively with adjacent and nearby municipalities and Aboriginal communities regarding social and housing issues of mutual interest.

The Township shares the Aguasabon River and the Lake Superior shoreline with other municipalities and First Nations communities. These waterways are historically important features within the region. The Township shares a common economic past in forestry with many of its neighbouring jurisdictions.

While the region is shared by organized municipalities, the role and interest of Aboriginal communities is an integral part of the cultural and development mosaic.

Co-ordination is an operative philosophy in the history of development in the District of Thunder Bay and continues to be important as communities develop and change.

It is a goal of the Official Plan that land use decisions provide for a coordinated, integrated and comprehensive approach in managing growth, the stewardship of natural resources and the protection of the environment where the decisions involve stakeholders and other municipalities.

Council intends to monitor population, employment and housing development having regard to trends across the District of Thunder Bay with the intent of reflecting the growth projections of other municipalities as they may affect Terrace Bay.

Council will collaborate on matters of economic development planning and programming among regional stakeholders such as business, municipalities, government and education organizations and Aboriginals.

Council will minimize the potential impact of land use decisions on shared water resources by introducing or promoting measures to conserve or enhance water quality and to reduce runoff into water bodies.

Council will conserve cultural heritage and archaeological resources through development decisions and may develop protocols for consultation with adjoining municipalities and Aboriginal communities.

Council will coordinate the design, development, expansion and monitoring of waste management systems and the environmental impacts on common watersheds.

Council will provide for on-going communication with the Ontario Provincial Police regarding safety, crime and social issues affecting the community.

The Township of Terrace Bay will work collaboratively with Parks Canada to support its management of the Lake Superior National Marine Conservation Area to ensure the environmental quality of Lake Superior is maintained.

1.3 Introduction

The Township of Terrace Bay encompasses portions of the geographic townships of Priske and Strey (formerly Townships 82 and 83) District of Thunder Bay, and extends into Lake Superior to the Canada/U.S. International Boundary. It is one of several urban or semi-urban communities located along the north shore of Lake Superior east of the City of Thunder Bay.

Included within the municipal boundaries are the Slate Islands, (Slate Islands Provincial Park) and numerous smaller islands along the immediate shoreline of Lake Superior. The Township abuts the Township of Schreiber to the west and lands without municipal structure abut to the north and east.

Figure 1: Township Boundaries

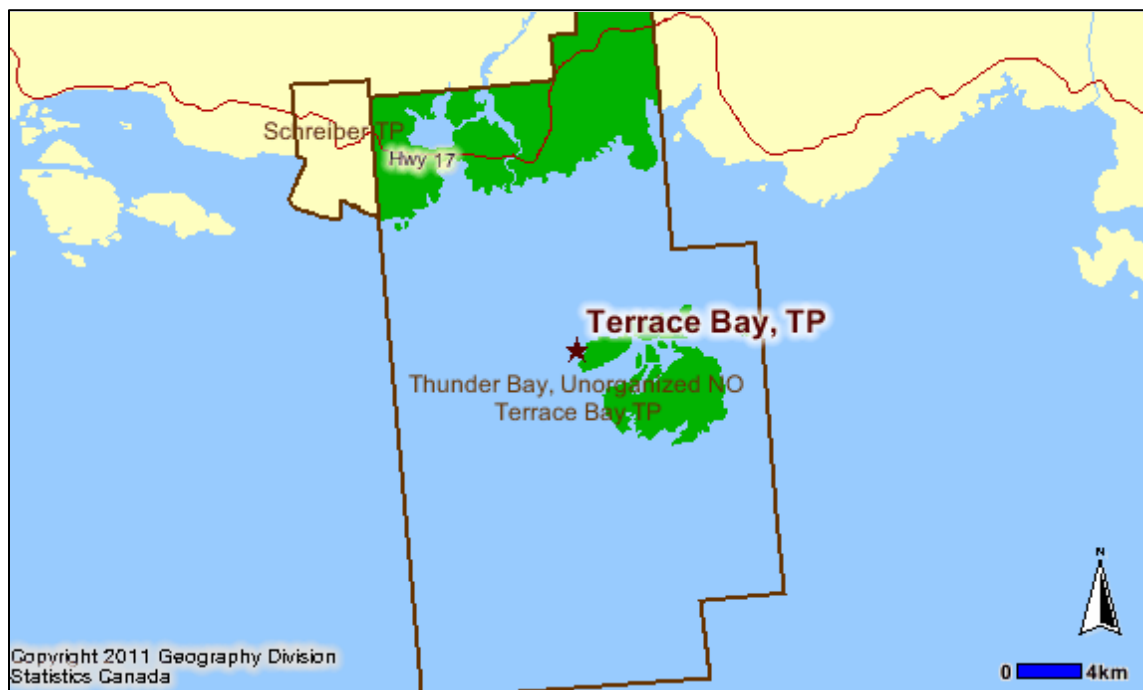
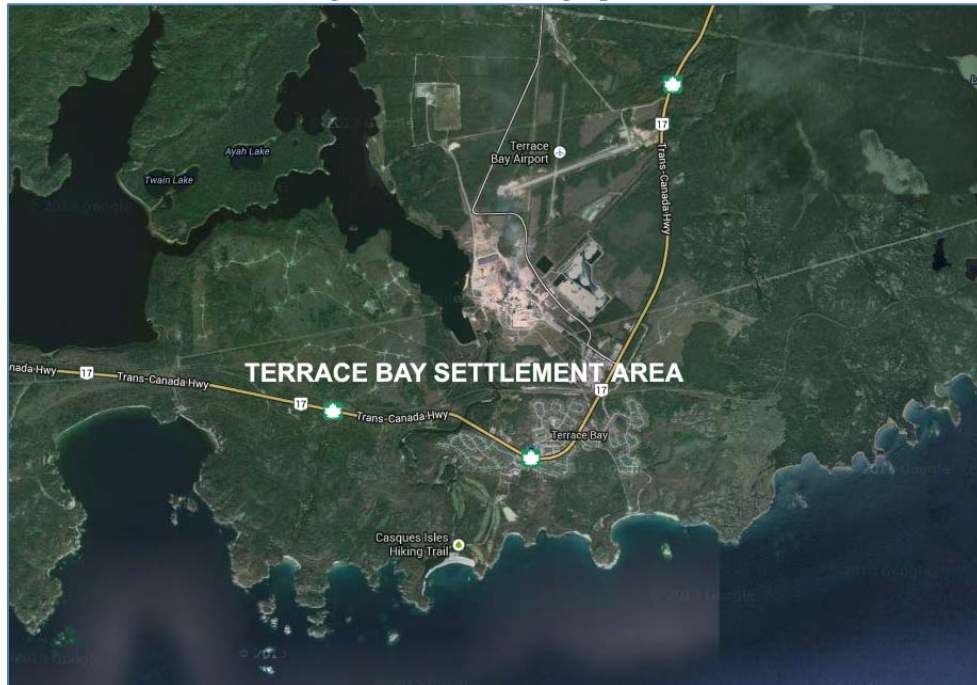


Figure 2: Aerial Photograph



1.4 Statement of Purpose

This official plan is intended to set out comprehensive policies, objectives, and programs that will guide decision making related to physical change within the Township during the twenty (20) year lifespan of the plan, and;

- Provide for the general health, safety and welfare of present and future residents;
- Enhance and encourage economic development that complements, diversifies, and grows the current economic base of the community and the surrounding area;
- Increase the available housing supply to meet the needs of all income groups;
- Co-ordinate and guide development in balance with available resources and generally accepted good planning concepts and principles;
- Encourage the actions of private interests and senior levels of government to target and implement similar objectives;
- Protect the natural environment;
- Provide an open, transparent, and fair public framework within which municipal planning decisions are considered and decided;
- Establish and facilitate a clear, easily understood and responsive municipal planning program;
- Develop a strong community in which the focus of growth is directed toward the serviced Urban Settlement Area in a way that efficiently uses land;
- Develop the town centre as an attractive public meeting place and as the heart of retail commercial activity in the community;

- Protect sensitive land uses from incompatible development;
- Maintain the rural character and attributes of the Township that lie outside of the Urban Settlement Area;
- Provide opportunities for and to protect natural resource extraction activities from uses which would preclude or hinder the continuation of extraction activities;
- Optimize the use of infrastructure in planning for growth and development;
- Highlight economic development initiatives that are planned or underway;
- Provide measures for conservation, particularly through water and waste management and recycling.

This document will be utilized;

- By Council, committees of Council and by municipal employees as a reference framework for public decision making and the ongoing administration of municipal planning powers and duties.
- By private interests and senior governments and public agencies as a reference to guide their understanding of the community’s long term direction and as a means of harmonizing their actions and activities with those of the municipality.

This document is – a policy document that provides direction on land use, social and economic matters related to development in the community. The Plan represents ideas and concepts that constitute the community’s vision for its future. The Plan will be implemented by;

- The municipal zoning by-law and other municipal by-laws.
- Ongoing administration of various legislative planning approvals, authorities, and powers by Council, and the Committee of Adjustment.
- Capital and operating budgets.
- Discussions and consultations with senior governments - and public agencies.

This official plan shall be known as the “Official Plan for the Township of Terrace Bay”, or Plan and Council shall be the final interpretation authority with respect to the Plan

1.5 Objectives of the Plan

The Plan is based upon the following objectives;

1. To maintain, where possible and appropriate, enhance the unique and special character of the Township as it has been identified within the community vision;
2. To create a strong community by managing and directing land use to achieve a healthy, inclusive, liveable and safe community for all residents and which promotes and facilitates the integration of motorized and non-motorized movement;

3. To reverse the recent population decline by providing opportunities for new housing, mixed land uses and increased densities;
4. To provide and maintain an adequate supply of land for residential uses, commercial and industrial development, institutional uses, public service facilities and parks and open space uses to meet projected growth and development demands for the planning period of 20 years (2014-2034).
5. To manage change and promote efficient, cost-effective development and land use patterns which focus development within the Urban Settlement Area but which provides opportunities for limited development appropriate within a rural landscape. The municipality will endeavour to create a community that plans places to live, work, learn and play in close proximity to each other
6. To plan, upgrade and integrate municipal infrastructure and community facilities commensurate with the growth and development of the municipality. To ensure that development within the Urban Settlement Area is developed on the full range of municipal services;
7. To provide for a full range of housing types and densities designed to meet the projected requirements of current and future residents, including the provision of affordable housing to low and moderate income groups in the municipality;
8. To provide a full range and equitable distribution of publicly accessible recreational services;
9. To strengthen and expand existing commercial areas and encourage the expansion and establishment of existing and new industry and commerce suitable for the municipality. To develop the town centre in particular as a public meeting place and as an attractive and prosperous retail and commercial centre for the community
10. To support the management and protection of significant natural heritage features (i.e., fish, wildlife) and natural resources for their long-term economic, social, and environmental benefits to the current and future residents of the area;
11. To encourage alternative sources of energy and energy systems that can be compatibly integrated into the landscape.
12. To establish a framework for the Township's zoning by-law, and for the delivery of an overall planning program;
13. To encourage comprehensive participation in the planning process;
14. To strengthen the financial position of the Township;

15. To reduce the potential for public cost or risk by directing development away from areas where there is a risk to public health and safety or of property damage;
16. To formulate policies which are in compliance with Provincial Plans and which are consistent with Policy Statements issued under The Planning Act.
17. To manage the Township's cultural heritage through policies and processes that serve to identify, recognize, document, protect, rescue and conserve these resources.
18. To work toward the achievement of the goals of the "Terrace Bay Strategic Plan 2011-2014" including those related to the health and welfare of residents, promoting excellence in government, managing a sustainable economy, and maintaining a healthy environment.

1.6 Effect of the Plan

No public work shall be undertaken; no by-law shall be enacted; and no planning approval shall be issued unless in accordance with this official plan.

Notwithstanding the above, Council may;

1. Investigate and consider public works or other matters that are not in conformity with this plan, and including applications for review and/or approvals incidental and necessary for such works or matters, but not undertake the actual works until brought into conformity with this plan; and
2. Adopt an amendment to this official plan, and thereafter enact a zoning or other by-law that will conform to the Plan if and when Official Plan amendment comes into force and effect.

The *Planning Act* also provides and requires that Council carry out a public meeting at five year intervals for the purpose of reviewing this official plan. It is Council's intent to ensure that this obligation is adhered to and that this document is evaluated and updated in order to ensure that it remain current, relevant, and responsive to the needs and requirements of the community, and the larger surrounding area. Staff will therefore arrange such meeting(s) as are necessary and will, in association with the Planning Advisory Committee, submit appropriate reports detailing the status of the official plan and the need for revision.

1.7 Responsibilities of Council

The Council of the Corporation of the Township of Terrace has responsibilities with regard to this plan as follows;

1. To prepare this official plan.
2. From time to time to review and update this plan.
3. To manage and administer this plan.
4. To ensure that land use decisions under this Plan comply with Provincial Plans such as the Growth Plan for Northern Ontario and are consistent with the most recent Provincial Policy Statement.
5. To consult with provincial and other relevant agencies in the preparation of this plan; in processing of any amendments to this plan; and in ongoing administration of this plan.
6. To advise and secure views of the public, local authorities/agencies/boards in respect of this plan and any amendments hereto.
7. To only carry out public works and to pass by-laws that conform to this plan, and including relevant amendments to this plan.
8. To be the final authority for interpretation of this plan.
9. To carry out a five year review in the year 2019.

1.8 Responsibilities of Others

Private interests are typically made to adhere to the official plan through the need to comply with the zoning by-law, and through a variety of planning approvals as development applications are considered and processed.

Senior government agencies and offices administering their various mandates are acknowledged as being generally exempt from this plan. Notwithstanding, such agencies and offices are encouraged to make decisions which are consistent with the Plan and to consult with the Township prior to making decisions that affect or are affected by the Plan.

1.9 Crown Land

Council acknowledges that municipal planning does not extend municipal jurisdiction over Crown Lands that are located within the Township. Notwithstanding, the administration of Crown Land by the Government of Ontario, the Township seeks a collaborative approach in decisions which relate to the use or disposition of Crown Land within and adjacent to the Township. Undertakings on crown Lands which involve a property of cultural heritage value or interest are subject to the Standards and Guidelines for the Conservation of Provincial Heritage Properties, prepared pursuant to Section 25.2 of the Ontario Heritage Act.

1.10 Illustrations

Figures and illustrations have been added throughout the document in order to make the Official Plan user-friendly. The figures serve as illustrations of concepts and of the community and its features. The figures should therefore not be considered as part of the policies of the Plan.

1.11 Planning Context

Council recognizes its obligations in carrying out its responsibilities under the *Planning Act* to be consistent with, among other matters, matters of Provincial interest generally defined in Section 2 of the *Planning Act* and more specifically defined in the provincial Policy Statement (PPS) issued from time to time under the authority of Section 3 of the *Planning Act*. Such Provincial interests include, among other matters, the protection of natural and cultural heritage, agriculture, aggregate resources, public health and safety, the adequate provision of a full range of housing and the adequate provision and efficient use of transportation and other systems.

Under the *Planning Act*, municipalities shall have an Official Plan that is reviewed and updated every five years. An Official Plan is adopted by a local Council in accordance with the requirements of the *Planning Act*, and must be approved by the Minister of

Municipal Affairs and Housing. Official Plans shall also be consistent with matters of Provincial interest as expressed in the *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.

All official plans and land use planning decisions shall be consistent with the PPS. The Terrace Bay Official Plan has been prepared to ensure that it is consistent with the PPS (2005) and complies with applicable Provincial Plans, notably the Growth plan for Northern Ontario.

1.12 Planning Resource Kits

Following several chapters in the Official Plan are a series of “Planning Resource Kits” which are text boxes outlining the various resources that should be consulted in addition to the Official Plan policies. The resources include publications by government agencies including policy statements, guidelines, and policy statements.

2 PART TWO - DEVELOPMENT CONCEPT

2.1 Historic Development

Pre-European settlement of the area dates to the Shield Archaic culture, a pre-historic semi-nomadic aboriginal people (5000 .C.). About 500 B.C. the Laurel peoples dominated this area and were replaced by the Blackduck culture c. 1000 A.D. More recently, the area has been occupied by Ojibway. Terrace Bay lies between the modern aboriginal communities of Pays Plat and Pic-Heron Bay.

Terrace Bay was originally called Black Pit and Black Siding apparently due to the nature of material extracted from a CPR ballast pit for track construction and maintenance. The name was changed to better reflect the geographic landform of the community characterized by a series of landward terraces on the north shore of Lake Superior which were formed during the last ice age. While the CPR rail line was built through the area in 1883, the genesis of today's community is the forest industry. Logging in the area began with a shipment of pulpwood by the Pigeon Timber Company in 1891 while the Abitibi Power and Pulp operated in the area as early as 1927; however, Kimberly Clark formerly the Longlac Pulp and Paper Company was the first to establish a mill in 1946, the year the first residence was built in Terrace Bay. The importance of natural resources in the area was also reflected in the development of Aguasabon River Generating Station, also in 1946, a project which flooded Jay Lake and Big Duck Creek to create Hayes Lake, a 680 hectare headpond for the hydroelectric generating station. Construction was completed in 1948 with an annual power generation of 288 gigawatts. The townsite was established in the mid 1940's by Kimberly Clark of Canada Inc. to serve as a dormitory community and location for the company's kraft pulp mill, which was constructed in 1948.

Kimberly Clark (now Aditya Birla Group) continues to grow its pulpwood operation with a major expansion in 1974 from 385 air-dry metric tons (ADMT) to 1,136 ADMT. At the operations peak the mill employed over 350 people.

On September 1, 1947 Terrace Bay was granted status as an Improvement District, and then was elevated to a Municipality on July 1, 1959. A year later Highway 17, the Sault Ste. Marie to Lakehead link of the Trans-Canada Highway was completed connecting Terrace Bay to the provincial highway network.

The original townsite of Terrace Bay was developed by Kimberly Clark and as a one-industry town. The company built and owned much of the real estate and infrastructure in the early years. Aside from some limited multiple unit housing, the company has sold off its urban real estate holdings; much of the undeveloped lands are in the process of being sold to new owners. During the 1970's and into the 1980's, forestry expansion, mining activity, and a generally growing community service sector supported a strong growth trend for the townsite. Since the mid 1980's, a gradual decline in manufacturing employment, the closure of area mining activities and the loss of service sector

employment to other north shore communities have all contributed to a reversal of the earlier trend and a general loss of population and employment opportunities.

Terrace Bay, a community of 12,673 km² in land area is comprised of a mainland area and the Slate Islands archipelago which sits off shore in Lake Superior. The islands were once logged but are now classified as a Natural Environment Provincial Park. This 6,570 ha park consists of series of volcanic rock outcrops where woodland caribou still roam. The municipality has 322 km of mainland shoreline and 354 km of island shoreline.

With the economic circumstances of the forest products industry in northern Ontario, the mill closed in 2009. The mill was purchased in July 2012 by the Aditya Birla Group (AV Terrace Bay Inc.) from India who is converting the kraft pulp process to dissolving pulp to be used for textile production. The new owner has rehired the staff of the former mill. In the interim period, the Township sought to revitalize the economic base through key initiatives such as the revitalization of the downtown, rebranding its image with the construction of a lighthouse, initiating a waterfront redevelopment scheme and converting a former school to a cultural centre.

The community's history largely reflects a resource-based economy. Development has been built primarily around a dependence on the forest products industry. A sustainable future presents a challenge for Terrace Bay in continuing to position itself to both respond to the vagaries of international resource markets and at the same time create new opportunities to diversify its economic base. A sustainable future, like the past will also depend on maintaining a high quality living environment for residents characterized by good housing and community services for a diverse age group and economic mix.

2.2 New Trends

The economic circumstances of the early 2000's have generated a population decline of roughly 10% (2006-2011) from 1,625, to 1,471. Historically the community has experienced a fluctuation in population from steady growth over the 1940's to 1960's (1,443-2,013) a decline in the 70's to 1,860 (1976) a resurgence to a peak of 2,710 in 1986 and a subsequent decline over the last 25 years to 1,471 in 2011. Further decline has been forestalled by the reopening of the AV Terrace Bay Inc. mill and the rehiring of the staff laid off in 2009. Although a turnaround is not captured in the 2011 census, the census nevertheless shows a slowdown in the population loss (-9.5% from 2006-2011 versus -16.7% from 2001-2006). Anecdotal evidence following the purchase of the pulp mill by AV Terrace Bay Inc. has shown positive economic impacts and an increased likelihood in a population turnaround.

Despite the historic reversal in population, there is evidence that the situation is beginning to stabilize. Population change is expected to be influenced by several factors:

1. An influx of employment-related growth to operate the AV Terrace Bay Inc. mill and to replace retirement aged staff;

2. Retention of retirement-aged staff in the community through expanded housing options; and
3. An influx of employment-related population in the service-commercial and service-industry sector required to provide services to the forestry industry, tourism and the resident population.

2.3 Urban Settlement Area

The Urban Settlement Area is the original Terrace Bay Townsite, or, the urbanized area of the Township. It is the intent of the Official Plan to promote the growth and vitality of the Urban Settlement Area. Terrace Bay's town site (Urban Settlement Area) is a planned community, laid out and established largely by registered plans of subdivision. Residential neighbourhoods exist both north and south of the Trans-Canada Highway which passes through the centre of the town site, and which supports areas of commercial and institutional land uses. Industrial and highway commercial lands are located at the easterly corner of the built up area, including the AV Terrace Bay Inc. kraft pulp mill that dominates the community's local economy.

The entire town site is located approximately ½ kilometres from the shoreline of Lake Superior, designed into and back from the top of natural shoreline terrace slopes that drops significantly to lake level. This setting and its immediate access to the surrounding natural environment contributes significantly to an outstanding quality of life in the community.

Based upon year 2011 statistics, there are 822 private dwelling units in the community. Single detached dwellings dominate, representing approximately 88 % of the existing housing stock. The number of privately owned dwellings is well above Ontario's Provincial average, as is the existing average frontage and lot area of a typical single detached residential dwelling. Such large lots, fitting into the natural underlying landscape and often enjoying outstanding views, contribute to an outstanding quality of life in the community. This is reflected in the community vision set out previously in this document.

A number of vacant buildable lots exist within the built up community and represent an immediately available supply for new housing. In addition, other vacant lots exist which have drainage, topography or other conditions which render construction more difficult or somewhat impractical. Finally, local pockets of vacant land and the next stage of the Terrace Heights subdivision are capable of being brought forward as sources of residential lands, where the need arises.

The Urban Settlement Area also includes lands adjacent to Beach Road and Ridgewood Drive extending towards the Lake Superior shoreline, in order to permit appropriate servicing of any future proposals for residential or tourist-oriented growth along these corridors.

Schedule “A” illustrates the Urban Settlement Area boundary and the various land use designations within the settlement area consistent with Section 1.1 of the Provincial Policy Statement. .

2.4 Rural Area

Much of the area within the municipal boundaries but outside of the urban built up area is either private land owned by AV Terrace Bay Inc., or is Crown Land, and is typically covered by natural vegetation and is otherwise vacant.

To the west of the town site, Terrace (Hydro) Bay on Lake Superior supports two seasonal cottage developments and a run of the river hydro generation facility, which also extends to an intake on the shores of Hayes Lake. Ontario Hydro Generation Inc. also manages the level of Hayes Lake up to an elevation of 905 ft (275.8 metres) Geodetic Survey Datum consistent with the operation of the 51 megawatt Aguasabon Generating Station and has a lease for lands along Hayes Lake and the Aguasabon River. To the east, land uses include a Ministry of Transportation service yard and the Kimberly Clark Blackbird Creek effluent treatment system, (ultimately draining into Jackfish Bay).

Lands within the westerly and central area of the Township are characterized mainly as meta-volcanic rock. They are rugged, with exposed bedrock, steep rock faces, and areas of shallow organic soils and fragmented drainage. To the east of the town site, the Terrace Bay Batholith underlies large areas of sand deposits.

Schedule “B” illustrates the boundaries of the Rural Area and the various land uses within rural area of the municipality

2.5 Future Development Expectations

The most likely development scenario in the upcoming five years is one in which the previous downturn in employment and population will be reversed. This will occur as a result of a variety of committed and potential economic development initiatives. Some of these opportunities arise from expansion of the McCausland Hospital and recent construction of two new schools. Other opportunities include the addition of new commercial businesses west of the town site, the expansion of the town centre; and the possibility of economic benefit arising from considerations by both senior levels of government to designations of portions of Lake Superior shoreline as major conservation/tourism components. The Growth Plan for Northern Ontario and improvements to communications is expected to contribute to further economic opportunities. As outlined in a housing study undertaken for the Municipality, two areas of Terrace Bay are well suited to meeting future housing needs. Therefore the Urban Settlement Area boundary has been recently modified to include lands closer to Lake Superior, along Ridgewood Drive and Beach Road.

2.6 Development Concept

It is the intent of Council that this planning program will have a direct and meaningful impact upon the current employment and population trends, and will contribute to and facilitate a reversal of the recent downtrends. During the twenty year life of this official plan it is expected that the Township's population will return to approximately 1,800 persons, as the AV Terrace Bay Inc. mill expands and as anticipated economic development initiatives evolve. Various servicing levels and the supply of land to meet anticipated land use activity needs have been established consistent with this anticipated level of community growth.

2.6.1 Growth Related Community Change

Council will;

- Maintain the existing differentiation between the Urban Settlement Area and the Rural Area, and;
 - Encourage urban growth to locate in the Urban Settlement Area.
 - Facilitate resource based and recreation resource based growth to locate in the Rural Area.
- Ensure urban growth, is provided with a full array of urban services including sanitary sewage disposal, water supply, storm water management facilities, transportation services, utilities, garbage/recycling pickup, etc. while recognizing that there may be specific and limited circumstances where unserviced development may be considered;
- Manage the development of the current inventory of available vacant registered plan lots, and;
 - To facilitate residential intensification through the build out of residential dwellings on existing vacant subdivided lands and blocks that are deemed suitable for future development;
 - Seek to resolve physical problems on lots that have been determined to be difficult to build upon due to factors such as high water tables or other physical features, and when such problems have been remedied, place such lots in the inventory of buildable lots.
 - Where lots are considered not to be able to support a main dwelling, to make such lots available for construction of an accessory use only, provided that construction quality is maintained at a high level, and that there is no outside storage of materials or vehicles. Such non-buildable lots may be leased in order to provide for regulation that would ensure proper maintenance.
- Facilitate and promote the development of small parcels of serviced residential land that have severance and/or subdivision potential.
- Encourage the rehabilitation of the existing housing stock notably vacant apartment buildings.

- Facilitate the development of waterfront lands on Terrace (Hydro) Bay for residential uses.
- Make available new commercial lands, including expansion of the present Highway Commercial designation at the intersection of Highway 17 and Mill Road.
- Facilitate a waterfront development program on lands southwest of the town site including the golf course lands.
- To continue to review housing needs in Terrace Bay and to implement the findings of the Housing Needs Study.
- Designate sufficient lands for industrial purposes in the Mill Road area and integrate improvements to municipal infrastructure with the development of such industrial lands.
- To also facilitate the redevelopment of the airport lands and the rehabilitation of airport facilities.
- Provide for ongoing community improvements such as such as construction of sidewalks where such are currently lacking and need is determined to exist. Improvements will include linkages that facilitate both motorized and non-motorized forms of travel.
- Participate in or otherwise encourage the development of alternative energy within the Township.

It is expected that future development opportunities may involve partnerships with senior levels of government and/or private sector participants. Council expects to be a party to many such public private partnerships in order to achieve the objectives of this document.

2.6.2 Retention of At Risk Population Groups

The community's youth are considered to be at high risk of leaving to find employment in larger centres. Development of local and area amenities, services, programs, activities, and employment opportunities for youth will be promoted in order to encourage youth to remain in the community and to continue their participation and contribution to the community.

Demographic data also shows that the community's over 65 population group to be somewhat larger than the Provincial average. Council further realizes that a higher median age and a lower proportion of workers in the "working age" category (25 years to 65 years of age) means that the possibility exists in the coming years that early and/or ongoing retirement could generate new population opportunities as replacement workers are hired on. This aspect of the community's demographics could generate significant impact if retiring workers elect to remain in the community.

Retention of the retired portion of the community's population will also be an important part of the Township's planning objectives, and will be reflected in the design and administration of planning programs and activities oriented to the needs of seniors.

3 PART THREE -- GENERAL DEVELOPMENT POLICIES

3.1 Accessory Uses

Typically, a variety of incidental, secondary and accessory buildings, structures, or uses area associated with a primary use of land or main building are permitted subject to meeting the relevant policies of the land use designation in which they are proposed. These will be provided for in the zoning by-law.

3.2 Affordable Housing

It is the intent of the Plan to provide for housing which is affordable to establish a minimum target for the provision of housing which is affordable to low and moderate income households of 25%.

The Township will achieve the above target through a variety of measures including the following:

- Using Township-owned vacant residential lots.
- Seeking opportunities to participate in future Federal, Provincial affordable housing programs and through partnership with the District of Thunder Bay Social Services Administrative Board (TBDSSAB), to engage on matters related to planning for affordable housing, and in stakeholder consultations related to the development of local housing and homelessness plans, implementation of those plans and on-going monitoring.
- Facilitating residential intensification within the Urban Settlement Area.
- Allowing a second residential unit in a single detached dwelling, semi-detached dwelling or rowhouse dwelling. A second residential unit will not be permitted where there is already an existing accessory residential dwelling or dwelling unit.
- Facilitating the development of garden suites.
- Encouraging mixed-use development such as second storey residential units in the Commercial and Institutional land use designation (see **Section 7.2.4**). This may be coupled with the reduction or elimination of parking requirements for residential uses in the Urban Settlement Area.
- Encouraging the adaptive re-use of vacant commercial and institutional buildings.
- Utilizing tools under Section 28 of the *Planning Act* in association with community improvement projects.
- Providing for demolition control.
- Waiving planning and development application fees including building permit fees.
- Reducing cash-in-lieu and parkland requirements.
- Providing for the use of provisions of Section 37 of the *Planning Act* in exchange for affordable housing.

3.3 Bed and Breakfasts

Bed and Breakfast accommodation shall be permitted in the Urban Settlement Area and the Rural Area in any permanent single detached or semi-detached residential dwelling unit, except a mobile home provide the dwelling is serviced by sewage and water services A bed and breakfast shall:

- Be contained entirely within the dwelling, and shall be incidental and secondary to the primary residential function.
- Be operated by the occupant of the dwelling.
- Be limited to not more than four bedrooms for guests.
- Provide for a breakfast service for guests.
- Be permitted to use a small advertising sign.

3.4 Community Design Principles

Good community design seeks to create a safe, functional and attractive built environment. The Township is committed to achieving a high standard of urban design through applying the following community design principles in the review and approval of development applications:

1. Create streets and public places that are safe, attractive and comfortable:
 - a. Design street lighting and site lighting for clarity of night-time visibility for pedestrians, cyclists and motorists.
 - b. Play areas and public places should be clearly visible with multiple entry and exit points.
 - c. Provide unobstructed sight lines along pedestrian, and cyclist routes and motor vehicle access and exits.
 - d. Encourage mixed use activity areas to create ‘busy’ public spaces that permit casual surveillance or ‘eyes-on-the-street’.
 - e. Separate pedestrian, cycling and motorized activities and plan, encourage and facilitate the integration of active transportation systems;
 - f. Create gateways to neighbourhoods.

2. Promote pedestrian friendly design:
 - a. Plan for convenient walking distances to parks, places of work and other community services (e.g., 10 minute walk to park or recreation facility).
 - b. Create dedicated safe walkways and pathways/trails to link activity nodes (e.g., home-to-work, routes to school, public services, retail areas, places of worship and recreational and cultural areas).
 - c. Provide continuous sidewalk linkages and maintain highway crosswalks.

3. Create opportunities for energy conservation:
 - a. Orient buildings to take advantage of solar gain.
 - b. Retain/plant shade trees for summer cooling and winter shelter.
 - c. Encourage pedestrian and bicycle usage over motorized travel.
 - d. Encourage energy efficient construction (e.g., LEED).
 - e. Encourage the installation of micro-scale alternative and renewable energy systems (e.g., solar panels, wind turbines).
 - f. Recycle stormwater run-off.

4. Protect views and vistas of built and natural landmarks:
 - a. Conserve views and vistas of Lake Superior.
 - b. Use architecture to create landmarks.
 - c. Provide special attention to existing architectural landmarks.

5. Create a safe liveable winter community:
 - a. Build in measures to protect pedestrians and properties from the impacts of climate such as minimizing snow drifting at entrance points to buildings and at emergency exits, avoiding structures which allow snow or ice to fall onto sidewalks or pedestrian pathways, using landscaping for summer cooling or shelter from wind, maximizing sun light penetration, avoiding sun shadow on adjacent properties, providing weather protected pedestrian spaces and bus shelters.
 - b. Provide for snow storage in site design.
 - c. Ensure that signage for accessible facilities are visible under winter conditions.

6. Conserve architectural heritage:
 - a. Conserve significant heritage resources including buildings, structures, and streetscapes through preservation (e.g., maintain or restore a heritage resource within its context or setting), or through adaptive re-use (e.g., rehabilitation of a heritage resource for a new use or function).
 - b. Sensitively rehabilitate heritage buildings where required to improve accessibility, etc., while having lowest impact on heritage features.
 - c. Provide for consistency and coherence in the architectural design of buildings in the Urban Settlement Area.
 - d. Maintaining a consistent height and character profile for the height, density, massing and architectural style of buildings, notably for infill and intensification projects.
 - e. Conserving the heritage attributes of the shoreline of Lake Superior.
 - f. Provide for a consistent design approach in the town centre in the use of similar colours for the building façade (blue and white), the use of rock and wood from local sources, providing for landscaping and street

furniture that creates a functional public space, providing for buildings that area accessible for disable users, ensuring the availability of Wi-Fi services and providing for the integration of standard and barrier-free parking spaces at regular intervals along the parking area.

7. Ensure compatible design:

- a. Ensure that the design of medium and high density residential uses is architecturally compatible with surrounding lower density housing (e.g., conserve privacy of adjacent back yards, avoid sun shadow, and provide reasonable transition in building heights).
- b. Provide a variety of individual housing designs to create interesting streetscapes.
- c. Locate loading and service areas to avoid negative visual and nuisance impacts on nearby residential areas.
- d. Locate or mitigate HVAC noise from sensitive receptors.

8. Design with Nature:

- a. Integrate the protection of natural features into the design of subdivisions and sites (e.g., escarpments, river valleys, woodlots, rock outcrops).
- b. Provide for tree replacement plans and construction mitigation plans for all new development.
- c. Maximize the retention of existing (native) vegetation for all development and provide for the reinstatement, restoration or enhancement of vegetated areas wherever feasible.
- d. Minimize grading and hydrogeological changes to avoid disruption to natural ecosystems.
- e. Target a minimum of 25% for landscape coverage for new commercial, industrial, institutional and medium and high density developments. Secure higher percentages through bonusing and easements or other incentives.
- f. Retain, detain and recycle stormwater to avoid excess run-off, erosion and sediment discharge.
- g. Encourage low impact development as a means by which Council will encourage more environmentally sustainable stormwater management.

9. Design for accessibility and circulation:

- a. Incorporate barrier-free design for new development.
- b. Incorporate standards for accessible parking into zoning and site plan control agreements.
- c. Ensure the street network accommodates all intended users (e.g., automobiles, public transit, emergency vehicles, pedestrians, persons with disabilities and cyclists).
- d. Provide daylighting at street intersections.

- e. Provide adequate intersection spacing for streets and driveways with unobstructed sight lines.
- f. Where appropriate, incorporate traffic calming elements to moderate vehicle speeds and promote pedestrian and cyclist movement.
- g. Encourage snowmobile access to lodging, fuel, repair and eating facilities.

10. Site Design:

- a. Provide barrier-free access from buildings to sidewalks through dedicated pathways or sidewalks.
- b. Locate parking areas in close proximity to building entrances. However, parking areas shall generally be located to the side or rear of buildings.
- c. Link parking lots to abutting uses to provide movement between lots.
- d. Provide adequate lighting levels and uniform coverage in parking areas and pedestrian walkways. Screen lighting from glare onto adjacent residential properties and public streets.
- e. Provide clearly defined access routes and signage for designated fire routes.
- f. Provide convenient and easily visible locations for handicapped parking, bicycle and motorcycle parking.
- g. Locate storage areas or provide adequate visual buffering to fully screen from adjacent public streets and sensitive land uses.
- h. Locate drive-through windows/services away from residential areas.
- i. Provide adequate off-street stacking spaces for drive-through facilities and to avoid illumination of vehicle headlights on neighbouring properties.
- j. Minimize hard surfaces.
- k. Provide for legible signage and consolidate signage for multiple uses.

11. Simcoe Plaza

- a. In addition to the above policies, any development or redevelopment along Simcoe Plaza shall be consistent with the predominant architectural pattern and themes, including the relation of buildings to the street and sidewalks, the presence of awnings, landscaping, use of local stone, and the use of colour and signage.

3.5 Economic Development

It is the intent of the Plan to promote economic development and diversification of the economy of Terrace Bay by providing for an appropriate mix of land uses (including employment-oriented land uses) to meet current and projected needs.

Council will monitor the availability of designated commercial, industrial and institutional lands to ensure there continues to be and adequate land supply to provide opportunities for a healthy and diversified economic base.

Forestry harvesting/kraft product manufacturing, health care and health related services, and tourism/hospitality are expected to continue to be the primary components of the local economy in future years.

Notwithstanding, several local initiatives have aided the local economy in recent years. These include expansion of the McCausland Hospital; construction of two new elementary schools; new commercial activity at the Mill Road/Highway 17 intersection; the revitalization of downtown Terrace Bay (Simcoe Plaza), the construction of the 'lighthouse', the redevelopment of a former school to a cultural centre (including a community centre, library, a senior's centre, meeting rooms and public gathering places) and promotion by the Township and the Province of the Lake Superior Shoreline as a major tourist/conservation/park area, which is expected to continue to drive local tourism and related development (e.g., an interpretive centre).

Council will continue to support and facilitate economic development through such initiatives as:

- Increasing the supply of available land for housing development and residential intensification including the redevelopment of the Legion lands for affordable housing as well as other supportive-housing options;
- Implementing the findings and recommendations of the Housing Needs Study;
- Expanding Simcoe Plaza as the primary commercial area for the community;
- Maintaining support to the Trestle Ridge Ski Hill and other community recreational organizations;
- Assisting with current business retention and expansion efforts in Terrace Bay and encouraging new business growth;
- Exploring potential opportunities for acquiring public and private land for municipal development purposes;
- Increasing the supply of serviced industrial and highway commercial lands along Highway 17 to the north of the railway tracks;
- Exploring potential relocation of the Tourist Information Centre;
- Facilitating the redevelopment of part of the golf-course lands for housing development;
- Revitalizing the municipality's Hay's Lake property;
- Rehabilitating and possibly expanding the Aguasabon Falls and Gorge area;
- Promoting the Lake Superior National Marine Conservation Area in collaboration with Parks Canada;
- Promote the modernization of the forest tenure system in collaboration with neighbouring municipalities, First Nations, and industrial and governmental partners;
- Encourage energy reduction initiatives;
- Working with AV Terrace Bay Inc. in future growth and opportunities;
- Continued efforts to revitalize downtown Terrace Bay;
- Continued redevelopment of the waterfront lands;
- Residential development along the shore of Terrace (Hydro) Bay;

- Continued development of the urban and rural trails network;
- Redevelopment of the airport lands; and
- Increasing the opportunities for the generation of renewable energy.

These developments in addition to a recent turnaround in the pulp and paper industry and subsequent purchase of the mill by the AV Terrace Bay Inc. has spurred new optimism that the past's population decline trends of the 1990s and 2000s could turn around or stabilize.

3.5.1 Forestry

Forestry was the initial reason for the community, and continues to be the single most important component of the current economic base.

Council encourages the future harvesting of wood resources that are not currently being utilized by AV Terrace Bay Inc. for use by other wood products industries (i.e., construction of wooden trusses). Such an initiative would build upon and broaden the forestry related economic base of the community.

It is the policy of Council to recognize the importance of forests as a renewable and sustainable resource within the Township. This includes recognition of timber harvesting and silviculture activities of commercial timber operators licensed by the Ministry of Natural Resources and Forestry as well as private property owners operating under the *Woodland Improvement Act*.

On land falling under the *Crown Forest Sustainability Act* agreements, forestry management and wood production activities shall be permitted and encouraged. Council recognizes that other land uses may co-exist with timber operations and such uses including outdoor recreation, eco-tourism, trapping, traditional native land use activities, shall be permitted as complementary activities.

In recognizing the importance of forest resources within the Township, it is a policy to support and help co-ordinate the application of forest resource management techniques to ensure compatibility with harvesting, renewal and maintenance of operations with other resource attributes, particularly fish and wildlife habitat.

Council supports the design and application of new forest products technologies such as the use of pulp fibre to produce textiles.

3.5.2 Growth Plan for Northern Ontario

The Ministry of Northern Development and Mines and the Ministry of Infrastructure's *Growth Plan for Northern Ontario*, was developed in order to promote economic success in Northern Ontario. The Official Plan is based on the recognition that future economic success is based on a diversified economy that embraces innovation; a population that is

healthy, educated, creative and skilled; communities that are vibrant and attractive; the provision of modern and efficient infrastructure; and a clean and healthy environment.

Council endorses the Province's focus on economic development strategies that seek to position Terrace Bay for a future in which value-added resource production and refinement can coincide with primary resource extraction, and where attracting new residents means providing amenities such as an arts and cultural scene and a vibrant main street that shows visitors and newcomers that residents take pride in their community and its heritage.

The policies of the Official Plan therefore comply with the general vision provided in the Growth Plan for Northern Ontario.

3.5.3 Transportation and Utilities

Terrace Bay's economic history is linked to the importance of transportation corridors such as rail and highway infrastructure. Railway employment in neighbouring Schreiber has been one of the main components of that community's economy, and has resulted in residential activity within Terrace Bay. The Railway line also runs through the northerly part of the townsite and services the forest products mill and nearby industrial lands.

The Trans-Canada Highway delivers an average annual daily traffic volume of 3,400 vehicles per day through the centre of Terrace Bay, with an average daily traffic volume of 2,650 cars to the west of Terrace Bay and 2,350 to the east. The figures for traffic volume to the west and east of the urban settlement area indicate a more accurate view of the traffic that passes through but does not necessarily stop in Terrace Bay. Previous estimates indicate that only 14 percent of this traffic stops in the community, and accordingly efforts to access this readily available tourism/hospitality market have the potential for a significant economic contribution.

The Township will encourage the use of service roads where possible to limit the number of direct access points onto Highway 17. All development adjacent to Highway 17 shall occur in conformance with the policies of **Section 3.10.3.1 - Provincial Highways**.

Council also has an interest in promoting an innovative energy system that uses alternative sources of energy. In this respect Council wishes to explore and to facilitate opportunities for renewable wind, solar, and other renewable energy sources in all appropriate locations, especially wind energy, since the north shore of Lake Superior is known to have higher than average wind speeds that offer a resource base. Further it is understood that wind speed is significantly impacted by increases in elevation, and the Lake Superior shoreline has numerous areas of substantial elevation change. All wind, solar and other renewable energy projects will be subject to the requirements of the *Green Energy and Green Economy Act*.

3.5.4 Tourism/Hospitality

At present, the community offers a variety of tourist-oriented commercial activities including restaurants, hotels/motels, auto services, and gift shops. It is a goal of the Plan to ensure that sufficient lands are available and zoned for commercial land uses in the implementing zoning by-law.

Terrace Bay will actively seek ways to attract the travelling public to stop in the community through future waterfront development and waterfront promotion; through a revitalized downtown Terrace Bay, through expanded commercial zoning and support to tourist related development; and through other tourist related community programs and activities.

Council recognizes that the Township has no jurisdiction over Crown lands and Provincial land use features and that any related land use initiatives will comply with all applicable senior government requirements and guidelines for these features which include but are not limited to:

- The *Lake Superior North Shore Conservation Reserve* (See Schedule "C");
- Ontario's designation of the *Lake Superior Shoreline Enhanced Management Area* (See Schedule "C"), as identified in Ontario's Living Legacy Land Use Strategy (July 1999);
- The federal *Lake Superior National Marine Conservation Area* (in this instance, that portion of the waters of Lake Superior within Terrace Bay's municipal boundaries).

Both independently of, and in harmony with such Provincial designations, the official plan has identified a focal waterfront development area within the Urban Settlement Area, and will provide for a broad range of land uses and activities that are expected to make up a part of the overall development, and which are capable of being integrated into any senior government land use category.

This initiative compliments the exceptional tourist resources which are available including Aguasabon Falls, Terrace Bay Beach, the Aguasabon Golf Course and the Casque Isles Hiking Trail and the integration of the trail with its urban counterpart.

The Casque Hiking Trail in particular extends for 52 kilometres along the Aguasabon River and the shores of Lake Superior, from Terrace Bay to Rossport. The trail is a part of a larger trail system – the Voyageur Trail - which parallels much of the early trading routes used by fur traders and First Nation travellers along the shores of Lake Superior.

Figure 3: Aguasabon Falls and Gorge



Figure 4: Aerial View of Aguasabon Golf Course and Lake Superior Shoreline



Figure 5: Casque Isles Hiking Trail

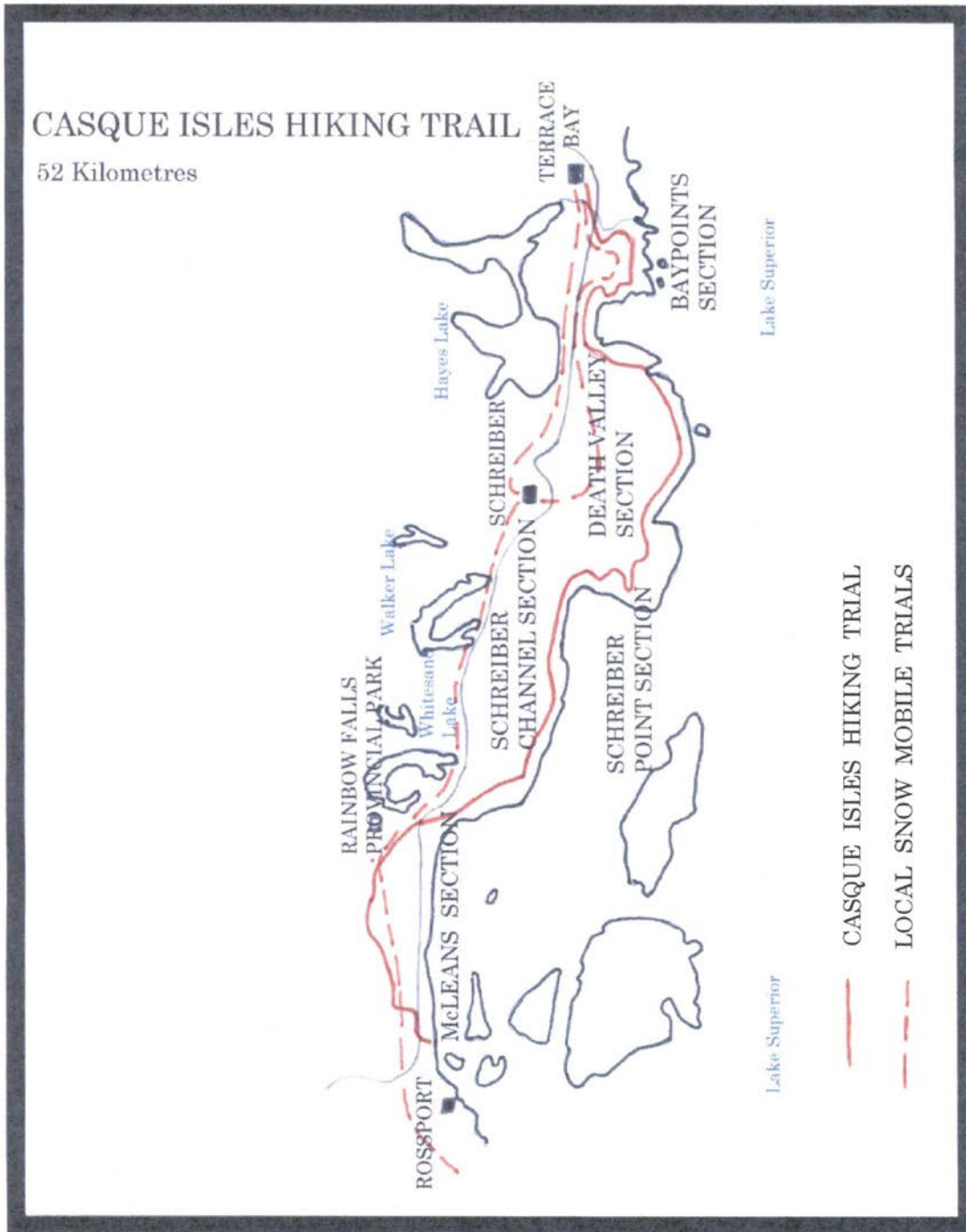
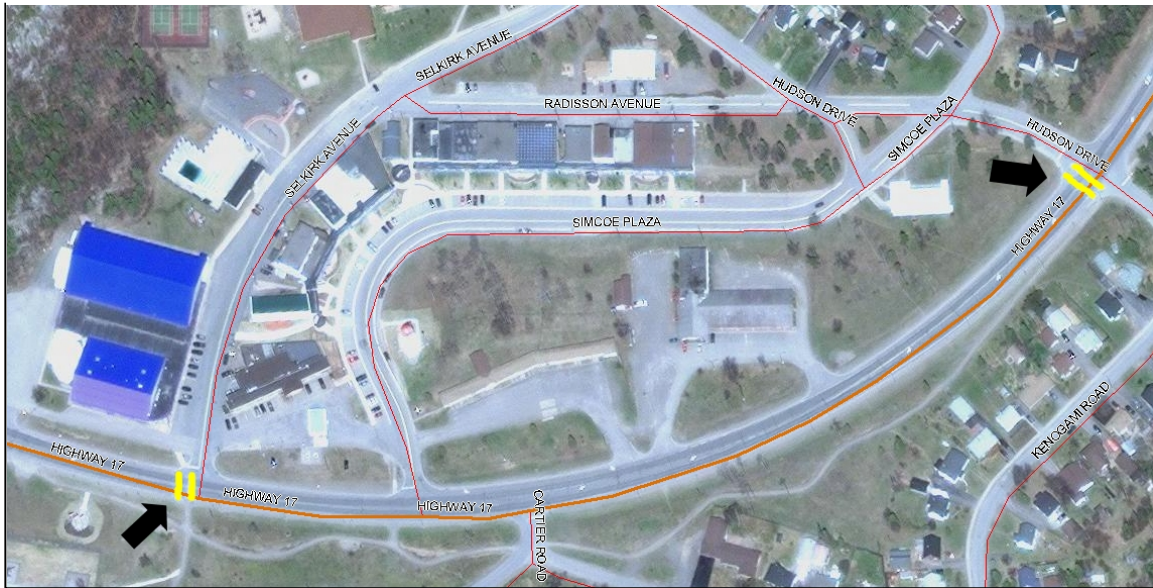


Figure 6: Location of Crosswalks



3.5.5 Mineral Extraction

The Township is located within the Schreiber-Hemlo Greenstone Belt which has made major contributions to the community, and, although there are no active mining operations or advanced stage exploration initiatives nearby today, suggests the future possibility of future mineral related development.

The community should be prepared to respond to the occurrence of a new mine, and the potential demands that such would bring to the community. In particular, review of the Terrace Heights subdivision as source of future housing supply would establish a clear understanding of the capacity of the Township to respond. The need for an official plan amendment will be assessed at the time of any such development, once the complete understanding emerges.

The Township encourages any new mining initiative to locate appropriate portions of their operation within the municipality, notably in the Rural designation north of the "Mineral Potential" line on Schedule "C" and of the designated Urban Settlement Area for support services, subject to the policies of **Section 3.10**".

Areas of high mineral and mineral aggregate resource potential, identified on Schedule "A", are subject to the policies of this plan, particularly **Section 4.1.6 - Mineral Resources**, and **Section 4.1.5 - Mineral Aggregate Resources** . These policies are intended to protect these areas from incompatible land use development and to ensure their availability for appropriate future development.

3.5.6 Commerce/Institutions

Retail sales, financial services, community service functions, and government institutions and agencies are all important to the community and to the travelling public.

The focus of such activities will continue to be along Highway 17 and within the town centre known as Simcoe Plaza.

Core commercial and institutional orientated land use activities such as convenience stores, churches, retail, offices, restaurants, and hotels/motels are expected to continue to locate in the current business area, which will be expanded, thereby integrating the current general commercial and institutional designations and zones along Highway 17.

Non-core commercial highway and automobile related (sales, service) commercial activity will be located at the Mill Road/Highway 17 intersection, expanding upon the current commercial activity at that location, and upon nearby institutional and industrial land uses.

Tourism commercial shall also be encouraged within the intended waterfront development area, including a focal/interpretive centre, associated restaurant accommodation; expansion of the existing golf course; equestrian activities, hiking, viewing and snow mobile trails, and at locations that take advantage of existing natural recreational resources (outstanding views, watercourses, and waterbodies).

3.5.7 Industry

Industrial lands offer the community existing employment, a strong base for tax assessment, and the opportunity for future growth. The present industrial areas within the community are generally north-east of the residential community in the Mill Road area. This area is considered to be capable of supplying additional industrial lands.

The industrial area north-west of Highway 17 contains a number of existing institutional uses ranging from fraternal organizations to offices. It is anticipated that these uses will remain a part of the industrial area, particularly since the other institutional area within the community (along Highway 17) exhibits physical conditions that do not support further development (i.e., a rock outcropping and cliff).

3.6 Exemption from Parking Requirements

Council may enter into arrangements, to be registered on title, with the owners or occupants of land for the purpose of exempting lands from parking requirements of the zoning by-law. Such agreements may provide for a cash payment to be made to the Township to be placed in a special account and utilized for future municipal parking purposes.

3.7 Garden Suites

Garden suites are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential

structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability, require some support to live on their own. Council may provide opportunities for garden suites on a site-specific basis provided the lot is of a sufficient size and that the unit can be properly serviced with water and sewage disposal. Garden suites may be permitted through the passing of a temporary use by-law which may apply for up to twenty (20) years and extended by amendment thereafter. The Township may establish a registry under the *Municipal Act* to govern the occupancy and maintenance of garden suites. See also **Section 8.18 - Temporary Use By-laws**.

3.8 Home Occupations

Home occupations are encouraged as a means of providing services to the community or as an incubator for new businesses provided that they are compatible with their surroundings and conform with the land use compatibility criteria throughout this document.

Home occupations/professions shall also be permitted in the implementing zoning by-law, subject to the following criteria:

- The home occupation is compatible within a residential neighbourhood setting and does not create a nuisance to neighbouring property owners due to noise, odours, other air emissions or large waste streams that are not compatible with the surrounding residential area;
- The home occupation is located within the dwelling in the Urban Settlement Area, but may be permitted in an accessory building only in the Rural Area;
- No exterior open storage or display shall be permitted;
- The home occupation shall be operated by the occupant of the dwelling;
- Standards for the class or type of home occupations, the floor area occupied by the business, parking and signage shall be set out in the zoning by-law;
- The *Municipal Act* may be used to govern the hours of operation and registration of the business.

Council may also establish other permitted uses as home occupations in a temporary zoning by-law as a means of allowing the owner to establish the existence of potential markets prior to initiating a commitment to establishing in areas zoned for full commercial land use [see temporary zoning].

Council will not generally support applications to amend the size regulations of the home occupation section, but rather would encourage successful home occupations to re-locate to a commercial district in anticipation of higher levels of traffic, deliveries, and similar characteristics associated with such activities when carried out at a larger or more intensive scale.

3.9 Intensification, Infill and the Residential Land Supply

An inventory of 241 – 312 lots/units have been identified (2013) for potential residential development of which some 30 lots are classified as infill lots. The vacant land supply provides a source of readily available residential lands to meet current and projected needs within the Urban Settlement Area. It is the intent of the Official Plan to provide opportunities for intensification and redevelopment using the available vacant land supply of approved residential lots coupled with the rehabilitation and intensification of both the existing residential and non-residential building stock and the development of other vacant parcels to accommodate the current and projected housing needs within Terrace Bay

It is a policy of the Plan that development will facilitate intensification, redevelopment and a compact urban form while maintaining appropriate levels of public health and safety.

In order to implement a target that 90% of development to occur on the basis of intensification and infill within the Urban Settlement Area, the following measures will be utilized:

- The sale or disposition of municipal-owned vacant residential lots to facilitate development as a first priority;
- Focusing residential development on vacant infill and/or underutilized lots currently serviced with the municipal sewage and water system within the Urban Settlement Area prior to the extension of infrastructure to “greenfield areas”;
- Promoting the redevelopment of brownfield sites including providing financial incentives under the *Municipal Act*;
- Providing for the conversion of or expansion of existing industrial, commercial and institutional buildings where they do not detract from the supply of non-residential lands;
- Providing for the rehabilitation and retrofitting of existing residential buildings, notably apartment buildings;
- Providing for the conversion or expansion of existing residential buildings to create new residential units or accommodation including accessory apartments, secondary suites and second units in a house;
- Promoting the use of upper storeys of commercial properties for residential units or accommodation.
- Using incentives such as bonus zoning to allow for increased densities under Section 37 of the *Planning Act* (**Section 8.7 - Height and Density Bonusing**) community improvement to permit grants and loans in order to facilitate intensification under Section 28 of the *Act* (**Section 8.5 - Community Improvement**).

Residential development shall consider the principles for community design (see **Section 3.4 - Community Design Principles**). Proposals for intensification and infill should not cause unacceptable impacts on existing development. Consideration will be given to consistency in building height, building scale, housing densities, building set-backs, integration with the existing streetscape, traffic impacts, privacy in the use of adjacent properties, buffering, adequacy of infrastructure, off-street parking supply, availability of community facilities and preservation of heritage attributes.

Site plan control may be used for residential intensification projects notably with respect to the protection of private amenity spaces, providing for off-street parking, buffering and landscaping. The municipality may also consider the need for shadow studies, sight line drawings, roof profiles and pitches and building materials. See **Section 8.17 - Site Plan Control**.

3.10 Public Service Facilities and Infrastructure

The policies of this section outline how public service facilities and infrastructure will be provided in a co-ordinated, efficient and cost-effective manner to accommodate projected needs.

It is the intent of the Plan to ensure that all development applications will be evaluated to determine whether the public service facilities are or will be capable of supporting the proposed development at acceptable levels of service, notably schools, health care facilities and emergency services.

It is the intent of the Plan that efficient use will be made of existing and planned infrastructure.

3.10.1 Water, Wastewater and Stormwater

The Provincial Policy Statement (PPS) identifies a hierarchy of which full municipal sewage and water services are the preferred form of servicing for urban areas. Communal services are identified by the PPS as being the preferred means of servicing multiple lots/units in areas where full municipal sewage and water services are not or cannot be provided and site conditions are suitable for the long-term provision of such services. Individual on-site systems are to be used where the use of communal systems is not feasible and where site conditions are suitable over the long term. Partial services (where there is a connection to a one communal service or full municipal service where the other connection is to an individual on-site system) shall only be permitted where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development and within settlement areas to allow for infilling and rounding out of existing development on partial services provided that the development is within the reserve sewage system capacity and reserve water system capacity and site conditions are suitable for the long-term provision of such services.

3.10.1.1 Sewage Disposal, Wastewater, and Water Treatment and Supply Systems

The urban service area of Terrace Bay is also serviced by waste water collection and treatment services. The urban services area is divided geographically and consequently there are two catchment areas serviced respectively by two sewage treatment facilities. The western urban service area has a Certificate of Approval (C of A) that dates back several decades; hence, the design capacity and current flow rates are unknown for this system. This system was originally constructed and installed by Kimberly Clark. The eastern urban service area had average daily flows in 2012 that varied between 38,000 and 55,000 Imperial Gallons per Day (IGPD). The design capacity of the treatment system is 100,000 IGPD (454m³/day). Wastewater flow in 2012 was elevated compared to 2010 and 2011, but was still below flows measured prior to 2010. The total annual flow for 2012 (17,891,055 gallons) was approximately 27% less than in 2004. Similarly, average daily flows have declined from 64,153 IGPD in 2004 to 48,851 IGPD in 2012. The reduction in flows reflects more conservation minded use as well as the declining population of the community. The residual capacity for wastewater treatment, consequently, for the east end of the community is over 50%. The residual capacity could easily accommodate any projected population increases forecasted for the twenty year planning period.

The 2013 sanitary system report indicated that the east and the west exfiltration lagoons are generally functioning very well; however, the report recommends continued monitoring notably with respect to discharge flows on nitrate concentrations affecting groundwater.

The urban area of Terrace Bay is also serviced by a municipal water treatment and supply system. A new state-of-the-art water treatment facility was completed in 2007 with a design capacity for a population of 5,000. The water supply is drawn from Lake Superior. The water treatment system includes a combination of slow sand filters, direct chemical injection and UV disinfection. The water distribution system is also designed to provide the fire flows required for fire suppression services throughout the urban area. Terrace Bay is currently using 38% of its total design capacity of 3,800 m³ per day of potable water and there is therefore sufficient capacity to meet projected development needs over the planning period. For the most part, the distribution system is looped; however, there are four (4) dead ends which require flushing. The mill uses approximately 1/3 of the municipality's water supply for potable water supply and the residual supply is adequate, the municipality advocates water conservation practices to ensure the adequacy for urban development.

It is anticipated that any further development within the existing urban service area would be serviced by municipal sewage and municipal water services. The golf course lands (i.e., the Terrace Waterfront District) lie beyond the urban service limit but within the urban settlement area; consequently, and are unserved at the time of writing. The anticipated development of these lands for residential uses will require the municipality to determine the most cost-efficient and effective way to service these lands. The municipality anticipates that localized municipal-owned and operated communal sewage

and water supply services may be the most appropriate servicing solution in the Terrace Waterfront District in accordance with the policies below given that it may not be practical or feasible to extend full public services to this area from existing serviced area of the community.

3.10.1.2 Policies

All development within the limits of the Urban Settlement Area shall be serviced with a full municipal water treatment and supply system with the extension of potential development in the vicinity of the golf course lands which may be serviced with a communal system if it is determined to be the most financially viable manner of servicing future development in the area.

Outside of the urban service limits such as the potential development of lands on the north side of Terrace (Hydro) Bay, lands may be serviced by individual on-site sewage disposal (conventional Class 4 systems) and individual on-site water (well) services since the extension of municipal sewage collection and water services would be cost-prohibitive. Minimum lot areas will be established in the zoning by-law to ensure lots have an adequate size for on-site individual systems. A communal water supply system may also be considered for larger development proposals along Terrace (Hydro) Bay subject to the policies below. A municipal servicing options study may be required.

The water supply and sewage treatment facilities are and will continue to be designed to protect public health and safety, to minimize negative impacts to the natural environment, to meet the requirements of the approval authority as well as the needs of current and projected populations.

All development applications will be evaluated to determine whether the Township's water, sewage disposal and stormwater services have adequate servicing capacity to support the proposed development. Proponents may be required to undertake an assessment of the reserve capacity for municipal sewage and water services as part of the evaluation. Development will not be approved where the servicing capacity is insufficient.

The use of public service facilities and infrastructure will be optimized before consideration is given to new public service facilities and infrastructure. Development will be planned to ensure the efficient and cost-effective use of existing municipal sewage and municipal water services.

When planning for new development the Township shall be satisfied that municipal sewage and water services can be sustained by the water resources upon which such services rely in a manner that is financially viable and complies with all regulatory requirements and which protects human health and the natural environment.

The Township will encourage the conservation of water resources.

Communal services (public or private) will not be permitted except in the Terrace Waterfront District and where municipal sewage and water services are not available and when and if the Township agrees to guarantee the operation of such services. Communal services may also be considered for large development proposals in the vicinity of Terrace (Hydro) Bay. Any communal services shall only be permitted where the proponent has prepared a servicing options study in accordance with the Ministry of the Environment and Climate Change *Guideline D-5-3*.

In the Rural Area, development may be serviced with on-site individual sewage and water services under the following conditions:

- The proponent demonstrates that there is sufficient off-site capacity for hauled sewage (e.g. requiring a letter from a sewage hauler as part of a complete application).
- The lot size and configuration and site conditions are suitable for the long-term provision of water and sewage services (see Planning Resource Kit – Guideline D-5).
- That a servicing options statement and hydrogeological report prepared by a qualified professional is submitted where more than 4,500 litres [1,189 gals.] of effluent would be produced per day as a result of the development being completed.

3.10.1.3 Stormwater Management

An underground run-off and storm sewer collection system exists within the town site, with catch basins and pipe sizes ranging from six inches to twenty-eight inches. Storm water outflow locations are tied into natural drainage features beyond the town site.

All development will be appropriately serviced by stormwater facilities. Stormwater facilities will be designed and constructed using best management practices.

3.10.2 Waste Management Facility

The Township operates a waste management facility site on Highway 17 west of the townsite, and provides for domestic landfill and scrap metal dumping as well as sewage and sludge dewatering.

The Terrace Bay waste management facility site was given a provisional Certificate of Approval in 1982. The site is located south of highway 17, approximately 5 km east of Schreiber. The site has a total area of 5.55 hectares. The C of A permits the disposal of domestic, commercial and processed organic wastes (sludge from the sewage treatment plant). The site jointly services Terrace Bay and Schreiber.

Based on the 2014 topographic survey, the estimated volume of compacted waste in the waste management facility is 159,000 m³. Using an update volume placement of 5,400

m³ per year, a compaction rate of 40%, and a remaining capacity of 131,000 m³, the estimated lifespan of the waste management facility is 40 years.

The Township implemented a recycling program in mid-2014 which is intended to be expanded as a means to facilitating waste diversion and the reuse of construction and other materials. The Township's approach to waste management will be increasingly directed to sustainable practices and a coordinated effort with the Township of Schreiber.

No new use shall be made on lands which have been previously used for the disposition of wastes for a period of not less than 25 years, unless approval of the Ministry of Environment and Climate Change has been obtained for the proposed use.

No development of a sensitive land use (i.e., residential or institutional) shall be permitted within 1,000 metres of the fill area of the waste management facility site shown on Schedule 'B'.

Given the lifespan of the current waste management facility, no new facility is required during the lifespan of the Plan.

3.10.3 Transportation

The town site contains an estimated twenty-five kilometres of municipal road, of which twenty-one kilometres has an asphalt topping. Provincial Highway 17 also traverses the Township from east to west.

It is the intent of the Plan to ensure that transportation systems are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

It is a policy of the Plan that connectivity within and among transportation systems be maintained, and where possible, improved.

3.10.3.1 Provincial Highways

Highway 17 is a controlled access highway which serves a critical role in linking not only Northwestern Ontario to other parts of Ontario further east and south, but also to providing an east-west link across Canada in its role as the Trans-Canada Highway. Provincial highways are under the jurisdiction of the Ministry of Transportation, and administration by that Ministry includes certain standards and requirements such as setbacks and access considerations. The Township shall include such considerations in the zoning by-law and/or shall have regard for such matters through consultation with the Ministry of Transportation during the processing of planning approvals.

Provincial policy in this area also calls for the inclusion of portable asphalt plant as a permitted use within the zoning by-law as more particularly summarized in **Section 4.1.5.5 - Wayside Pits and Quarries**, Aggregate Resources. The Township will include

such use within the appropriate rural area zones, and in the industrial zone of the settlement area, and will provide protection by way of setbacks from existing sensitive land uses. The Ministry of Transportation also encourages the Township of consider the use of service roads for new development abutting Highway 17.

The Township further wishes to ensure that existing Highway crosswalks are recognized and protected within the community and encourages the Ministry of Transportation to develop more crosswalks in areas identified as needing them.

In addition to all the applicable municipal requirements, all proposed development located in the vicinity of a provincial highway will be subject to the Ministry of Transportation (MTO) approval under the *Public Transportation and Highway Improvement Act*.

Any new areas in the municipality identified for future development that are located adjacent or in the vicinity of Highway 17 and/or intersection within MTO's permit control area under the *Public Transportation and Highway Improvement Act* will be subject to MTO's access management policies, standards and requirements. Direct access will be discouraged and often prohibited.

Access to provincial highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic and drainage study. An illumination study may be required for a large format retail facility.

Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections.

The design of Provincial and municipal roads will be carried out in a manner that promotes safe, energy efficient and well-integrated transportation planning for vehicles and pedestrian movement.

Noise and vibration studies using the NPC-300 Guideline may be required prior to considering whether development should be approved adjacent to a provincial highway (see Planning Resource Kit).

Outdoor storage on properties abutting a provincial highway shall be visually screened and appropriately located to ensure that these uses are not a distraction to the travelling public.

The conversion of a home based business or home industry with frontage on a provincial highway shall not be permitted where the effect is to create a change in an entrance from a residential or farmstead entrance to a commercial or industrial entrance or to create a new or separate entrance. A severance that would result in a separate entrance to a business will also not be permitted.

A second entrance for a property owner whose land lies beyond the permit control area and requests access to a provincial highway via another property owner's entrance will not be permitted.

3.10.3.2 Public Streets

The Township's road network consists of municipal roads. Municipal roads distribute traffic from Highway 17 to different parts of the municipality and provide for direct access to properties.

The Township will control road construction, access, parking, truck routes and traffic signalization as measures to ensure the efficient and safe movement of traffic, including cycling and pedestrian movement. Traffic management studies may be required for development to assess traffic impacts and needed improvements (e.g., road widening, taper lanes, intersection improvements, traffic calming, signalization, crosswalks, and noise/vibration).

Municipal roads shall generally be designed and constructed to an appropriate design standard with a minimum right-of-way width of twenty (20) metres.

Planning for the construction of new roads will be carefully integrated with the settlement pattern to ensure the efficient movement of vehicles and pedestrians and connectivity between land uses. Municipal road projects will be carried out under the Municipal Class Environmental Assessment (EA) process.

It is the intent of the Plan that illumination will be required on all roads within the Urban Settlement Area.

3.10.3.3 Private Roads

A private road is defined as a road under private ownership which serves two or more legally conveyable lots and may include a right-of-way registered on title. (A driveway, by contrast, provides access to or is located on only one property or legally conveyable lot, despite the length of the driveway. A driveway includes a shared driveway between two abutting properties.)

Except for an internal road serving a condominium development and provided the internal road connects to a public road, new private roads shall not be permitted.

Existing private roads as shown on the Schedules to the Official Plan may be assumed by By-law by the municipality where they are first improved by private property owners to acceptable municipal standards.

An existing lot may be used or developed for a permitted use which does not have frontage on a public road provided that the existing lot has a legal registered right of access.

Council may, in consultation with the Ministry of Natural Resources and Forestry, in situations where properties are remote, and are surrounded by Crown Land or Crown Land and intermittent patent land holdings, consider access by private road involving use permits or other appropriate arrangements for Crown Lands and/or legal access right of way on private lands. Where recreational dwellings are being contemplated under such an arrangement, typically only one dwelling on an existing parcel will be considered.

Where private roads exist within the Township or where new roads are acknowledged in a remote situation, it is not the intent of Council that they necessarily become a part of the municipal road network. Council accepts no responsibility for operation, snow removal, improvement or other works on such roads, and further accepts no liability that might be associated with the use of such roads.

Before any private road is assumed by Council, such road shall be brought up to an acceptable standard comparable to other similar roads within the existing municipal road network. Council shall be the final authority in the determination of such standard and the assessment of whether the works achieve such standard.

3.10.3.4 Sidewalks

Many existing streets do not have public sidewalks. The Township will continue to implement a program of constructing sidewalks where the need is determined (i.e., near school properties or on main streets) and where sidewalks facilitate safe routes to school, public facilities and services, retail areas, workplaces, places of worship and recreational and cultural areas.

New streets and subdivisions shall be constructed complete with sidewalks on at least one side.

3.10.3.5 Railway

The function of the railway is important to the economy and way-of-life in northeastern Ontario. To protect the rail line as a transportation corridor, noise-sensitive or incompatible land uses will be directed away from the corridor and/or the impacts of noise will be appropriately mitigated using the NPC-300 Guideline (see Planning Resource Kit).

3.10.3.6 Other

The Township recognizes and encourages the use of other forms of transportation aside from the automobile, including cycling and walking, as well as the recreational use of snowmobiles and off-road vehicles in accordance with local by-laws.

Any snowmobile crossing with Highway 17 shall be approved by the Ministry of Transportation.

3.10.4 Infrastructure Corridors

Infrastructure corridors and rights-of-way for gas pipelines, power transmission lines, provincial highways and Township roads and infrastructure will be protected from land use development that could negatively affect the use of these corridors.

Any abandoned corridor will be conserved to ensure the integrity of both transportation and infrastructure requirements of the Township.

3.10.5 Protection and Education Services

A Volunteer Fire Department consisting of approximately 30 persons provides fire suppression (building and brush fires, but not forest fires), vehicle extraction, water and ice rescue, fire prevention education, and general emergency response services. The pulp mill also provides its own fire prevention brigade.

Policing is delivered by the Ontario Provincial Police, who operate a satellite office in Terrace Bay. The satellite office extends the Schreiber office of the OPP which is in turn a sub-office of the primary office located in Nipigon.

Emergency Medical Services (EMS, Ambulance) is delivered by Superior North EMS (SNEMS), operated by the City of Thunder Bay. SNEMS provides emergency medical response to 911 calls. Paramedics assess, treat, and transport patients to hospitals for further medical care. SNEMS also provides emergency medical services and transportation services, usually between medical facilities and airports. Some non-emergency patient transportation services are also provided.

A full range of elementary school services is provided, including public and catholic schools (English and French language), and French immersion. Two of the elementary schools in Terrace Bay are of recent construction. A local high school also exists within the Township.

The Terrace Bay Public Library (TBPL) is a full-service library, serving the Township as well as the outlying areas of Jackfish, Schreiber, Rosspoint and Pays Plat. The library has nearly 1,900 active users and provides a variety of community programming beyond traditional library services.

It is the intent of the Plan to promote the collocation and/or strategic location of emergency infrastructure in order to support the effective and efficient delivery of emergency management services and to promote cost-effectiveness and to facilitate service integration.

3.11 Parks, Recreation and Healthy Communities

It is the intent of the Official Plan that parks and playgrounds are critical in maintaining a high quality of life for residents of Terrace Bay given their role in promoting healthy, active communities.

Parks and playgrounds are permitted in all land use designations where compatible with surroundings and where there is no risk to public health and safety. It is the intent of the Plan to promote the provision of a full range and equitable distribution of publicly accessible built and natural recreational settings, including facilities, parks, open spaces, trails and water-oriented resources.

Parks and playgrounds should be located at convenient walking distances to the areas that they serve.

The impacts of planning decisions on municipal and provincial parks, as well as provincial conservation reserves and conservation areas, shall be considered at all stages of the planning process. These include the Casque-Isles Trail system, the Slate Islands Provincial Park, the Lake Superior North Shore Conservation Reserve, and the Lake Superior National Marine Conservation Area. The Ontario Crown Land Use Policy Atlas will be used for land use direction in the vicinity of these parks and protected features.

The number, land area and scope of active and passive parks will be planned, designed and developed or redeveloped in keeping with the needs of the residents in the area they serve.

Development of recreation and leisure facilities will be designed to be compatible with surrounding land uses.

The design and construction or installation of recreation and leisure facilities will be harmonized with natural features including topography and woodlands.

Provision for active travel planning, design and construction will consider safety, accessibility, maintenance and signage and year-round use and maintenance. Provision will be made for the integration of trails as linkages to transportation corridors, community activity areas (e.g. waterfront, downtown, community facilities and services and residential neighbourhoods) and high activity areas (e.g., schools).

Publicly owned waterfront lands will generally be retained in the public domain to ensure that opportunities are provided for public access to water and water-oriented land uses. The Township may acquire additional lands to add to the inventory of recreational and waterfront lands held in the public domain.

Adequate services including water supply, sewage disposal, stormwater management and drainage shall be provided, where applicable, to service recreation and leisure facilities.

The healthy communities policies of this Plan are intended to sustain and enhance the quality of life in Terrace Bay and include:

- Support for the policies for parks, playgrounds and recreation services listed above;
- Increasing the use of and public accessibility by all residents to parks, recreational and leisure services;
- The use of municipality owned lands for community gardens and activities that promote local food security;
- The protection of naturalized landscapes, tree canopies and open space areas throughout the Urban Settlement Area while maintaining as much of the shoreline of lakes and rivers in a naturalized state in both the urban and rural area;
- Protecting significant fish and wildlife habitats;
- Support for the design and development of active transportation systems and services in all seasons;
- Supporting healthy lifestyles.

All development shall be appropriately zoned and complemented where appropriate by site plan control.

3.12 Public Service Uses

Any lands within the Township may be utilized for the purpose of public service by the Township, by local agencies and/or boards, or by senior levels of government to conduct the primary business or function of such organization, except that no obnoxious use shall be permitted and no open storage of goods, materials, or equipment shall be permitted, except in accordance with the particular provisions of the relevant zone.

Council may establish setbacks, separation distances and other measures to ensure the compatibility of alternative and renewable energy systems with residential and sensitive land uses.

Communication facilities governed by Industry Canada will require an undertaking addressing issues typically required by a site plan control agreement.

3.13 Shoreline Road Allowances

Council may also consider the stopping, closing, and selling of shoreline road allowance to abutting property owners. Such sales will be at market value, and in this respect, Council may include in the determination of price an amount intended to be a contribution to a fund intended to determine and/or confirm market value from time to time.

3.14 Special Needs Housing

The Township will engage the Thunder Bay District Social Services Administration Board (TBDSSAB), social service agencies, service clubs and other agencies in planning for and delivering housing for:

- Low to moderate income households.
- Seniors.
- People with special needs and disabilities.

- Crisis Shelter accommodation (e.g. safe house, hostel, emergency shelter).
- Residents requiring group homes and garden suites.

3.15 Renewable and Alternative Energy Systems

It is the intent of the Plan to permit alternative energy systems and renewable energy systems in the Urban Settlement Area and in the Rural Area in accordance with provincial and federal requirements.

Planning Resource Kit

Land Use Compatibility: Ministry of the Environment and Climate Change, Guideline D-4, Land Use On or Near Landfills and Dumps, <http://www.mah.gov.on.ca/Page7180.aspx> Browse Land Use Planning Resources, Land Use Compatibility and Sensitive Land Use

Noise: Ministry of the Environment and Climate Change, Publication NPC-300, Environmental Noise Guideline – Stationary and Transportation Sources – Approvals and Planning, <https://www.ontario.ca/environment-and-energy/environmental-noise-guideline-stationary-and-transportation-sources-approval>

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, <http://www.ontario.ca/environment-and-energy/stormwater-management-planning-and-design-manual>

Requirements for on-site individual sewage systems: Ministry of the Environment and Climate Change, Guideline D-5, Planning for Sewage and Water Services including D-D-4, Technical Guideline for Individual On-Site Sewage Systems and D-5-5, Private Wells: Water Supply Assessment <https://www.ontario.ca/ministry-environment> Search.

Definitions: Provincial Policy Statement (2014): development, infrastructure, green infrastructure, institutional use, major facilities, major goods movement facilities and corridors, marine facilities, public service facilities, redevelopment, residential intensification, reserve sewage system capacity, reserve water system capacity, sensitive land use, settlement areas

4 PART FOUR - PROTECTING OUR NATURAL ENVIRONMENT AND RESOURCES

4.1 Natural Heritage and Natural Resources

4.1.1 Natural Heritage Features and Areas

It is the intent of the Official Plan to protect natural heritage features and areas for the long term. Council recognizes the existence of diverse and important natural heritage features and areas within the planning areas, and promotes the need for their careful and wise management in order that these features can be protected. Natural features and areas shall be protected for the long term.

It is the objective of the Plan to maintain, restore, or where possible improve the diversity and connectivity of natural features in the Township, as well as the long-term ecological function and biodiversity of natural heritage systems. Council recognizes the linkages between and among natural heritage features and areas, surface water features and groundwater features.

Council's objective in situations where competition occurs between sensitive land uses and community needs is to achieve an appropriate balance between physical change in the community and the protection of existing natural heritage features and areas. Council will;

- Identify areas of significant natural heritage features and areas;
- Protect significant natural heritage features and areas from incompatible development;
- Promote an environmental consciousness amongst residents.

In order to achieve these objectives, Council will;

- Require consideration and/or study of such features when they are found to be a part of or nearby to applications for development or physical change.
- Provide zoning protection to significant features that are known to exist, both in the making of initial land use decisions, and in requirements for setbacks, buffers, and other remedial features as are appropriate.
- Prevent development on habitat of threatened or endangered species.
- Include setbacks in the zoning by-law that would not permit forest harvesting or aggregate extraction or forestry on private lands within 300 metres of Lake Superior.



Natural heritage features and areas shall include:

- Significant wetlands and coastal wetlands;
- **Significant^{1a}** habitat of endangered species, threatened species, and/or species at risk;
- Significant wildlife habitat (e.g., habitat of the woodland caribou);
- Fish habitat;
- Significant areas of natural and scientific interest (ANSI)

Figure 7: Wetlands

Development shall not be permitted on adjacent lands to natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Adjacent lands are those lands within:

- 120 metres of provincially significant wetlands or locally significant wetlands;
- 120 metres of **significant^{1a}** habitat of threatened and endangered species;
- 120 m of fish habitat and 300 m of an inland at-capacity lake trout lake;
- 120 metres of significant wildlife habitat;
- 120 m from a natural and scientific interest (life science) ANSI;
- 50 m from an earth science ANSI.

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



When reviewing development proposals that may impact heritage values, Council shall contact the Ministry of Natural Resources and Forestry to obtain current data and/or technical advice.

While it is the intent of this Plan to protect natural heritage features and areas and prohibit development, applications for development or site alteration may arise from time to time. In the evaluation of these applications, the protection of these features and areas will be given priority.

As an initial step, an appropriate level of ecological site assessment shall be conducted prior to accepting an application for development as complete or prior to approval of a development application to determine if significant natural heritage features and areas, including species at risk, are present on or adjacent to the development lands. Where the initial assessment determines that one or more natural heritage features is present, no development or site alteration shall be permitted unless an Environmental Impact Study (EIS) is completed which demonstrates that no negative impacts will result on the natural

features or their ecological functions (see **Section 4.1.2 - Environmental Impact Study** for EIS requirements).

The policies in Section 4.1.1.1 to 4.1.1.5 pertain to the different natural heritage features and areas listed above.

4.1.1.1 Significant^{1b} Habitat of Endangered and Threatened Species

Habitat of endangered species and threatened species means a species listed as endangered or threatened on the Species at Risk in Ontario List, for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, and the area prescribed by that regulation as the habitat of the species. Habitat of endangered and threatened species also means any other species listed on the Species at Risk in Ontario list as endangered or threatened, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources and Forestry; and places in these areas which are used by members of the species as dens, nests, hibernacula or other residences.

Screening was undertaken during this plan's development and the Plan acknowledges that the entire municipality is within the habitat distribution of the woodland caribou, a threatened species that receives species and habitat protection under the *Endangered Species Act*. There is also active bat hibernacula in the Township for little brown bat and northern long eared bats which have been listed as endangered species.

The following policies apply to development or site alteration proposed adjacent to significant^{1b} habitat of endangered and threatened species:

- a) Development and site alteration shall not be permitted within 1,000 metres of known bat hibernacula unless it can be demonstrated through an environmental impact study that there will be no negative impacts on the habitat or species;
- b) Development and site alteration shall not be permitted in habitat of endangered and threatened species except in accordance with provincial and federal requirements;
- c) Anyone undertaking an activity is responsible for ensuring that the activity does not contravene the *Endangered Species Act* and development or site alterations must be planned and considered in accordance with the provisions of the Act;
- d) Where preliminary assessments indicate the potential presence of habitat of endangered or threatened species, the Ministry of Natural Resources and Forestry will be contacted for review and confirmation of the information.
- e) The Ministry of Natural Resources and Forestry is the lead agency responsible for approving the delineation of habitat for endangered or threatened species and administering the provisions of the *Endangered Species Act*.

4.1.1.2 Significant Wildlife Habitat

Significant wildlife habitat refers to areas which are considered ecologically important in terms of features, functions, representation or amount, and which contribute to the quality and diversity of wildlife habitat such as areas where species concentrate at vulnerable point in their annual or life cycle and areas which are important to migratory or non-migratory species. Significant wildlife habitat also includes rare species ranked S1 to S3 on the Natural Heritage Information Centre, species designated “Special Concern” on the Species at Risk in Ontario List, or species federally designated as threatened or endangered.

Policies to protect significant wildlife habitat include:

- a) No development or site alteration shall occur within or adjacent to significant wildlife habitat unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the habitat or its ecological functions.
- b) Adjacent lands are those within 120m of significant wildlife habitats.
- c) Each development or site alteration will require an appropriate level of assessment for significant wildlife habitat before new approvals are granted.
- d) The Ministry of Natural Resources and Forestry is the lead agency responsible for approving the delineation of significant wildlife habitat.
- e) No Development or site alteration shall be permitted within 920 meters of known bald eagle and 1000 meters of peregrine falcon nest sites (species of special concern) unless it can be demonstrated through an environmental impact study that there will be no negative impacts on breeding birds or their reproductive success.

4.1.1.3 Fish Habitat

It is the intent of this Plan to promote the wise management and sustainable use of fisheries to provide recreational and economic benefit to Terrace Bay and the Province of Ontario. In the absence of detailed fish habitat mapping, fish habitat is defined as all water features including permanent or intermittent streams, headwaters, seasonally flooded areas, municipal surface drains, lakes and ponds. Certain development proposals may require the support of a report (i.e. Environmental Impact Statement) prepared by a qualified professional which demonstrates that a water feature does not constitute fish habitat as defined by the *Fisheries Act*.

Policies to protect fish habitat include:

- a) No development or site alteration shall occur within or adjacent to fish habitat unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the habitat or its ecological functions.

- b) Adjacent lands are those within 120m of fish habitat.
- c) Prior to making decisions on development proposals, 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.
- d) 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 an appropriate distance to avoid hazardous lands. A natural shoreline vegetation buffer shall be maintained around all watercourses and waterbodies to protect fish habitat and prevent erosion as set out in this Plan (see Section 7.3.1.2).

4.1.1.4 Significant Wetlands

The municipality recognizes the significant ecological, social and economic benefits that can be ascribed to wetlands and supports their protection whether provincially significant or not. Wetlands maintain and improve water quality; help control flooding; provide essential habitat for fish and wildlife; and provide opportunities for recreation, education, research and tourism.

While no wetlands have been evaluated for provincial significance, it is the intent of the Plan to protect all wetlands from negative impacts posed by development.

Policies to protect wetlands include:

- a) Wetlands contribute to the ecological well-being of the natural environment. It is the intent of this Plan to protect wetlands within or adjacent to the Town from incompatible land uses.
- b) The wetlands within the municipal boundary have not been evaluated for significance. Wetland evaluation shall be carried out by a qualified professional according to the Ministry of Natural Resources and Forestry's evaluation procedures prior to development or site alteration within or adjacent to wetlands that have not been evaluated but demonstrate characteristics of provincially significant wetlands.
- c) The Ministry of Natural Resources and Forestry is the agency responsible for approving wetland boundaries and provincially significant wetland evaluations.
- d) If a provincially significant wetland is identified, the Town will prepare an Official Plan Amendment to identify its location on the Schedules of this Plan.
- e) No development or site alteration shall occur within or adjacent to provincially significant wetlands unless it has been demonstrated through an Environmental Impact Study that there will be no negative impacts on the wetland or its ecological functions.
- f) Adjacent lands are those within 120m of the wetland boundary.

4.1.1.5 ANSI Designations

Areas of Natural and Scientific Interest (ANSI) are defined by the Province of Ontario – typically by the Ministry of Natural Resources and Forestry, as sites (land or water) which have value relating to natural heritage appreciation, scientific study, public education, or aesthetic considerations.

As of the time of writing there is no known ANSI designations within the municipal boundaries, policies are set out herein that would apply should future designations be implemented by the Ministry of Natural Resources and Forestry.

Council will generally discourage any development in the vicinity of an ANSI designation or cause such development to explore means of protecting, and if possible, enhancing the particular feature. The Ministry of Natural Resources and Forestry will be consulted in such situations.

Typically, uses on or nearby to lands designated as ANSI would include conservation, park, or similar non-intrusive activity. Other uses may also be considered where it can be demonstrated that the ANSI feature can be maintained.

4.1.2 Environmental Impact Study

An Environmental Impact Studies, where required, will:

- Evaluate the suitability of the site for the proposed development, including an inventory of the natural features and ecological functions present on the site.
- Identify conditions for development and any potential mitigation measures and monitoring.
- The Township may require a peer review undertaken by a qualified professional of the EIS at the cost of the proponent.
- The Natural Heritage Reference Manual, MNR, March 2010 listed in the Planning Resource Kit below shall be used to further scope the requirements for an Environmental Impact Study.

Pre-consultation with the Township is required to establish the scope of the development proposal, identify the natural heritage and hazard issues to be addressed, detail the accepted methods of evaluating potential impacts, and specify the qualifications of personnel required to carry out these evaluations.

4.1.3 Lake Capacity

The Ministry of the Environment and Climate Change's Lakeshore Capacity Model (Lakeshore Capacity Assessment, 2012 as amended) will be used as the basis for determining lake development capacity. Development will be prohibited on lands adjacent to a water body where the water body is identified as a lake trout lake; a lake that has reached or may reach its development capacity; or a lake identified as a blue

green algae lake except in accordance with the exceptions below. The Lakeshore Capacity Assessment Handbook indicates that a lake trout lake which has been modelled to be at-capacity for phosphorous is one where the phosphorous concentrations exceed 'background' or 'undeveloped' concentrations +50%, or which has a measured dissolved oxygen concentration that is less than the Ministry of Natural Resources and Forestry's criterion of 7 mg/L dissolved oxygen, measured as the mean volume-weighted hypolimnetic concentration at end-of-summer.

No development shall be permitted on the adjacent lands of an at-capacity lake trout lake except in accordance with the following criteria.

No new lots may be created within 300 metres of the shores of lakes which have been identified as being at their biological carrying capacity.

Exceptions may be made for the following circumstances:

- To separate existing habitable dwellings each of which is capable of supporting a Class 4 sewage disposal system, provided the land use would not change and there would be no net increase in phosphorous loading to the lake; or
- Where all new tile fields would be located such that that they would drain into a drainage basin which is not at capacity; or
- Where all new tile fields would be set back at least 300 metres from the shoreline; or
- Where the natural drainage from the tile field would flow at least 300 metres to the lake.

4.1.4 Agriculture

The Township does not contain lands supporting current agricultural activity, and is a significant distance from potential large regional markets. It is therefore expected that future opportunity for agricultural activity within the Township is marginal, except perhaps in association with other industrial activity (i.e., greenhouse utilizing heat by-product). Notwithstanding, Council will include in the zoning by-law policy for separation of any agricultural activity and other land uses, and will address such setbacks in any planning approvals.

All farm and non-farm development will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development, as amended from time to time.

Agriculture shall mean the use of land, building, or structures for the raising of animals, birds, and the growing of agricultural crops, including grains, turf, grass, greenhouse crops, and nursery and/or feed stock and shall include value added agricultural products directly from the farm operation on the property.

4.1.5 Mineral Aggregate Resources

4.1.5.1 Mineral Aggregate Resource Potential

Aggregate resources within the Township are utilized for public and for private development alike and are to be protected for their long-term use in a manner that minimizes social and environmental impacts and land use conflicts with adjacent land uses.

The Official Plan recognizes that the Ministry of Natural Resources and Forestry (MNR) is the agency primarily responsible for the management of mineral aggregate resources as prescribed under the *Aggregate Resources Act*. As provided for in the *Aggregate Resources Act*, the MNR is responsible for the administration and permitting of aggregate operations on Crown lands. The Ministry of Northern Development and Mines (MNDM) is the agency primarily responsible for the management of mineral resources as prescribed by the *Mining Act*.

As much of the mineral aggregate resource as is realistically possible shall be made available as close as markets as possible.

Although not considered a land use designation, a Mineral Aggregate Resource Area overlay recognizes areas where there are deposits of mineral aggregate resources, and which have the potential to be used for future extraction activities. In areas adjacent to or in known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new operations or access to extractive resources shall only be permitted where a study (e.g., a mineral aggregate resource assessment) is undertaken that demonstrates that:

- That the extractive resource use would not be feasible;
- That the proposed development or land use serves a greater long-term public interest; and
- That issues of public health, public safety and environmental impact are addressed.

For lands adjacent to or in known deposits of mineral aggregates including mineral aggregates and bedrock deposits, incompatible development will not be permitted within adjacent lands which are defined as 500 metres.

It is the intent of the Plan to promote the conservation of mineral aggregate resources and to facilitate the recovery of these resources where feasible.

4.1.5.2 Authorized Aggregate Sites

Private lands used for aggregate extraction shall be placed in a corresponding zone in the implementing zoning by-law. Wayside pits and/or quarries and aggregate extraction will be provided for as a permitted use within the Rural Designation.

Authorized Aggregate Sites include existing and approved pits and quarries. Pits and quarries that have an aggregate permit on Crown land are not subject to the land use controls of the Plan but will be identified as Authorized Aggregate Sites on the schedule for land-use compatibility reasons. Authorized Aggregate Sites are shown as an overlay on the Schedules of the Official Plan; therefore no amendment to the Plan is required to establish a mineral aggregate operation. New Authorized Aggregate Sites will be identified on the Land Use Schedules at the time of a five-year update to the Official Plan.

Demonstration of need for mineral aggregate resources, including any type of supply and demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

The proponent shall pre-consult with the Township and complete the necessary information or studies in support of an application for an official plan and zoning by-law amendment. Where evaluating proposals for new aggregate extractive operations, or a Crown Land use approval for aggregate extraction use, Council may request information including a description of the intended operation, including scale, number of trips per day involved, length of time that the operation is expected to continue, and area of the property where the pit will be located. The scope of studies may include:

- Land use compatibility study;
- Heritage Impact Assessment;
- Archaeological Assessment;
- Environmental Impact Study;
- Noise and Vibration;
- Blast Impact Study;
- Traffic Impact;
- Hydrogeological;
- Drainage and Stormwater Management; and
- Haulage Routes

In addition, the proponent will provide a detailed site plan that illustrates all on-site natural features, buildings, structures, storage of topsoil and overburden, mitigation features associated with land use compatibility, the sequence and direction of progressive rehabilitation and the details of final rehabilitation taking into consideration surrounding land use and approved land use designations. New operations include expansions of an existing operation where the lands are not designated or zoned for Extractive Resources.

Furthermore, no new aggregate development shall take place within the contaminant attenuation zone to the west of the waste management facility. Existing extractive

operations shall not operate below the water table due to the potential for interacting with groundwater contaminated with garbage leachate.

The Township may enact a by-law to ensure that the operation of pits and quarries is undertaken in an orderly manner.

4.1.5.3 Influence Area and Separation Distances

It is a policy to recognize an influence area as a means of protecting against incompatible land uses in the vicinity of proposed pits and quarries and to protect existing pits and quarries from encroachment from other incompatible land uses.

It is a policy of Council to protect existing or future mineral aggregate operations from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

Development or site alteration in areas adjacent to or in known deposits of mineral aggregate resources which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- The resource use would not be feasible;
- The proposed land use or development serves a greater long-term public interest; and
- Issues of public health, public safety and environmental impact are addressed.

For the purposes of this Plan, the influence area shall be considered to be 1,000 m [3,280.8 ft]. Within the influence area, development of sensitive land uses shall not be permitted unless it is demonstrated through a land use compatibility study in accordance with the Ministry of the Environment and Climate Change Guideline D-6 that a lesser influence area would not result in a land use conflict.

Measurement of the distances shall be from the boundary of the Mineral Aggregate Resource Area or Authorized Aggregate Site overlays as shown on the Official Plan to the property boundary of the proposed sensitive land use. The extent of the influence area may be modified in consultation with the public body having jurisdiction without amendment to this plan.

Within the influence area, and outside of the recommended separation distance (of 300 m or 70 m respectively) of pit or quarry, development may be permitted where it is clearly demonstrated that impacts such as noise, dust, vibration can be mitigated by the operator, based on technical studies, and the quality and quantity of ground water on adjacent properties will not be compromised where excavation activities are below the water table.

These policies are reciprocal for an existing residential use or other sensitive land use.

4.1.5.4 Rehabilitation

Progressive and final rehabilitation of mineral aggregate extraction operations shall be required to accommodate subsequent land uses, to promote land use compatibility and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.

4.1.5.5 Wayside Pits and Quarries

Wayside pits and quarries, portable asphalt plants and portable concrete plants, used on public authority contracts, will be permitted without the need for an official plan amendment, rezoning, or development permit under the Planning Act, in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.1.5.6 Portable Asphalt and Concrete Plants

4.1.5.7 Wayside pits and quarries, portable asphalt plants and portable concrete plants, used on public authority contracts, will be permitted without the need for an official plan amendment, rezoning, or development permit under the Planning Act, in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

Any development permitted on or adjacent to an existing or former mineral aggregate operation shall be required to identify and mitigate any known potential hazard.

Development may occur only if rehabilitation or other measures to address and mitigate known or suspected hazards are underway or have been completed.

4.1.5.8 Protection of Natural Areas and Groundwater

Aggregate extraction is not permitted on private lands within 300 metres of the Lake Superior shoreline.

Mineral aggregate operations will be developed in a manner that protects natural areas and groundwater. The proponent will conduct studies to identify potential negative effects on natural features and ecological functions resulting from extraction. Hydrogeological studies will be required to address adverse effects on the quality and/or quantity of groundwater where extraction is proposed near or below the water table, or on or near a ground water feature such as a recharge area.

It is also the intent of the Official Plan to protect the Lake Superior Enhanced Management Area as identified in the MNR's Crown Land Use Policy Atlas and to recognize the long-term tourism and recreational benefits to Terrace Bay through the conservation of the Lake Superior coastline's significant scenic, recreational and tourism attributes.

(See Planning Resources Toolkit, Guideline B-1 Water Management Guidelines and B-7 Reasonable Use).

4.1.5.9 Land Division

In areas shown as Mineral Aggregate Resource Area or Authorized Aggregate Sites on the Land Use Plan, consents for conveyance may be granted provided any lot creation does not compromise the conservation of mineral aggregate resources.

4.1.6 Mineral Resources

4.1.6.1 Areas of High Mineral Resource Potential

Although there are no operating mines within the boundaries of the Township, mining has been the genesis of many communities throughout the region. Furthermore, the Ministry of Northern Development and Mines have determined that parts of the Township contain areas of high mineral potential, north of the "Mineral Potential" line shown on Schedule "A", or areas which have high potential for future mineral resource exploration and/or mining operations. It is therefore the policy of Council that areas of mineral resource potential should be protected for long-term use in a manner that minimizes social and environmental impacts and land use conflicts with adjacent land uses.

The Mineral Potential Constraint overlay which is shown on the Land Use Schedule identifies areas of the Township which are considered to have high mineral potential and which are to be protected under the policies of this Section.

In areas of know mineral resource occurrence, development and activities which would preclude or hinder the establishment of new operations or access to the resource shall only be permitted where the resource is determined not to be viable, where the non-compatible uses or development are considered to serve a greater long term public interest, and where public health, public safety, and environmental impact are addressed.

Where advances exploration and/or mining operations occur, Council will encourage progressive rehabilitation to be done as part of the closure plan required in accordance with the *Mining Act* to accommodate future land uses.

Former mine sites/abandoned mine hazards identified at the time of the approval of this official plan are illustrated on the Land Use Schedules and current information regarding the location of these former mine sites/abandoned mine hazards is available from the Ministry of Northern Development and Mines (MNDM) (see **Section 6.3.3 - Mine Hazards**).

4.1.6.2 Mineral Extraction Operations

It is the intent of the Plan to protect any future mineral mining operations from development and activities that would preclude or hinder their use or expansion. It is also the intent of the Plan to minimize conflicts between resource uses and surrounding uses.

Mineral mining operations must be designated Industrial in this Plan and must be zoned to a Mining zone before extraction can occur. This Plan is not deemed to prevent exploration activities where they are in compliance with the *Mining Act*. Advanced exploration may require amendments to this Plan and the zoning by-law subject to the activity.

The proponent of a new mineral mining operation shall pre-consult with the Township and complete the necessary studies in support of an application for an official plan and zoning by-law amendment. The proponent shall provide information on compliance with the requirements of the *Mining Act*, the *Environmental Protection Act* and other related approvals as a prerequisite to determining the needs for other land use related studies. The scope of studies may include:

- Land use compatibility;
- Heritage Impact Assessment;
- Archaeological Assessment;
- Environmental Impact Study;
- Noise and Vibration;
- Traffic Impact;
- Hydrogeological;
- Drainage and Stormwater Management;
- Haulage Routes.

On-site industrial uses related to mineral mining operations will be subject to land use compatibility requirements. (See Planning Resource Kit)

In addition, the proponent will provide the details of final rehabilitation with the aim of accommodating subsequent land uses after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken wherever feasible. New operations include expansions of an existing operation where the lands are not designated or zoned for Mining.

Furthermore, no new mineral extraction activities shall occur within the contaminant attenuation zone to the west of the waste management facility.

4.1.6.3 Influence Area and Separation Distances

Mineral mining operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

It is a policy of the Plan to recognize an influence area as a means of protecting against incompatible land uses in the vicinity of mining operations and to protect mining operations from encroachment from other incompatible land uses.

It is a policy to discourage or prohibit incompatible land uses in areas adjacent to mineral resource operations, or reciprocally, to protect existing sensitive land uses. Development may be permitted in the influence area where impacts of or to mining operations can be properly mitigated. For the purposes of this Plan, the influence area shall generally be 1,000 metres. The establishment or modification to the influence area should be carried out in consultation with the Ministry of Northern Development and Mines and the Ministry of the Environment and Climate Change and does not require an amendment to this Plan.

4.1.6.4 Zoning

The zoning by-law will set out the requirements for Mining uses.

4.1.6.5 Land Division

In areas designated for mineral extraction on the Land Use Plan, consents for conveyance may be granted provided any lot creation does not compromise the conservation of mineral resources.

4.1.6.6 Mine Hazards

Mine hazard (Abandoned Mine Information System) sites are identified on the Land Use Schedules as “AMIS Sites”. AMIS sites shall be rehabilitated under the requirements of the *Mining Act* and in accordance with **Section 6.3.3 - Mine Hazards**.

4.1.7 Water Resources

It is a goal of the Plan to protect, improve or restore the quantity and quality of water resources in lakes, groundwater, rivers, streams and Lake Superior and to consider the impacts of planning decisions on a watershed-wide scale when considering proposals for development in order to minimize potential negative impacts including cross-jurisdictional and cross-watershed impacts.

It is the intent of the Plan to identify surface water features, groundwater features, hydrologic functions and natural heritage features and areas which are necessary for the ecological integrity of the watershed.

Council will implement any necessary restrictions on development and designated vulnerable areas, and will protect or restore vulnerable surface and groundwater, sensitive surface water features and sensitive groundwater features and their hydrologic functions.

Planning for development will ensure the maintenance of linkages and related functions among surface water features, groundwater features, hydrologic functions and natural heritage features and areas.

It is the intent of the Plan to promote the efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality. Stormwater management practices shall minimize stormwater volumes and contaminant loads and shall maintain or increase the extent of vegetative and pervious surfaces. A stormwater management plan may be required to address stormwater issues.

Development and site alteration shall be restricted in or near sensitive surface water features and sensitive groundwater features such that these features and their related hydrologic functions will be improved, protected or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

The Municipality acknowledges that Ontario Power Generation (OPG) operates a hydro generating facility that impacts on water levels on Hayes Lake and the Aguasabon River that may impact on development; consequently, the interests of OPG will be taken into account with respect to planning applications and the Municipality will consult with OPG where appropriate.

The Municipality acknowledges the potential impacts of the remedial plan for the Jackfish Bay Area of Concern **In Recovery**² and supports measures for remediation and the need to protect, improve or restore water quality through land use decisions.

The Municipality encourages a sustainable approach to effluent discharges from the mill into Blackbird Creek and will require measures to reduce adverse effects triggered by planning applications.

4.1.8 Proposed Lake Superior National Marine Conservation Area

It is the intent of the Official Plan to recognize the value of conservation of the Lake Superior coastline's significant scenic, recreational and tourism attributes. Furthermore, the Official Plan recognizes the proposed Lake Superior National Marine Conservation Area as an area for future conservation uses. The boundaries of the proposed Lake Superior National Marine Conservation Area are illustrated on Schedule 'C'.^{1c}

Planning Resource Kit

Species at risk: <http://www.mnr.gov.on.ca/en/Business/Species/index.html>

Endangered Species Act, 2007: www.e-laws.gov.on.ca

Habitat protection: Natural Heritage Reference Manual, MNR, March 2010.

Fish Habitat: Decision Framework for the Determination and Authorization of Harmful Alteration, Disruption or Destruction of Fish Habitat, Department of Fisheries and Oceans, 1998

Shorelines and riparian areas: <http://www.livingbywater.ca/>

Natural Hazards: MNR, Understanding Natural Hazards, Queen's Printer, 2001:
www.mnr.gov.on.ca/publications

Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes on Ontario's Precambrian Shield (May 2010)

Minimum Distance Separation [MDS] Formulae, Implementation Guidelines, Publication 707, Ministry of Agriculture, Food and Rural Affairs ag.info@omafra.gov.on.ca

Land Use Compatibility: Ministry of the Environment, Guideline D-1, Land Use Compatibility and Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Land

Land Use Compatibility: Ministry of the Environment and Climate Change, Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Land

Noise and Vibration: Ministry of the Environment and Climate Change, Noise Assessment Criteria in Land Use Planning, LU-131 (October 1997), www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Noise

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Water & Sewage Works

Mining Act and Environmental Assessment Act: www.e-laws.gov.on.ca : Requirements of the Mining Act for the exploration and development of mines:
http://www.mndm.gov.on.ca/mndm/mines/mg/advex/default_e.asp

Water Management Guidelines and Procedures, Ministry of the Environment and Climate Change, Guideline B-1, (July 1994) www.ene.gov.on.ca/publications

Ministry of the Environment and Climate Change Guideline B-7: Incorporation of the Reasonable Use Concept into MOECC Groundwater Management Activities,
http://www.ene.gov.on.ca/environment/en/resources/STD01_076322.html

Definitions: Provincial Policy Statement (2014): adjacent lands, area of natural and scientific interest, development, coastal wetland, comprehensive rehabilitation, dynamic beach hazard, ecological function, endangered species, habitat of endangered species and threatened species, erosion hazard, fish, fish habitat, flood plain, flooding hazard, ground water features, high quality, natural heritage features and areas, natural heritage system, negative impacts, quality and quantity of water, significant, site alteration, surface water features, threatened species, valleylands, wetlands, wildlife habitat, mineral aggregate operations, wayside pits and quarries, portable asphalt plant, portable concrete plant, mineral mining operation, areas of mineral potential, minerals, mineral deposits, mine hazards

5 PART FIVE – CULTURAL HERITAGE AND ARCHAEOLOGY

5.1 Cultural Heritage

Cultural heritage resources include significant built heritage resources, significant cultural heritage landscapes, significant archaeological resources and marine archaeological resources or sites.

It is the intent of the Plan to protect significant built heritage resources and to conserve significant cultural heritage landscapes. The policies of this section serve to identify, recognize, document, protect, rescue and conserve these resources.

All new development permitted by the land-use policies and designations of this Plan shall have regard for cultural heritage resources 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 cultural heritage resources are situated.

The Township will also celebrate heritage as part of strategies and plans for tourism and local celebrations. The Township will also participate in the celebration of heritage and heritage events with adjacent municipalities and Aboriginal communities.

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, and archaeological sites. The Clerk will maintain an inventory of cultural heritage resources designated under Part 4 and Part 5 of the *Ontario Heritage Act* through the establishment of a Municipal Register of all property designated under the *Act*. The Register may include properties considered by Council to be of cultural heritage value or interest. A Municipal Heritage Committee may also be established pursuant to *Act* to advise and assist Council on conservation matters related to heritage resources.

Council may establish a Municipal Heritage Advisory Committee with responsibility for developing criteria for the potential identification and designation of significant built heritage resources, significant cultural landscapes (see Planning Resource Kit, O. Reg. 9/06) and the establishment of one or more heritage conservation districts under the *Ontario Heritage Act*. The Committee will establish management policies for the long-term protection and conservation of heritage resources, particularly any heritage attributes that have been identified during the creation of a heritage resource inventory. This may include the preparation of a heritage master plan.

Council shall enter into a municipal/provincial data sharing agreement in order to obtain data and maps of registered/known archaeological sites located with the Township. In addition, data and maps of any designated or locally significant heritage buildings or

structures, mapped areas of archaeological potential and/or cultural landscapes located with the Township shall be maintained as it becomes available for use in planning review. Council shall regularly update municipal archaeological resource mapping under the provisions of the municipal/provincial data sharing agreement.

The Township shall have regard for the conservation of all significant cultural heritage resources during the undertaking of municipal public works or environmental assessment projects. When necessary, satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservation policies contained within this plan. Council shall have regard for cultural heritage resources in the undertaking of municipal public works. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant heritage resources.

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 significance in order to assure the preservation of these properties in perpetuity.

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 significance and, when appropriate, is subject to a heritage restoration agreement, which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Municipal Heritage Committee or other accepted heritage property standard. Council shall ensure that secondary planning studies identify cultural heritage resources, which may exist in the area under study and propose means to protect and enhance any significant heritage resources.

Development and site alteration may be permitted on adjacent lands to a protected heritage property where a heritage impact assessment prepared by a qualified professional has evaluated the impacts and demonstrates that the heritage attributes of the protected heritage property will be protected.

Tools that can be used to protect cultural heritage resources may include the use of site plan control, the incorporation of heritage conservation through a community improvement plan, partnering with organizations and other levels of government to identify, protect and conserve heritage resources, encouraging the adaptive re-use of older buildings and the existing building stock, approving energy retrofits of heritage buildings without compromising the heritage integrity of the building, and by ensuring that public works projects and other municipal initiatives comply with the cultural heritage policies of this Plan as a condition of approval.

5.2 Archaeological Resources

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

Council recognizes that archaeological potential will be determined for individual development applications and building permits through the use of established provincial screening criteria, or qualified mapping developed based on the known archaeological record within the Township. 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.

Council will regularly update municipal archaeological resource mapping under the provisions of a municipal-provincial data sharing agreement, as new archaeological sites are identified from land development and on the Provincial archaeological sites database.

Council with the advice of the Ministry of Tourism, Culture and Sport, may undertake the preparation of an Archaeological Master 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 Master Plan may also outline policies, programs and strategies to protect significant archaeological sites.

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 of Terrace Bay. Alterations to known archaeological sites must only be performed by licensed archaeologists, as per provisions under the *Ontario Heritage Act*. Any significant archaeological resource or site identified may be preserved on site, to ensure that the integrity of the resource is maintained, and/or may it 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.

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

The Ministry of Tourism, Culture, and Sport the Ministry of Government and Consumer Services – Cemeteries Regulation Unit, the OPP and Aboriginals will be contacted where human remains or an unmarked burial site or cemetery is discovered.

5.3 Marine Archaeological Resources

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

Other permits may also be required prior to undertaking marine archaeological work including permits from Parks Canada for work in the National Marine Conservation Area, fisheries approvals from the Department of Fisheries and Oceans, permits from the Ministry of Natural Resources and Forestry under the *Lakes and Rivers Improvement Act* or other additional licenses or permits.

Planning Resource Kit

Heritage protection and conservation: www.culture.gov.on.ca/english/heritage/index.html

Ontario Heritage Resource Tool Kit: www.culture.gov.on.ca/english/heritage/Toolkit/toolkit.htm,

Historic Plaques: <http://www.historicplaces.ca>, <http://www.ontarioplaques.com>.

Lake Superior National Marine Conservation Area of Canada: <http://www.pc.gc.ca/eng/amnc-nmca/on/super/index.aspx>

Ministry of Natural Resources and Forestry, Lakes and Rivers Improvement Act administrative guide: <https://www.ontario.ca/environment-and-energy/lakes-and-rivers-improvement-act-administrative-guide>

Ontario Heritage Act and Ontario Regulation 9/06; Criteria for Determining Cultural Heritage Value or Interest

Definitions: Provincial Policy Statement (2014): adjacent lands, archaeological resources, areas of archaeological potential, built heritage resources, conserved, cultural heritage landscape, development, heritage attributes, protected heritage property, significant, site alteration

6 PART SIX – PROTECTING PUBLIC HEALTH AND SAFETY

Certain areas within the Township include lands that have inherent physical characteristics that are of sufficient severity to generate the risk of personal harm, loss of life, or significant property damage if developed or utilized. Such lands have characteristics such as poor drainage; flood susceptibility; erosion susceptibility; severe slope, or abandoned quarrying or mining works.

Such Lands will be zoned appropriately in the municipal zoning by-law, with use limited to agriculture, conservation, or passive outdoor recreation and the zone will typically discourage buildings and structures.

Rehabilitation of old mining and/or pits and quarry workings will be encouraged. Such rehabilitation shall have regard for stabilization, grading and contouring of slopes; drainage; re-vegetation; removal of debris; and the filling, fencing, and signing of exposed mine access points or other hazardous features.

Where development is contemplated on or nearby to such lands, applications shall include appropriate levels of review. Such review should expect to assess the extent and nature of the hazard or limitation to the intended use; develop proposals to resolve or overcome the problems; and identify cost associated with such remedial works.

It is not Council's intent to support development initiatives or to enter into cost arrangements that would involve public expenditure of capital funds; or to support developments that would prematurely extend existing services and/or facilities.

Where use limitation has been identified on private lands, the Township;

- Has no obligation to accept such lands as a part of any parkland dedication required
- Has no obligation to re-designate such lands
- Has no obligation to otherwise acquire such lands.

It shall be the policy of Council to generally discourage expansion of any non-conforming building, structure or use within lands identified as use limitation.

6.1 Natural Hazards

Natural hazards include:

- Hazardous lands adjacent to ravines, river valleys, streams and inland lakes which are impacted by flooding and or erosion hazards.

- Hazardous sites such as unstable soils, and organic soils.

In Terrace Bay, natural hazards include the Lake Superior shoreline, the Aguasabon River ravine, the dynamic beach and the natural terraces. The Lake Superior shoreline, the Aguasabon River and the dynamic beach are shown on Schedule 'C'.

Development shall be directed to areas outside of hazardous lands and hazardous sites including lands subject to flooding hazards.

Development shall not be permitted to locate in a dynamic beach hazard or in areas that would become inaccessible during times of flooding, or due to erosion or other hazards, unless it has been demonstrated that the site can be safely accessed appropriate for the nature of the development and hazard.

Development may only be permitted in an area subject to flooding if the development by its nature must locate within the flood area, such as a flood or erosion control works or minor additions to passive non-structural uses which do not affect flood flows.

Setbacks for buildings and structures from the top-of-bank and water courses will be established in the zoning by-law. Studies may be required to establish setbacks and overcome hazards to development on hazardous sites such as organic soils. Such studies might include a geotechnical study.

Development located in or adjacent to flood plain areas will be administered through a one-zone flood plain management approach, which includes the entire flood plain bounded by the regulatory flood limit (Timmins Storm) (i.e. Where the one zone concept is applied, the entire flood plain or the entire flooding hazard limit defines the floodway).

For the purposes of this Plan, the flood plain elevation for Lake Superior is 185.1 metres CGD which includes a 1 metre wave uprush.

A technical study may be required to confirm the actual extent to confirm the actual limit of the flood hazard. Development and site alteration will only be permitted if it is demonstrated that it will occur outside of any flood hazards, and not on lands which are high points surrounded by flood hazards.

Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:

- An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.
- An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an

emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

- Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

Development and site alteration may be permitted in those portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by the demonstration and achievement of all of the following:

- development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- new hazards are not created and existing hazards are not aggravated; and
- no adverse environmental impacts will result.

6.2 Land Use Compatibility

The term "sensitive lands uses" shall be defined by this Plan to include 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 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.

Where sensitive land uses exist nearby, Council will require that the proponents of new development (as defined in the Township's Comprehensive Zoning By-law) provide appropriate remedial measures, which may include landscaping and fencing in the zoning by-law and/or separation distances in accordance with Ministry of the Environment and Climate Change (MOECC) guidelines (D Series or equivalent), to address any contaminant discharges (i.e. noise, dust, fumes, odour or vibration).

6.3 Noise/Contamination

6.3.1 Noise

Noise is one of the most common negative impacts experienced within urban settings, and in the case of Terrace Bay, major noise sources includes highway traffic and the railway. Residential land use, institutional land use, and some commercial land uses are most typically sensitive to such impacts.

Council's planning program has been designed and has as objectives the following;

- Separation of noise sources and sensitive land uses, including residential, institutional and commercial
- Abatement and mitigation considerations where development is contemplated nearby to noise sources.

Detailed Noise Studies should be completed where:

- The proposed lands are within 250 metres from a provincial highway or 100 metres from the right-of-way of other roads;
- The proposed lands are within 500 metres of a Principal Main Railway Line, 250 metres from a Secondary Main Railway Line, or 100 m from other railway lines

Noise Feasibility Studies should be completed where:

- The proposed lands are within 50 metres from a provincial highway right-of-way
- The proposed lands are within 100 metres from a Principal Main Railway Line right-of-way or 50 metres from a Secondary Main Railway right-of-way

Feasibility and detailed noise studies are generally required when the proposed lands are within the influence area of a stationary noise source, such as an industrial facility, an aggregate extraction facility, a sewage treatment facility, an ancillary transportation facility and commercial facilities. See Planning Toolkit and the Ministry of the Environment and Climate Change Guideline “*Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300*”.

The above policies shall not apply to infill on Lots of Record.

6.3.1.1 New development near the Terrace Bay Airport:

To protect the long term viability potential of the Terrace Bay Airport, all proposed new development of sensitive land uses (e.g., residential, institutional) within 1 kilometre of the Terrace Bay Airport may be required to undertake noise studies, to the satisfaction of the Township, consistent with the requirements of Transport Canada and the Ministry of the Environment and Climate Change (MOECC), and to undertake appropriate measures to mitigate any adverse effects from noise that are identified. The Township's Comprehensive Zoning By-law shall require a minimum 500 metre setback from the limit of the airport property boundary for any non-airport or non-industrial or extractive use proposed in close proximity to the Terrace Bay Airport.

In all of the above noise-related situations, the definition of new development shall be a defined in the Township's Comprehensive Zoning By-law. (i.e., meaning a new building or a building that will be enlarged more than 60% in size from what existed on the day of adoption of this plan).

Council may utilize holding zone provisions to address such situations; with the holding provision to be removed only upon completion of identified remedial works.

6.3.2 Man-Made Hazards

Current or historic use of land for many commercial, industrial, transportation, or utilities purposes suggest the possibility of contamination, and may impact upon the future use of lands for more sensitive land uses. Where previous commercial or industrial uses are being redeveloped for more sensitive residential, park, or institutional uses, the proponents of new development may be requested to include environmental site assessment of the lands involved as a part of any planning approval. Such assessment would be expected to identify any contamination and described remedial actions necessary to address such findings. Where contamination has been identified, and remedial action has been recommended, the Township will expect a Record of Site Condition acknowledged by the Ministry of the Environment and Climate Change before it considers related planning approvals. Alternatively, a hold by-law may be used.

Council may utilize holding zone provisions to address such situations; with the holding provision to be removed only upon completion of identified remedial works.

The following policies apply to lands that are considered to be human-made hazards:

- Development on, abutting or adjacent lands affected by former test wells, mine hazards, former mineral mining operations, or mineral aggregate operations (i.e., AMIS Sites) may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or have been completed.
- Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.
- See also **Section 4.1.5.3 - Influence Area and Separation Distances** (Mineral Aggregate Resources) and **Section 4.1.6.3 - Influence Area and Separation Distances** (Mineral Resources).

Lands identified as contaminated or potentially contaminated shall be evaluated and where required, (i.e., particularly a change in land use to a sensitive land use) shall be remediated in compliance with O.Reg. 153/04 and Ministry of the Environment and Climate Change Guideline “Records of Site Condition – A Guide on Site Assessment, the Clean-Up of Brownfield Sites”, such that the site is suitable for the intended future use.

Jackfish Bay was designated as an “Area of Concern” in 1987 under the Canada-United States Great Lakes Water Quality Agreement. Areas of concern are sites where the environmental quality has been significantly degraded and beneficial uses are impaired. Jackfish Bay and Blackbird Creek were identified as Areas of Concern due to wastewater discharges from the pulp mill since 1948. Two small lakes along the Blackbird Creek have experienced significant infilling with wood fiber and other solids, while mill effluent, spills and sediment contamination have impacted fish habitat in Jackfish Bay. The installation of secondary treatment and changes in mill processes has reduced

contaminant levels in effluent although there are still concerns regarding other mill-related effects on water quality. Therefore Schedule 'C' of the Official Plan will identify Jackfish Bay and Blackbird Creek as ~~Areas of Concern~~ an **Area of Concern In Recovery**³ and they shall continue to be considered hazards for development.

Mandatory filing of a Record of Site Condition on the Registry is required for any change to a more sensitive land use such as a change of use from industrial to residential or parkland. The applicant shall provide the Township with a Ministry of the Environment and Climate Change acknowledged Record of Site Condition (RSC) and an affidavit from a qualified professional acknowledging that the Township may rely on the statement in the RSC prior to the granting of any development approvals by the Township or approval authority.

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

6.3.3 Mine Hazards

Lands identified as having a mine hazard on the Land Use Plan shall be rehabilitated in compliance with the Rehabilitation Code regulation under the *Mining Act* prior to any development or redevelopment. A mine hazard rehabilitation report shall be submitted to the Township as a condition of development or redevelopment. Lands within 1 kilometre of a mine hazard shall be evaluated for their safety for construction (development) and if necessary, a mine hazard rehabilitation report shall be prepared. The Township will consult with the Ministry of Northern Development and Mines regarding the nature of the mine hazard and any rehabilitation or remediation measures that may be required under the *Mining Act*.

6.3.4 Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

As identified by the Ministry of Natural Resources and Forestry, proponent may be required to undertake a site assessment to determine the presence of hazardous forest types for wildland fire, as may be indicated by generalized wildland fire hazard information. If development is proceeding where hazardous forest types are present, mitigation measures should be identified by proponents to outline how the risk will be lessened.

Planning Resource Kit

Natural Hazards: MNR, Understanding Natural Hazards, Queen's Printer, 2001:
www.mnr.gov.on.ca/publications

Land Use Compatibility: Ministry of the Environment and Climate Change, Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Land

Noise and Vibration: Ministry of the Environment and Climate Change, Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300,
<https://www.ontario.ca/environment-and-energy/environmental-noise-guideline-stationary-and-transportation-sources-approval>

Mining Act and *Environmental Assessment Act*: www.e-laws.gov.on.ca : Requirements of the *Mining Act* for the exploration and development of mines:
http://www.mndm.gov.on.ca/mndm/mines/mg/advex/default_e.asp

Definitions: Provincial Policy Statement (2014): adjacent lands, development, essential emergency service, erosion hazard, flood plain, flooding hazard, hazardous forest types for wildland fire, hazardous lands, hazardous sites, hazardous substances, site alteration, mineral aggregate operation, mineral mining operations, areas of mineral potential, minerals, mineral deposits, mine hazard, one hundred year flood, one hundred year flood level, river, stream and small inland lake systems, wildland fire assessment and mitigation standards.

7 PART SEVEN - LAND USE DESIGNATIONS

7.1 Land Uses

Land use is a description of the specific combination of human activities that is carried out on lands and/or waters. It is the active use that is made of the land as opposed to ownership/tenure, economic development, value, cover, or other such variables that relate to land.

The various land use designations that are contained in and utilized as part of this official plan are as follows;

Residential Area: the use of land, buildings and/or structures primarily to provide regular and ongoing accommodation and home life for a person or persons, including sleeping, eating, and leisure activities and such other activities that are customarily associated with accommodation and home life. Residential land use shall include single detached dwellings, including modular housing but not mobile home trailers; semi-detached or duplex dwellings; low to medium density row or town housing, triplexes or quadruplexes or apartment dwellings or condominium dwellings.

Terrace Waterfront District: The use of land for tourist and eco-tourist related waterfront development, where permitted uses include a broad range of outdoor recreation (golf course, hiking, cross country skiing, snow mobile trails, activity/events areas); and commercial recreational activities.

Commercial and Institutional Area: the use of land, buildings, and/or structures for intended profit or gain, primarily for the purpose of selling of goods, products, merchandize or commodities and/or for the supply of services. Institutional uses include the use of land, buildings, and/or structures primarily for the conduct of or delivery of a public or non-profit service or purpose. Categories include larger institutional such as the hospital and government offices, community institutional such as the high school, and local such as secondary schools and churches.

Highway Commercial Area: the use of land, buildings and/or structures for automobile-oriented commercial uses that depend on high volumes of automobile traffic.

Industrial Area: the use of land, building, and/or structure primarily for the manufacturing, processing, fabrication, assembly of goods, materials or product, whether or not a finished article or product results; the dismantling or separation into parts of any article, machinery, or vehicle; welding; the storage and transportation of goods, and may include accessory activities appropriate to the conduct of such activities.

Open Space: use of land, building, and/or structure primarily as conservation or preservation, open space and/or recreational activities, publicly owned lands or other

such passive use in recognition of environmental features; physical limitations to development; and/or hazards to life or property determined to be inherent in the lands.

Rural Designation: use of land primarily for the conservation and protection of natural resources and resource extraction with some limited opportunities for tourism and resource-oriented commercial uses and low-density residential use.

Waste Management Facility: use of land for the management and disposal of household wastes, recycling and composting.

Environmental Protection : use of land primarily for the conservation or preservation of identified natural features that are considered to be of significance, including the Slate Islands, the North Shore Conservation Reserve, the Lake Superior Enhanced Management Area, the Lake Superior National Marine Conservation Area, and major animal and/or waterfowl habitat, and/or major fish spawning locations.

In addition, the official plan is concerned about the setting within which various land uses exist and are expected to be carried out, developed, and expanded. In this respect, the official plan utilizes two categories of land, namely;

Settlement Area: being that portion of the municipality, as defined on Schedule “A” that encompasses and contains the main built up portion of the community, and including that area of the community that is expected to be provided with urban levels of service where possible and practical.

Rural Area: being that portion of the municipality that is not contained in the defined Settlement Area (Schedule ‘B’), and typically encompassing resource based and/or recreational based development.

7.2 Urban Settlement Area

7.2.1 General Policies for the Urban Settlement Area

That portion of the Township that is designated as “Urban Settlement Area” is shown on Schedule “A”.

Land Use Designations within the aforementioned Urban Settlement Area are also described in detail on Schedule “A”. The following land use designations are described;

- Residential Area;
- Terrace Waterfront District;
- Commercial and Institutional Area
- Highway Commercial
- Industrial Area
- Open Space

It is expected that land use patterns in the Urban Settlement Area will be based on densities and a mix of land uses which efficiently use land and resources, which are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, which minimize the length and number of vehicle trips and support the development of alternative transportation modes, which avoid the need for their unjustified or uneconomic expansion, and which minimize negative impacts to air quality and climate change and promote energy efficiency.

The Urban Settlement Area provides for an appropriate range and mix of employment uses (i.e., commercial, industrial and institutional) to meet long-term needs and to accommodate residential growth for at least 10 years through residential intensification and redevelopment as well as other lands that are available and designated for future residential growth.

It is the intent of Council that the Township will maintain at all times lands with servicing capacity sufficient to provide at least a three (3) year supply of residential units through lands suitably zoned to facilitate residential intensification and redevelopment and in draft approved and registered plans.

It is intended that within the Urban Settlement Area, development will be directed and accommodated in a manner that promotes the efficient use of existing municipal sewage and municipal water services.

Land use activities within the Urban Settlement Area will be provided with full urban services where such is possible and practical subject to the policies of **Section 3.10 - Public Service Facilities and Infrastructure**.

Development shall have a compact form which focuses first and foremost on infill and residential intensification on vacant lots serviced with municipal water and sewage systems, and secondly, on development which is contiguous to existing urban development and which minimizes the extension of municipal services.

The Provincial Policy Statement requires planning authorities to establish and implement minimum targets for intensification and redevelopment in the existing built-up areas so as not to unduly expand municipal infrastructure and public service facilities. The vast majority of new development in Terrace Bay is expected to occur within the designated Urban Settlement Area. A smaller amount of luxury and seasonal residential development is envisioned in the waterfront area outside of the Urban Settlement Area in the vicinity of Hydro Road. The Official Plan is based on the assumption that 90% of the development needs over the planning period (2014-2034) will be met within the Urban Settlement Area.

It is a policy of the Plan to ensure the phasing of development in order to prioritize development on the basis of intensification and infill prior to developing in undeveloped (greenfield) areas, and to ensure that new development occurs in close proximity to

existing development in order to integrate new development to the existing urban fabric of Terrace Bay.

New development within the Urban Settlement Area should occur in areas that are adjacent to existing built-up areas in order to ensure a compact form.

A mix of uses and densities are promoted in future development and redevelopment.

Phasing may be used as a growth management tool within a single project (e.g., a plan of subdivision) to ensure that infrastructure and public service facilities are optimized before developing new infrastructure or public service facilities.

Phasing of new development will be planned to occur concurrently with residential intensification in order to provide for an integrated build-out of residential neighbourhoods (see also policies of **Section 3.9 - Intensification, Infill**).

Proponents of development shall demonstrate through technical information provided by a qualified professional that infrastructure and public service facilities have adequate capacity prior to the approval of new development.

The Township will facilitate redevelopment of formerly developed lands, including the redevelopment of brownfield sites, where feasible (see also policies of **Section 8.5 - Community Improvement**).

Development in the Urban Settlement Area will be characterized by sustainable and energy efficient development that minimizes negative impacts to air quality and climate change and which promotes energy efficiency.

The Township promotes design and orientations which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

7.2.1.1 Modifying the Urban Settlement Area

The Urban Settlement Area shown on the land use schedules can accommodate an appropriate range and mix of housing and employment opportunities as well as other land uses, over the twenty-year planning horizon (2014-2034). There shall be no settlement area boundary expansion unless it is determined that such an expansion is appropriate by a Comprehensive Review in accordance with the Provincial Policy Statement. Such a review shall demonstrate that available land within the settlement area has been used up. Additional analysis may be required by Council not limited to a financial impact assessment, a functional servicing plan, a biophysical report and a heritage and archaeological assessment.

The expansion of the Urban Settlement Area boundary is not anticipated within the life of this Plan, but will be considered as part of the comprehensive review of this Plan (every

five years). An expansion of the Urban Settlement Area boundary may only occur at the time that a comprehensive review is undertaken as defined in the Provincial Policy Statement, and where it has been demonstrated that sufficient opportunities for growth are not available through intensification and redevelopment in the settlement area in order to accommodate projected growth needs, and where the infrastructure and public service facilities are suitable for the proposed expansion over the long-term and where public health and safety is protected.

7.2.2 Residential Area

Within the Residential Area designation shown on Schedule 'A', a variety of housing types and densities are permitted including a predominance of low density single and two-unit dwellings. Medium and higher density row housing, small block multiples and small (three storey and under) apartment dwellings are also permitted where the land can support such development and provided servicing is sustainable over the long term. Second units are permitted in singles, semi-detached and row housing where they are occupied by a single residential unit **as well as within ancillary structures thereto**⁴. Garden suites are also permitted (see **Section 7.2.3.1 Garden Suites**). Other permitted uses include special needs housing including group homes (see **Section 7.2.3.2 - Group Homes**); public service facilities appropriate to and compatible with a residential neighbourhood such as schools, parks, playgrounds, places of worship, libraries, daycare facilities; and infrastructure designed and scaled to service a residential neighbourhood. Neighbourhood serving commercial uses are also permitted which serve the day-to-day needs of residents or which cater to the tourist industry. Home occupations are permitted subject to the policies in **Section 3.8 - Home Occupations**.

Accessory uses may include a bed and breakfast facility in a single detached dwelling (see also **Section 3.3 - Bed and Breakfasts**), and home occupation (see also **Section 3.8 - Home Occupations**)

Council will treat residential land use as a sensitive land use, and will strive to provide a safe residential environment; supported by necessary urban services; and free of non-compatible uses or activities.

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 street.

Council's objectives for residential land uses include;

- Ensure an adequate supply of residential land in a variety of sizes, densities, and locations.
- Ensure that designated residential land use areas are not burdened by non-compatible surrounding land uses or activities.
- To allow small scale non-residential activities, services, or supportive land uses to occur within residential areas, including local commercial; minor institutional;

and recreational uses. Home Occupation activities are also to be recognized, within the framework of policies established elsewhere in this document.

- To promote housing forms and operation of housing that is suited to occupation by retired members of the community, including housing that integrates individually arranged levels of support for health or continued independent living.
- To promote, encourage and facilitate the provision of housing that is affordable to moderate and low income households (see also **Section 3.2 - Affordable Housing**);

The following criteria shall be considered in planning approvals relating to increased density of residential development;

- Compatibility of scale and character of buildings
- Availability of urban services
- The need for landscaping, buffering, or other measures to lessen impact upon surrounding lands of lesser density
- Location, preferably at an intersection, and/or abutting buildings of similar scale
- The provision of adequate access/egress; off-street parking and loading areas; and the safe and convenient movement of motor vehicles;
- Multiple residential uses of six or more units are subject to the Site Plan Control policies of **Section 8.17 - Site Plan Control**.

Where non-residential use is intended, the following shall be considered;

- Compatibility of scale and character
- Availability of services
- The need for landscaping, buffering, or other measures to lessen impact upon surrounding lands of lesser density
- Location, preferably at an intersection, and/or abutting buildings of similar scale
- The provision of adequate access/egress; off-street parking and loading areas; and the safe and convenient movement of motor vehicles.
- Local commercial uses are subject to the Site Plan Control policies of **Section 8.17 - Site Plan Control**.

New development shall be serviced with municipal water and sewage disposal facilities where available (see **Section 3.10.1 - Water, Wastewater and Stormwater**).

New development shall be directed to locations where appropriate levels of infrastructure and public service facilities are or will be available to meet current and projected needs.

New lots shall have frontage on and direct access to a public road maintained year-round.

Recreation uses may be permitted subject to the policies of **Section 3.11 - Parks, Recreation and Healthy Communities**. Parks and playgrounds, sports facilities and open space areas are recognized as integral components to residential neighbourhoods

provided they are designed and developed to be easily accessible to user groups for leisure and recreational activities.

Lot sizes will be designed to accommodate the main use, any accessory uses, and potential future expansion and associated infrastructure requirements.

Other methods of residential development may include severances, in-fill on vacant lots and conversions of larger dwellings or other buildings where the site can support a higher density of use.

Development of new housing shall efficiently use land, resources, infrastructure and public service facilities, and which support the use of alternative transportation modes. See also **Section 3.9 - Intensification, Infill**.

Development in the Residential Area will occur primarily by Plan of Subdivision (see **Section 8.10.2 - Plan of Subdivision/Condominium**).

Deeming of lots in existing subdivisions will not be considered where lots are integral to the settlement pattern and available infrastructure; however deeming may be used to prevent scattered and inefficient development.

Development will be subject to the community design principles of this Plan (see **Section 3.4 - Community Design Principles**).

7.2.3.1 Garden Suites

Garden suites are defined as a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary (accessory) to an existing residential structure and that is designed to be portable. Garden suites are intended for people who are largely capable of living independently but who, by virtue of their age or because of a disability, require some support to live on their own. Council may provide opportunities for garden suites on a site-specific basis provided the lot is of a sufficient size and that the unit can be properly serviced with municipal water and on-site sewage disposal. Garden suites may be permitted through the passing of a temporary use by-law which may apply for up to twenty (20) years. The temporary use by-law may be extended after the twenty years for three (3) year intervals. The Township may establish a registry under the *Municipal Act* to govern the occupancy and maintenance of garden suites.

7.2.3.2 Group Homes

Group homes are defined as a single housekeeping unit that are utilized for residential accommodation of three or more unrelated persons, excluding staff, that require responsible supervision in the home, consistent with the needs of the residents; and which is licensed or approved under provincial statute, but shall not include a dwelling where persons awaiting a trial or convicted of a crime are intended to reside.

Group homes shall be permitted within the Urban Settlement Area within all residential zones subject to Provincial requirements.

7.2.3.3 Neighbourhood Servicing Commercial Uses in the Residential Area

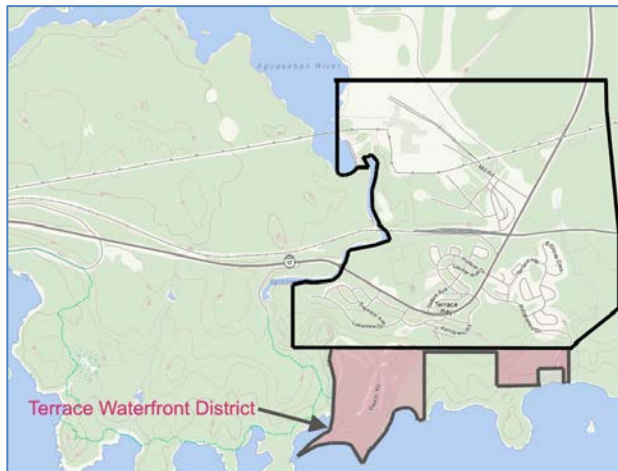
Neighbourhood-serving commercial uses are permitted in the Residential designation subject to the following requirements:

- A neighbourhood-serving commercial use is intended to include commercial services for use by neighbouring residents in the residential area of the urban settlement area, such as convenience retail facilities, personal service establishments and public or private daycare facilities;
- Neighbourhood-serving commercial uses may be permitted by site specific zoning where the location is compatible with surrounding residential uses and the lot is large enough to accommodate off-street parking. Preference will be given for a location on a major street where traffic flows are more easily accommodated
- An existing residential property may be converted to a neighbourhood-serving commercial use or may be a mix of commercial and residential provided it meets the criteria set out in Section 7.3).
- Neighbourhood-serving commercial uses are intended to be small scale and will generally be confined to a single commercial use.

7.2.3 Terrace Waterfront District

The Urban Settlement Area has been expanded south of the current Townsite resulting in the Terrace Waterfront District. This designation is shown on the land use schedules as located along Beach Road and Ridgewood Road to meet the projected housing needs over the planning period (2014-3034) as outlined in the *Housing Needs Study*. It is the intent of the Plan that the Terrace Waterfront District be planned for a range of land uses geared to future residents as well as for the accommodation of tourist and eco-tourist related businesses. Land uses permitted in the Terrace Waterfront District include residential, land and water-based recreation, conservation, tourist-oriented ad recreational and neighbourhood-serving commercial land uses, and a broad range of outdoor recreation activities (golf course, hiking, cross country skiing, snow mobile trails, activity/events areas). Residential development is anticipated where special care is taken to ensure that such development is consistent with the Township’s vision for the waterfront area.

Figure 8: Terrace Waterfront District



A nine hole golf course and recreation centre, the Casque-Isles hiking trail network; and an outstanding public beach form a strong existing basis for the Terrace Waterfront District.

It is the intent that the Terrace Waterfront District be considered a staging area in conjunction with the Township of Terrace Bay's brand as Lake Superior's Playground. The Federal designation of portions of Lake Superior coastline as the Lake Superior National Marine Conservation Area, to which Terrace Bay is the eastern gateway, has significantly enhanced and strengthened the potential for development, especially that which is related to tourism and eco-tourism.

Development in the Terrace Waterfront District will occur in a phased manner that promotes the cost-effective provision of sewage and water services **and which aligns with the Township's Asset Management Plan⁵** (see **Section 3.10.1.2 - Policies – Water, Wastewater and Stormwater**).

Development along the shoreline area will be planned to sustain or enhance a naturalized state in order to conserve the shoreline ecosystem and vegetative profile. Areas may be cleared to provide physical access to the water or to provide for a viewscape provided the alterations to the natural landscape are minimal. Council may require a qualified professional to be engaged in the design of any alteration and may use development agreements or site plan control to implement the findings of any study or professional opinion.

7.2.4 Commercial and Institutional Area

The community's Commercial and Institutional Area provides services to the local population and to the travelling public.

The intent of this official plan is to integrate commercial and institutional land use within a single general commercial and institutional area that would extend along Highway 17 through the centre of the community. Lands have been designated at the east and west entrances to the town site, reflecting existing tourist resources and highway commercial land uses.

It is the intent of the Official Plan to design and promote Simcoe Plaza as the primary retail commercial area and to permit and encourage a wide range of commercial land uses along the Highway 17 commercial corridor subject to site plan control (see **Section 8.17 - Site Plan Control**) and the Community Design Principles of **Section 3.4**.

Permitted land uses in the Commercial and Institutional designation include

- **Commercial:** retail stores, personal service uses (examples include but are not limited to hair care, pet care, repair shops, computer services), business offices, financial services, uses that depend on the travelling public or substantial traffic flows and which are important to services (examples include but are not limited to automotive uses, auto and recreational vehicle sales and services),

accommodation, restaurants and eateries, convenience stores, grocery stores, gift shops, and antique stores. Residential uses may be permitted as existing uses and ancillary uses to commercial uses (e.g., upper storey residential units). Public service facilities are also permitted. Automotive uses will not be permitted in Simcoe Plaza.

- **Institutional:** Educational and training facilities, community and recreation facilities, cultural facilities, and seniors facilities as well as libraries and other compatible uses that benefit the greater public are permitted in compatible locations.

A healthy town centre has been and continues to be a planning objective of the Township as seen through the recent revitalization of Simcoe Plaza. A healthy town centre is important to promoting a sense of identity and for encouraging tourists to stop in Terrace Bay. Development and redevelopment in Simcoe Plaza is subject to community design principles established by the Township (see **Section 3.4 - Community Design Principles**). It is the intent of the Plan that more automobile-oriented uses (i.e., automotive sales and repair, service centres, drive-through restaurants) would locate in the Highway Commercial designation as opposed to the Commercial and Institutional designation, as the Commercial and Institutional designation is more of the human-scale of development that is typical in Simcoe Plaza.

The intent of the Plan is to develop Simcoe Plaza as signature feature of the community where people gather for shopping, for recreation and a place to relax with internet access, for community events and for tourists and residents alike to use and enjoy the lighthouse to view the Lake Superior shoreline and the built form of the urban landscape. The existing plaza is intended to be extended easterly on lands owned by the municipality. An additional smaller strip mall designed to complement the plaza may be constructed on to the south and may include a themed public park area.

Lot sizes shall be adequate for accommodating the main use, any accessory uses, and potential future expansion and associated infrastructure requirements.

New development shall be serviced with municipal water and sewage disposal facilities where available (see **Section 3.10.1** for applicable policies).

New lots shall have frontage on and direct access to a public road maintained year-round.

Redevelopment and expansion to existing developed lands will be encouraged subject to available servicing, access and an adequate lot size for the intended use.

Zoning and site plan control will be used to achieve the policy objectives set out in this section of the Plan (see also **Section 8.17 - Site Plan Control**).

7.2.5 Highway Commercial

The Highway Commercial designation generally applies to lands located along Highway 17 to the north and east of the railway. The Highway Commercial designation applies to a variety of automobile-oriented commercial land uses.

Specifically, permitted uses in the Highway Commercial land use designation include but are not limited to hotels, motels, automobile service and fueling stations, automobile sales, trailer and marina sales, repair and service facilities, public garages, car washes, restaurants, places of amusement and recreation, nursery or garden centres, industrial equipment sales and service, farmer's markets, flea markets, retail warehouses, retail uses, contractor supply stores, service industrial uses with limited open storage, places of worship and funeral service establishments.

It is intended that the current Highway Commercial land use designation in the Mill Road area will be expanded easterly on Highway 17 and to lands on the south side of Highway 17, and zoning will be established that encourages use of lands in this area for commercial activities that require larger land holdings for display, storage, or to accommodate tourism and the available through traffic resource provided by the Highway.

Open storage use adjoining Highway 17 will be required to include appropriate landscaping and/or screening along highway frontages.

Lot sizes shall be adequate for accommodating the main use, any accessory uses, and potential future expansion and associated infrastructure requirements.

New development shall be serviced with municipal water and sewage disposal facilities where available (see **Section 3.10.1** for applicable policies).

New lots shall have frontage on and direct access to a public road maintained year-round.

Accessory residential accommodation for store owners, operators or as rental units associated with the service commercial or light-industrial use may be permitted without an amendment to the Official Plan or Zoning By-law provided that the residential use is accessory to the main commercial or industrial use; and the entrance to the residential use is separate from the commercial or industrial entrance.

Adequate off-street parking and loading facilities shall be provided for all permitted uses. Access points to such parking areas shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.

Adequate buffering shall be provided between the Highway Commercial uses and any adjacent residential uses to reduce the impact of noise, vibration, light, traffic, and view on adjacent residential uses. Such buffering may include the provision of grass strips, the planting of trees and shrubs, the use of open space, a berm, wall, fence, planting or any combination of these sufficient to accomplish the intended purpose.

No open storage of goods or materials shall be permitted adjacent to residential uses or in any front yard.

A light industrial or manufacturing use may be permitted in the Highway Commercial designation where associated with a principal commercial use.

New development in the Highway Commercial designation which involves the extension of municipal services shall occur only on lands where full municipal water and sewage services are provided.

All industrial uses shall comply with the requirements of the Ministry of the Environment and Climate Change.

The Highway Commercial uses shall be appropriately zoned in the implementing Zoning By-law. All Highway Commercial uses will be subject to the policies of **Section 8.17 - Site Plan Control**.

7.2.6 Industrial Area

The Industrial land use designation serves as a primary location for economic growth for the community. Land uses in the Industrial designation provide employment and assessment, and the opportunity to maintain existing population and to attract new population.

Permitted uses in the Industrial Area include:

- Class I, II and III Industrial uses (based on the Ministry of the Environment and Climate Change's *D-6 Guideline*)
- A broad range of manufacturing, assembly, dismantling, sorting, finishing, packaging, repair, transportation, construction, warehousing and/or storage, and electrical generation, including associated facilities.
- Accessory activities such as administrative areas, small display or sales area, or area for the provision of amenities for workers are also common to industrial activities and will be provided for in the zoning by-law.
- Automotive and heavy equipment repair and sales facilities;
- Renewable energy facilities (e.g., wind or solar based power production);
- Private clubs and institutional uses that require large amounts of space (i.e., arenas, community centres, bowling alleys) provided no land use conflict is created;
- Professional offices and industrial/commercial incubator malls;
- Public service facilities.

The Township will work with the forest products mill to facilitate new industrial opportunities and to expedite approvals for secondary industrial and commercial services that support the forest products industry.

Various fraternal organizations and offices are also located in the industrial area, and are not expected to be able to relocate. Accordingly, zoning for the industrial area will continue to recognize fraternal organizations and offices.

Industrial activity will be allowed under both fully serviced and on private sewage and water service conditions.

Industrial development proposed to be serviced on full municipal services shall be required to demonstrate that there is sufficient reserve capacity in the municipal water and sewage systems to accommodate the proposed development.

Industrial development proposed on private individual on-site sewage and water services should be restricted to “dry” industrial uses. Dry industries are industries which do not consume large quantities of water for their processing or manufacturing operations (i.e., with an average daily effluent flow of less than 10,000 litres per day per lot and consisting of domestic wastes only. No industrial/commercial process water will be considered as a dry use). The processing of mineral aggregates and forest industry uses (e.g., log cooling) is exempt from the restrictions on “dry industries”. A hydrogeological report will be required by Council to justify the development of industrial uses consuming more than 10,000 litres of water per day per lot.

Any industrial area shall be designed to be compatible with surrounding land uses through the application of the Ministry of the Environment and Climate Change Guidelines D-1 and D-6 and any associated studies for noise, air quality, odour etc.). This shall include the application of influence area and separation distances as set out in the Guidelines. Industrial uses shall be directed away from residential areas, sensitive land uses and natural heritage features and areas.

Uses that are classified as obnoxious by appropriate legislation or regulation shall be prohibited in the industrial zone unless specifically addressed in a zoning amendment that introduces such use, and provides appropriate address to the issues and/or problems that are involved with such use.

The internal layout of land uses shall also ensure compatibility between land uses.

Open storage shall be appropriately screened from adjacent properties and any public street and Provincial highways.

The lot area shall be sufficiently large to accommodate the intended use including parking, on-site manoeuvring, loading, storage of materials and wastes, access by emergency vehicles, landscaping, snow storage and potential expansion.

Industrial areas within the Urban Settlement Area shall be serviced with the municipal sewage system and the municipal water supply system (see **Section 3.10.1 - Water, Wastewater and Stormwater**).

Development will only be permitted where it can be adequately serviced with public sewage and water services or individual on-site sewage services and individual on-site water services and where site conditions are suitable for the long-term provision of such services.

Industrial traffic shall be directed to and from industrial areas by designated roads and Provincial highways.

Environmental approvals shall be obtained where required from the public authority having jurisdiction.

Development standards shall be regulated in the implementing zoning by-law including provisions for appropriate separation distances between industrial uses and other land uses depending on the industrial classification.

Site Plan Control shall be used to regulate the massing and layout of buildings and storage areas, waste disposal areas, access, parking and loading, lighting, drainage, utilities and services, barrier-free design and landscaping for any of the permitted uses or extensions to existing uses (see **Section 8.17 - Site Plan Control**).

Any industrial development proposed within 300 metres of any lake/waterbody shall be subject to the policies of **Section 4.1.3 - Lake Capacity**.

7.2.7 Open Space

It is the intent of the Plan that within the Urban Settlement Area and the Rural Area parks, open spaces and recreational facilities will be provided in a manner commensurate with the needs of the Township of Terrace Bay, and in accordance with the policies of this Plan.

While parks are permitted in all land use designations, the Open Space designation is specifically intended to provide recreational and/or leisure activity area and/or facilities; offer buffering between land uses; and serve to protect natural heritage features and areas and natural hazards. Such land use will be provided for as a generally permitted use in a variety of zones, and within specific open space and/or use limitation zones. Permitted uses include major recreational activities such as public beaches, golf courses, ski facilities, or snow mobile assembly areas and similar outdoor recreation areas, public docks, cemeteries and public or private recreation facilities.

The implementing zoning by-law will facilitate construction of buildings and/or structures as well as the provision of open, activity or play areas. Use limitation zoning will be more restrictive of buildings and/or structures, limiting activity to flood control, watercraft launching facilities, retaining walls, and similar features that do not expose construction to a significant risk or harm associated with flooding, soils instability or other such conditions. Use limitations will also be identified in the implementing zoning by-law to identify ANSI designations, identified mine hazards, and other such situations

where construction is not desired, or where specific address to one or more issues or concerns must be addressed as part of any construction initiative.

All development affected by natural hazards such as poor drainage, organic soils, or flood/erosion susceptibility or sufficient intensity so as to represent a threat to life or property shall only be permitted in accordance with the policies of **Section 6.1 - Natural Hazards**.

7.3 Rural Area

The Rural Area refers to all lands located outside of the defined Urban Settlement Area. The Rural Area is intended to be rural in nature and character, and will experience recreational and/or resource based development such as forestry, mineral extraction and mineral aggregate resource extraction, and specific public development initiatives such as the municipal airport, the municipal landfill site, and similar activities. It is the intent of the Plan that the Rural Area will be used primarily for the use and management of resources, resource-based recreational activities, and conserved for the protection of natural heritage features and areas and water resources. Limited low-density residential development is permitted in the Terrace (Hydro) Bay Area in accordance with the policies of **Section 7.3.1 - Rural Designation**.

Typical uses include agriculture, pits and/or quarries, aggregate extraction, electrical generation, mining exploration and development/mining production, hunting/fishing remote camps, forestry, including harvesting and secondary processing, public utilities, conservation, private and/or public recreation facilities including operation of an equestrian facility, tourist lodges/resorts/campgrounds/ parks, and tourist outfitters.

It is the intent of the Plan to promote increased energy supply by providing opportunities to generate energy to accommodate future and projected needs, and to promote and encourage the use of renewable energy systems and alternative energy systems where feasible.

7.3.1 Rural Designation

A broad range of resource based uses are permitted in the Rural Designation as implemented in a corresponding zone in the implementing zoning by-law.

Permitted uses in the Rural Designation include forestry, agriculture, pits and/or quarries, aggregate extraction, electrical generation, mining exploration and development/mining production, Provincial Park, hunting/fishing remote camps, rural related industrial, public utilities, conservation uses, the municipal airport and airport-related commercial and industrial uses. Permanent residential use will not be permitted, unless as a necessary properly serviced accessory activity to a primary resource based development. An exception is made for residential uses in the Terrace (Hydro) Bay area that are oriented towards the shoreline. Limited waterfront-oriented residential development is permitted in the area of Terrace (Hydro) Bay where the policies below can be met in accordance

with the policies of **Section 7.3.1.1 - Seasonal Recreational Land Use** and **Section 7.3.1.2 - Waterfront Development Policies**. Initial descriptions of the initiative suggested seasonal and permanent residential land use as a component of the development. Waterfront residential development alternatives have been identified in the Terrace (Hydro) Bay area.

Individual, remote hunting/fishing cottages will be permitted on existing parcels of lands, whether accessible from public road or involving use of Crown Land use permits where such lands are at least one kilometre distant from Highway 17. Severances shall not be allowed for such remote recreational purposes.

Development will only be permitted which is compatible with the rural landscape and which can be sustained by rural service levels and which is compatible with adjacent uses.

Development will only be permitted where it can be adequately serviced with individual on-site sewage services and individual on-site water services and where site conditions are suitable for the long-term provision of such services. Communal services may also be considered for large development proposals in the Terrace (Hydro) Bay area (see Sections **3.10.1.2**).

Where lot creation is permitted, the proponent shall demonstrate, by submission of a report, that there is reserve sewage system capacity available for any hauled sewage generated by the development. Partial services will not be permitted.

All development shall front on a year-round-maintained public road. It is the intent of the Plan that road access via a year-round maintained public road will be provided to future residential development in the Terrace (Hydro) Bay area with the approval of new developments, but that an amendment to the Plan will not be required to recognize such new roads.

Tourism or recreation-based uses such as a lodge, tourist outfitter, marina, or golf course may be permitted where the proponent demonstrates that the use will be compatible with surrounding land uses and the character of the rural landscape. Larger public projects such as the interpretive centre are expected to be required to carry out public information meetings as a part of an Environmental Assessment process. Should such projects not require such EA based meetings, Council will require that at least one (or more at Council's discretion) public meeting(s) will be held to inform the general public as to the nature and public costs associated with the initiative.

Rural industrial, as well as airport-related commercial and industrial uses may be permitted where they are compatible with surrounding land uses and where the industry does not require significant amounts of groundwater. Examples of rural-industrial uses may include forestry and transportation equipment repair facilities, log-hauling operations and construction yards and related uses. Existing industrial uses may be expanded where the use is compatible or can be made compatible with surrounding land uses.

All uses will be appropriately zoned. Site plan control will apply to all non-residential uses and all land uses adjacent to a water body. Site plan control will not apply to an agricultural use.

7.3.1.1 Seasonal Recreational Land Use

Development of seasonal recreational dwellings shall be permitted in the Rural Area, but shall require a specific zoning amendment to be implemented as part of an approval to a draft plan of subdivision. Existing seasonal recreational locations will be zoned in the implementing by-law, including lands on Terrace (Hydro) Bay that have “association land tenure” and private road access. Infill may also occur by consent proceedings.

Council is under no obligation to approve conversions from seasonal to permanent residential uses. It is the intent of Council to consider conversions on a case-by-case basis and where they will not have a negative impact on municipal finances or the provision of municipal services. Council may request that the proponent of a conversion submit a cost-benefits study if it is concerned that the conversion would negatively impact municipal finances or the provision of municipal services. Council will also consider environmental the impact of conversions of seasonal residences that are located on water bodies, and will ensure that requests for conversion are supported by proof that sewage disposal facilities that are appropriate for year-round residential land use.

New seasonal residential lots on private services, except in the case of infill, typically would have not less than 61 metres of frontage and 1 hectares of lot area. Such lots would be serviced by and have direct access to a public road, unless otherwise provided for. Where average lot sizes are proposed at less than 1 hectare, specific water and sewage servicing studies and details drainage studies may be required by Council to accompany development applications.

Individual, remote hunting/fishing cottages will be permitted on existing parcels of lands, whether accessible from public road or involving use of Crown Land use permits where such lands are at least one kilometre distant from Highway 17. Severances shall not be allowed for remote recreational purposes.

7.3.1.2 Waterfront Development Policies

The following policies apply to all development which is oriented to or within 300 metres of one of the Township’s water bodies. These policies apply to all development which is currently being used or which could potentially be used for shoreline oriented development. Any development or redevelopment application or proposal shall be considered in light of the policies of this section of the Official Plan.

It is the intent of the Plan that waterfront areas (i.e., those within 300 metres of the shoreline) will be used for the construction of single-detached dwellings (both permanent

and seasonal, as provided for elsewhere in this Plan), as well as tourist-oriented commercial uses.

Waterfront residential and tourist-commercial development along Lake Superior shall maintain a minimum setback of 30.0 metres (with the exception of marinas), and shall be expected to evaluate run-off, sediment and/or erosion control measures consistent with all of the requirements and guidelines of the Ministry of Natural Resources and Forestry (MNR) in this regard. In addition the *Federal Fisheries Act* may apply if fish or fish habitat are impacted by the development.

It is the intent of the Plan that the development and redevelopment of waterfront areas shall maintain a high degree of protection of the natural heritage features and areas in the Township. Therefore proposals for development shall have regard to the policies of **Section 4.1 - Natural Heritage and Natural Resources**.

Development along shorelines shall occur primarily by plan of subdivision although a limited number of severances are expected. Lots that have frontage on the shoreline shall be at least 1 hectare in area where serviced with private services, and shall be set back at least 30 metres from the high water mark.

As a condition of approving new shoreline development, a natural vegetation buffer of native trees, shrubs and vegetation shall be maintained or re-established within the required shoreline setback in order to:

- Recognize the critical role that shoreline vegetation plays in terms of maintaining a healthy shoreline ecosystem;
- Ensure that Terrace Bay's shoreline areas are aesthetically attractive destinations for future residents and visitors and to minimize the visual impact of new development accordingly; and
- Prevent erosion, siltation and nutrient migration.

Removal of vegetation within the natural vegetation buffer within the natural vegetation buffer and the shoreline activity area is otherwise permitted for:

- Constructing an access corridor or pathway to the shoreline from the dwelling constructed of permeable materials; and
- Fire safety purposes.

In addition, shoreline structures shall not generally be permitted along Lake Superior such as docks or boathouses in order to prevent wave-related property damage and to conserve a pristine shoreline look along Lake Superior. Any areas considered to be a dynamic beach hazard shall be left in their natural state.

It is a policy of Council that public access to the shorelines will be preserved through the design of future development or redevelopment where appropriate. This may include the establishment of public lots or public right-of-ways within shoreline subdivisions.

Council encourages the preservation of shoreline trails through the design of new development. Council may require developers to set aside a right-of-way in order to accommodate trails.

In creating a building envelope, consideration shall be given to an adequate fire separation between the building and surrounding tree or vegetation cover.

Council may require a proponent to engage the services of a qualified professional to design any proposed alteration to a shoreline area.

7.3.1.3 Tourism and/or Rural Commercial Land Uses

a) RV/Tent and Trailer Recreational Campgrounds

RV, tent, trailer campground developments within the rural area will be restricted to areas that offer some particular feature of benefit supportive of a tourism business (i.e. waterfront, view, road intersection), and at locations that will not impose financial demands upon the Township for servicing. Highway frontage or nearby access is encouraged.

Campgrounds will be limited to transient and/or seasonal tourism use only (which may include all seasons), and will have a minimum size of 5 hectares and a minimum of ten spaces available for rent to clients. A campground may include an accessory dwelling for the proprietor or manager/director. Actual campsite unit may vary, and will be addressed at the time of implementing zoning amendment. Typically, campsites not within the settlement area will be encouraged to have larger unit site areas and gross densities in the order of one unit per 0.5 hectare of land available in the parcel. Storage of trailers in the off season may be permitted as part of a campground operation, as may accessory activities including administrative area and a local convenience store serving the needs of the clients of the campground.

As much as possible of the shoreline in front of any campground shall be retained in its natural state. Any campground along the shoreline of a waterbody shall be developed in accordance with the policies of this Plan, including **Section 4.1 - Natural Heritage and Natural Resources** and **Section 7.3.1.2 - Waterfront Development Policies**.

Campgrounds are permitted in the Rural Area where appropriately zoned in the implementing zoning by-law.

b) Golf Courses

Golf courses may be permitted in the Rural Area. Golf courses will not be permitted where they conflict with the stewardship of natural resources or

conservation of the natural environment. Golf course facilities may include a club house, driving range, banquet facilities and accessory leisure facilities and programs provided they are environmentally sustainable.

New courses or expansion to an existing course may be subject to justification studies (e.g. hydrogeology, hydrology, traffic, archaeology).

Proponents of golf course development will be encouraged to prepare a water use plan to help protect water resources.

Site plan control shall apply.

7.3.1.4 Aggregate Extraction Land Use (Extractive Overlay)

Aggregate extraction shall be permitted within the Rural Designation and on Crown Lands in accordance with the policies of **Section 4.1.5 - Mineral Aggregate Resources**.

7.3.2 Waste Management Facility

The waste management facility and a 500 metre influence area are shown on the Land Use Schedule. Any development within this influence area shall be subject to the policies of **Section 3.10.2 - Waste Management Facility**

7.3.3 Environmental Protection

Use of land within areas designated as Environmental Protection shall be limited to existing uses and conservation use. In the case of any small islands that are located along the Lake Superior shoreline, no rezoning and no construction of buildings shall occur without an amendment to this official plan.

The Environmental Protection designation includes lands designated for provincial conservation management including the Lake Superior North Conservation Reserve, the Lake Superior Enhanced Management Area, and Slate Islands Provincial Park. The Lake Superior National Marine Conservation Area will also be included. The policies and directions from Ontario's Crown Land Use Policy Atlas shall apply to the use of Crown land in these areas.

Planning Resource Kit

Ontario Crown Land Use Policy Atlas, <https://www.ontario.ca/environment-and-energy/crown-land-use-policy-atlas>

Minimum Distance Separation [MDS] Formulae, Implementation Guidelines, Publication 707, Ministry of Agriculture, Food and Rural Affairs ag.info@omafra.gov.on.ca

Land Use Compatibility: Ministry of the Environment and Climate Change, Guideline D-1, Land Use Compatibility and Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Land

Drainage and Stormwater Management: Stormwater management Planning and Design Manual, 2003, www.ene.gov.on.ca/publications Forms, Manuals and Guidelines/Water & Sewage Works

Definitions: Provincial Policy Statement (2014): adjacent lands, brownfield site, development, designated and available, employment area, individual on-site sewage services, individual on-site water services, infrastructure, intensification, major facilities, major goods movement facilities and corridors, municipal sewage services, municipal water services, partial services, portable asphalt plant, portable concrete plant, public service facilities, redevelopment, residential intensification, reserve sewage system capacity, sensitive land use, settlement areas

PART EIGHT - IMPLEMENTATION

8.1 General

Council of the Township, with the assistance of municipal staff, and/or such other resources as are determined by Council shall be responsible for the interpretation of this document and the schedules that are a part of it.

It is intended that this document will be read with the understanding that the text and schedules represent concepts and relationships rather than absolute and rigid conditions, delineations or situations. Accordingly, so long as the overall intent is upheld:

- Land use designations shall represent predominant land uses and intended future land uses, and shall not preclude the existence of small pockets or isolated instances of other land uses. Use designations are therefore not all inclusive.
- Boundary lines that do not coincide with major features such as roads, waterbodies, or railways shall not be measurable, but rather viewed as representing a concept or relationship.
- Numbers shall not be absolute, and may be varied so long as the concept that they represent is maintained.
- Statements of program, objectives, or services shall not be construed as a commitment by the Township to act, construct or otherwise provide within any certain time frame.

8.1.1 Hardship

Where Council is applying an interpretation under this document, it may have regard for situations that are not entirely consistent with the long term policies, objectives, or concepts that are articulated, but where unique, extreme, and/or unnecessary hardship may arise such as;

- Involving legal issues respecting land title.
- Where a long standing building/structure no longer serves the original purpose or use, and where such building remains a practical asset that is not practical to renovate or otherwise convert to a use that would be consistent with the official plan.

Council may support planning decisions with respect to such situations where new uses would not be offensive to surrounding lands and where surrounding lands are considered and are afforded reasonable protection against any impacts that might arise.

8.2 Acquisition of Land

In accordance with Section 24 of the *Planning Act*, Council may acquire land for any purpose set out in this Plan and may lease or otherwise dispose of such lands where no longer required.

8.3 Amendments to the Official Plan

Amendments to this Plan may be initiated by application or by Council in compliance with the requirements of the *Planning Act* for changes to the substance of the policies of the Plan or for a change in a land use designation.

8.4 Building Code Act

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

8.5 Community Improvement

Council may participate in programs or other activities that have as an objective the improvement of one or more land uses, areas, or other features of the Township, and may partner with other levels of government and/or private sector interests in order to carry out and achieve the following;

- To improve social, recreational or other such community services and/or facilities.
- To improve the physical environment of the community including municipal physical services and/or facilities, streetscape, or the upgrading of private property.
- To promote new employment; new investment; and new tax assessment.
- To redevelop or encourage the redevelopment of brownfield lands.

Specific objectives for Community Improvement Planning in Terrace Bay will include;

- Paved surface on all residential, commercial and institutional streets.
- Curb and gutter, storm sewer, and street lighting on all roads within the Settlement Area.
- Sidewalks on at least one side of all residential streets.
- Improvements to existing parkland, beaches, playgrounds, rest areas, tourism promotion areas, and to open space and indoor recreation/leisure facilities.
- Improved amenities for adults and senior citizens.
- Publicly owned and operated sewage and water service to all property owners within the Urban Settlement Area.

- To recover and re-utilize contaminated or otherwise abandoned industrial lands (brownfield sites).
- Repair, replacement, upgrading of infrastructure and public service facilities;
- Improving and beautifying the downtown and streetscapes;
- Repairing, retrofitting, and rehabilitating private and public buildings;
- Facilitating the delivery of affordable housing;
- Improving or rehabilitating built heritage resources;
- Ensuring barrier-free design and improved accessibility for persons with disabilities and the elderly by removing and/or preventing land-use barriers which restrict their full participation in society.

Council may provide financial incentives under the *Municipal Act* to encourage and facilitate community improvement (e.g., loans, grants) and the redevelopment of brownfields.

Council may acquire, lease or dispose of land for community improvement purposes.

In phasing of community improvements it is the policy of Council to determine specific community improvement project priorities and the budget allocation as part of the annual municipal budgeting process, and to undertake community improvements based on the number and severity of any deficiencies, the benefits of the improvement to the project area, the degree of municipal commitment and public support for the project, and the financial resources available.

Council may establish one or more community improvement project areas by by-law for the purposes of undertaking community improvement projects. The Community Improvement Area determined by Council in accordance with these objectives is the defined Settlement Area. A Community Improvement By-law will be enacted for this area, and community development initiatives may occur within this area.

8.6 Development Charges

This Official Plan is to be considered as a statement of intent of Council to carry out or authorize to be carried out, various public works which may be subject to a development charge.

8.7 Height and Density Bonusing

The Township may authorize buildings to exceed the height and density of development otherwise permitted in the zoning by-law in exchange for community benefits such as increased parkland dedication, improvements to recreational and leisure facilities, provision of affordable housing, improvements to the transit system, additional off-street parking, improvements to streetscaping, or measures for community improvement.

8.8 Holding By-laws

Council may implement, in conjunction with any land use zone, a holding provision where the principle of development has been established specifying that the lands to which the provision applies shall be utilized when specific conditions are met, for one or more purposes, which are, at the present, considered to be premature or otherwise inappropriate. A holding symbol (-h) shall be applied as a prefix to the relevant zone in order to implement such provisions.

The holding provision may be used in order to;

- Identify future intended use.
- Stage or phase developments.
- Provide for the installation of services prior to development occurring.
- Allow study or review of issues such as contamination, noise, environmental or planning review or other such considerations.
- Ensure that conditions of development, including subdivision agreements and/or site plans have been enacted and satisfied
- To implement and facilitate clean up; rehabilitation; or decommissioning prior to development

Where a holding provision has been assigned to the zoning of lands, use shall be limited to the uses that are set out within the holding by-law, and typically shall include uses legally existing at the time that the holding by-law was enacted, and some limited range of uses from the zoning by-law list of otherwise permitted uses.

The holding by-law shall not serve to prevent accessory buildings minor additions, or renovations/maintenance/upkeep.

Application of a holding provision may occur on the basis of;

- Where existing infrastructure has been determined to be insufficient relative to a proposed development or use.
- Where development is contingent upon other matters occurring, such as the consolidation of land; the execution of agreements; or the carrying out of a determined study or review, and including the completion of any works that are recommended or determined as necessary by such study or review.

A holding by-law provision may be removed from all or from a part of the lands to which it applies upon the Township being satisfied that the matters causing the holding provision to have been applied have been adequately resolved, including;

- Identified necessary services have been installed
- Related plans or studies have been completed

- Defined works have been completed or agreements implementing such are in place
- Performance bonding, insurances and other such securities documentation has been established
- A Record of Site Condition has been obtained

8.9 Interim Control By-laws

Where Council has determined by by-law or resolution that a land use study is needed and that such study shall be undertaken for all or for a part of the Township, Council may pass an Interim Control By-law restricting the use of land, buildings, and/or structures within the area defined in such by-law for a limited period of time while the study is being undertaken. Such use or uses of land to which the lands to which the by-law is to apply shall be detailed in the Interim Control By-law.

Where an Interim Control By-law is being proposed, a planning justification shall be required to be prepared and reviewed by Council demonstrating the need for such a by-law and confirming that the necessary study can be completed within the time being considered.

An Interim Control By-law shall normally impose such a restriction for a period not exceeding one year from the date of passing of the by-law, provided that where additional time is found to be needed to complete the study, Council may extend the term of the by-law such that the total time that the by-law is in effect will not exceed two years.

Where an Interim Control By-law has been enacted, and has lapsed or otherwise ceased to be in effect, Council may not pass a further Interim Control By-law for three years.

8.10 Land Division

The creation of new lots is carried out under plan of subdivision/condominium and by severance (consent) proceedings under the Planning Act. The creation of all new lots by plan of subdivision or consent shall comply with the following general requirements and the specific requirements of the applicable land use designation.

8.10.1 Consent

Applications for consent for new lots, title clarification, lot enlargements, lot adjustments; may be considered under the following circumstances:

- Within the Urban Settlement Area, applications for severance are permitted to clarify title, for lot additions, and for new lots that facilitate infill development;
- Within the Rural Area, not more than one new lot and a retained lot may be created from lots existing as of the date of passing of this document;
- Newly created and retained properties shall comply with the requirements of the implementing zoning by-law;

- Where new and retained lots have frontage on and direct access to a year-round maintained public road, except as specifically provided for in this document.
- Where the extension of a road, or sewer and/or water service is not required;
- Where it is demonstrated that the creation of such lots will not jeopardize the logical development of any retained lands or the surrounding area;
- Where the development of a lot will not result in a traffic hazard due to limited sight lines on curves, grades or near intersections;
- Where all studies and other information required by the Township to determine compliance with this Plan are provided in support of the application where determined necessary;
- Where development will not compromise the opportunity to develop adjacent lands and does not result in the land-locking of other lands;
- Where development can be adequately serviced with individual on-site sewage services and individual on-site water services or the municipal sewage or water services and where site conditions are suitable for the long-term provision of such services.
- Where the development complies with the Minimum Distance Separation (MDS) Formulae as amended;
- Where all other matters set out in the *Planning Act* pertaining to the severance of land, are addressed.

Conditions on development by consent or plan of subdivision/condominium may be imposed by the approval authority relating to matters such as but not limited to site plan control; zoning amendment; dedication of parkland; provision of necessary easements; removal of problem buildings and/or structures; drainage plans; berming/buffering/screening (see also **Section 8.15 - Planning Applications**).

8.10.2 Plan of Subdivision/Condominium

Development shall generally take place by plan of subdivision in the Urban Settlement Area or for large-lot residential and waterfront development in the Rural Area. A plan of subdivision/condominium shall be utilized where development involves multiple parcels of land (i.e., greater than one severed and one retained lot) of a property and/or where new roads, services, utilities or other such features are required.

Prior to approval of a Plan of Subdivision, Council shall be satisfied that:

- The approval of the development is not premature and is in the public interest;
- Applications for a plan of subdivision shall be in accordance with the requirements of the *Planning Act*. Additional information may be required in assessing the appropriateness and the location of the subdivision;
- The lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities;
- There is sufficient reserve sewage system capacity, including treatment capacity of disposal capacity for hauled sewage from private communal systems and individual on-site sewage services.

- The proposed development will conform to the land use policies for the land use designations shown on the land use plan schedules;
- The development will comply with the provisions of the implementing zoning by-law. Where a zoning by-law amendment is required, such amendment shall be in force before the subdivision is finalized;
- The proposed lots shall front on and have direct access to a year-round maintained public road;
- That development shall not result in a traffic hazard from limited sight lines on curves, grades or near intersections;
- That all studies and other information required by the Township to determine compliance with this Plan shall be provided in support of the application.

Where a draft plan of subdivision/condominium is submitted, Council will have regard for the matters that are identified in The *Planning Act* as requiring consideration. Council may also request that the applicant provide such studies and reports as might be appropriate, including preliminary lot grading and drainage concept plans and studies pertaining to soil carrying capacity or to any particular or unique feature of the lands (see also **Section 8.15 - Planning Applications**).

The Township will require the applicant of a plan of subdivision/condominium to enter into a subdivision agreement addressing and providing for such issues as roads, utilities, easements, parkland dedication, and liability and performance protections. The Township may elect to accept parkland or cash in lieu of park land at its sole discretion as a part of any draft plan of subdivision (see **Section 8.11 - Non-conforming Uses**).

The Township may also request that any road allowance that is found to be a part of any lands being a part of a plan of subdivision, or as part of lands being severed be surveyed and dedicated to the Township, and/or that any road allowance necessary for road widening, and/or any necessary easements be similarly dedicated to the Township.

Where new urban services are contemplated as a part of a development initiative, Council will expect to enter into development agreements that will cause the capital costs of such services, utilities, parkland and other public features to be borne by the proponent or developer. Council will also typically require performance and maintenance guarantees and public liability protections in such situations.

Where infill situations occur, council may request;

- That contributions be made for parkland, either as land or as cash in lieu as provided for in the *Planning Act*.
- That any road allowance found to be a part of such private lands be surveyed and dedicated to the municipality as a condition of any relevant planning approval.

In addition to standard public sewer and water service, the municipality will expect applications for planning approvals to address the impact of storm water, including on site and off site impacts. New development will consider the impacts of storm water

quality and quantity on the lands and waters downstream. Storm Water Management Plans shall be required as a condition of development approval within the Settlement Area and for any large scale non-residential development or plan of subdivision with the Township. Infill situations will also have regard for storm water impact, although clearly potential to address off site components of such will be more limited.

Local utilities such as hydro, telephone, shall be extended to new development in a manner to be determined by the appropriate agencies. Municipal funds will not typically be expended for such services, either in the case of new subdivision or new severance development.

Development will not be permitted on an inland lake where the lake has reached its capacity and no residual capacity exists for that water body

Subdivision development will take into consideration barrier-free design.

Subdivision design shall prioritize connectivity and be easily integrated with the existing street pattern in order to ensure the proper phasing of development. Street layouts should ensure maximum pedestrian connections with other streets in order to promote walking and alternative forms of transportation.

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

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 street.

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

8.11 Non-conforming Uses

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

- It is not reasonable or feasible to cease or relocate the use;

- Any incompatibility with surrounding land uses is not aggravated;
- Surrounding uses are protected by appropriate buffers, setbacks and other measures to improve the compatibility of the use;
- Adequate infrastructure, access and parking are provided;
- Natural and human-made hazards are addressed, and
- Development details may be regulated by a development agreement.

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

8.12 Lots of Record

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

8.13 Parkland Dedication (or Cash-in-lieu)

As a condition of development or redevelopment, Council may, subject to passing a by-law, require the conveyance of 2 per cent of the land proposed for commercial or industrial development or 5 per cent for residential development or the cash-in-lieu equivalent and the conveyance shall be for park or other public recreational purposes.

8.14 Plan of Condominium

Lands processed and owned under the *Condominium Act* shall be considered to be the same as lands processed and held under the *Planning Act*, and condominium shall be considered to be an aspect of process and tenure and not land use. Condominium approvals may involve consideration of private road allowance that is under the jurisdiction of the resulting condominium corporation. Should such arrangements be agreed to by Council, Council will expect that any private condominium roads will be constructed to a standard that will allow ease of access by emergency vehicles. A plan of condominium will be reviewed according to the same policies as set out in **Section 8.10.2 - Plan of Subdivision/Condominium**.

8.15 Planning Applications

The following diagram provides a synopsis of the planning process for an official plan or zoning by-law amendment. Types of planning applications that may be filed with the Township include: [Section of the *Planning Act* shown in (parenthesis)]:

- In Official Plan Amendment (22)
- Zoning By-law Amendment (34)
- Holding By-law/removal of Holding symbol (36)
- Temporary Use By-law (39)
- Site Plan Control (41)
- Minor Variance/Permission of extension/expansion, change of non-conforming use (45)
- Consent (53)
- Plan of Subdivision (51)

Prior to filing an application, applicants will be required to meet with the Township to ascertain the requirements for the submission of applications (e.g. required studies and information, fees, peer review, agency and public consultation etc.)

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

- A source water protection study including surface and groundwater impacts;
- A geotechnical study for unstable slopes (**Section 6.1 - Natural Hazards**);
- A flood hazard study (**Section 6.1 - Natural Hazards**);
- Drainage/Stormwater Report (**Section 3.10.1 - Water, Wastewater and Stormwater**);
- Archaeological Assessment (**Section 5.2 - Archaeological Resources**);
- Heritage Impact Assessment (**Section 5.1 - Cultural Heritage**);
- Noise and/or Vibration Study (**Section 6.3.1 - Noise, Section 4.1.5 - Mineral Aggregate Resources, Section 4.1.6 - Mineral Resources, and Section 6.2 - Land Use Compatibility**) ;
- Blast Impact Study (**Section 4.1.5 - Mineral Aggregate Resources**);

- Traffic Study (**Section 3.10.3 - Transportation, Section 7.2.4 - Commercial and Institutional Area, Section 7.2.5 - Highway Commercial, Section 7.2.6 - Industrial Area**);
- Air Quality (**Section 7.2.6 - Industrial Area**);
- Land use Compatibility (**Section 4.1.5 - Mineral Aggregate Resources, Section 4.1.6 - Mineral Resources, and Section 6.2 - Land Use Compatibility**);
- Environmental Impact Study (**Section 4.1.2 - Environmental Impact Study; Section 4.1.5 - Mineral Aggregate Resources, Section 4.1.6 - Mineral Resources, and Section 6.1 - Natural Hazards**).
- Municipal Servicing Capacity report (water, sewer); (**Section 3.10.1 - Water, Wastewater and Stormwater, Section 7.2 - Urban Settlement Area; Section 7.2.2 - Residential Area; Section 7.2.3 - Terrace Waterfront District; Section 7.2.4 - Commercial and Institutional Area; Section 7.2.5 - Highway Commercial; Section 7.2.6 - Industrial Area; Section 7.3.1 - Rural Designation**)
- Septage Haulage Report (**Section 3.10.1 - Water, Wastewater and Stormwater; Section 7.3.1 - Rural Designation; and Section 8.10.2 - Plan of Subdivision/Condominium**)
- Minimum Distance Separation (**Section 4.1.4 - Agriculture**);
- Mine Hazard Rehabilitation (**Section 6.3.3 - Mine Hazards**);
- Odour (**Section 6.2 - Land Use Compatibility; Section 7.2.6 - Industrial Area**).

Applicants shall bear the cost of any study and any required peer review.

8.16 Public Works

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

8.17 Site Plan Control

For the purposes of Section 41 of the *Planning Act*, the entire Township of Terrace Bay as illustrated on the schedules to the Official Plan, is designated as a site plan control area. Site plan control may be used and agreements entered into for the construction and/or maintenance of all of the matters set out in Section 41(7) of the *Planning Act* for land uses including:

- Any industrial, commercial or institutional use and including campgrounds and golf courses;
- Any multiple residential use consisting of six (6) or more dwelling units;
- Residential intensification projects;
- Facilities designed and intended to have regard for persons with disabilities;
- Resource uses including mineral aggregate operations and mineral mining operations;
- Heritage conservation projects;
- Any lands abutting a lake, water body or natural environment area.

Council may secure the dedication of land for a road widening or intersection improvement provided that the conveyance requested does not exceed one-half of the deficiency of the width. The conveyance shall apply to the full frontage of the property wherever the deficiency exists.

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

8.18 Temporary Use By-laws

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

8.19 Property Standards By-law

Council may enact a property standards by-law, and establish a property standards committee, as provided for in the *Building Code Act* within all or within any part of the Township, and where such a by-law applies, all properties shall conform to the standards and provisions set out therein. Such a by-law may apply to lands, building(s) and/or structure(s), and shall be implemented and enforced by such staff person(s) and/or position(s) as Council may from time to time designate.

Council may, within such by-law, enact regulations intended to address;

- Structural integrity and standards for occupancy of buildings and/or structures.
- The maintenance of yards and open spaces, and in particular to ensure that such lands are well kept state, free of debris and/or or unsightly materials, equipment, and that the overall yard is in keeping with the surrounding residential character, including such matters as the regulation of the cutting and/or storage of firewood.
- Notice, enforcement, and/or administration, including removal of buildings.

8.20 Zoning By-law

The zoning by-law represents the primary means through which this official plan shall be implemented. It provides the legal obligation of land owners to adhere to the concepts established in the official plan. Zones and appropriate regulations shall be established in accordance with the land use concepts that are described in this official plan, and as illustrated on the schedules that are a part of this official plan.

Zoning amendments will be considered where the requested changes are consistent with this official plan, or where such changes are consistent with an amendment to this plan that is being processed

Regulations shall be included within the zoning by-law to prevent the use of outdoor wood-burning furnaces in the settlement area and on lots that are less than 2 hectares in area.

**Schedule "A"
Urban Settlement Area
Official Plan for the
Township of Terrace Bay**



Legend

Land Use Designation Within the Urban Settlement Area

- General Commercial/ Institutional
- Highway Commercial
- Industrial
- Institutional
- Open Space
- Residential
- Terrace Waterfront District

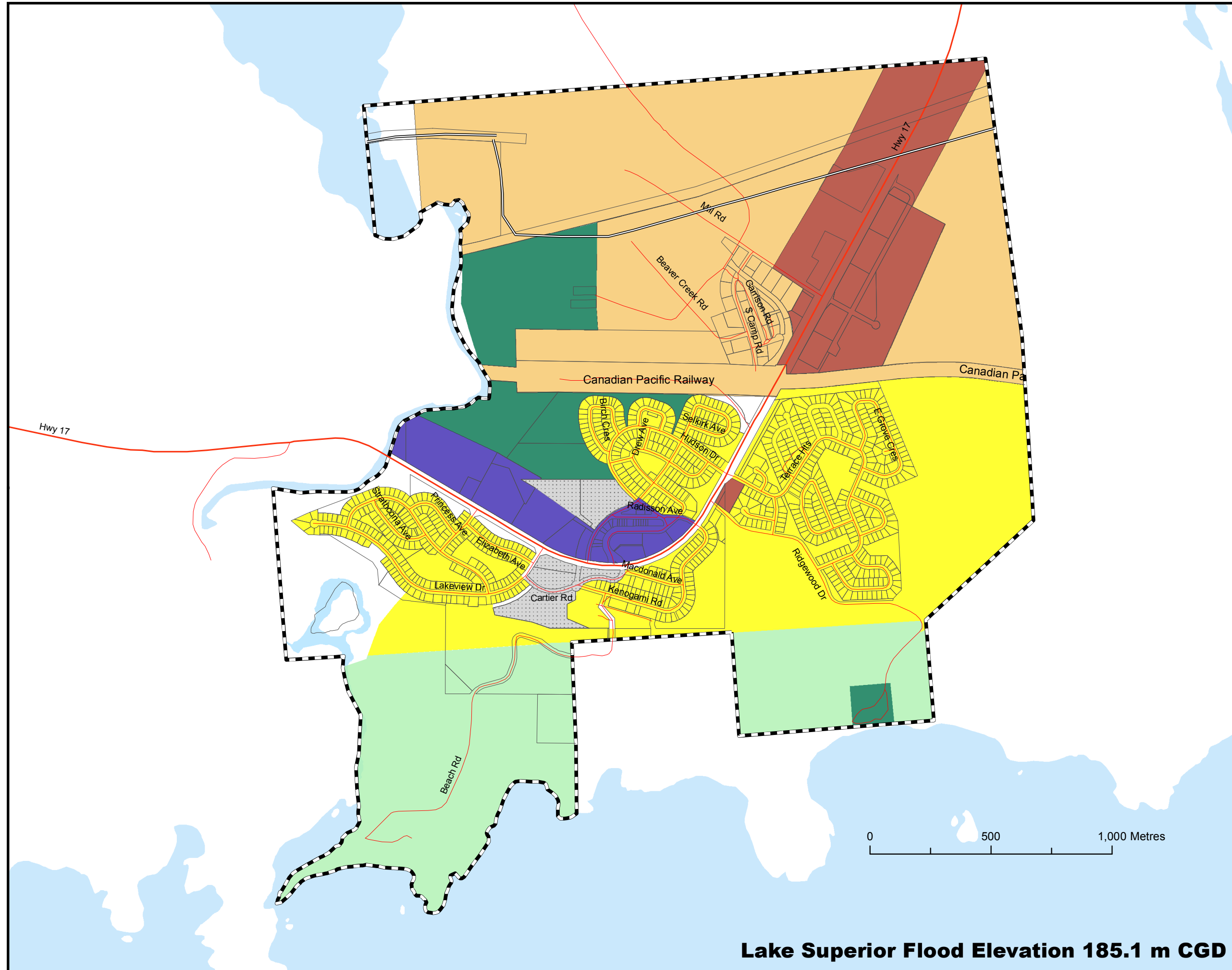
Transportation and Infrastructure

- Roads
- Provincial Highway (Hwy 17)
- Hydro Line

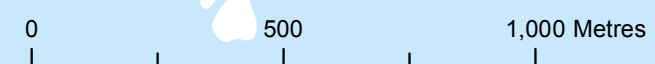
Natural Heritage Features

Other Features

- Urban Settlement Area

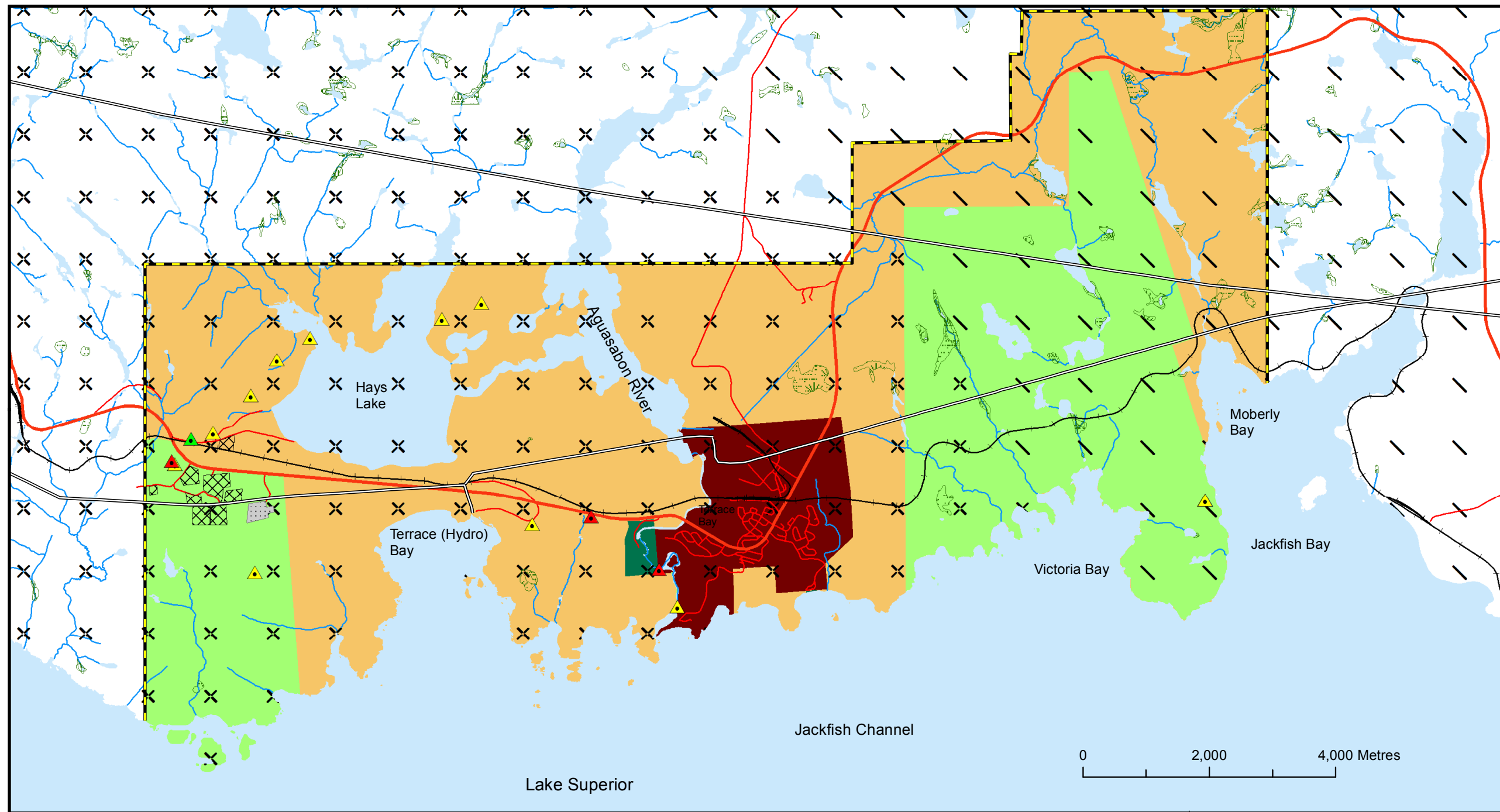


Date of Latest Revision: Nov 23, 2015



Lake Superior Flood Elevation 185.1 m CGD

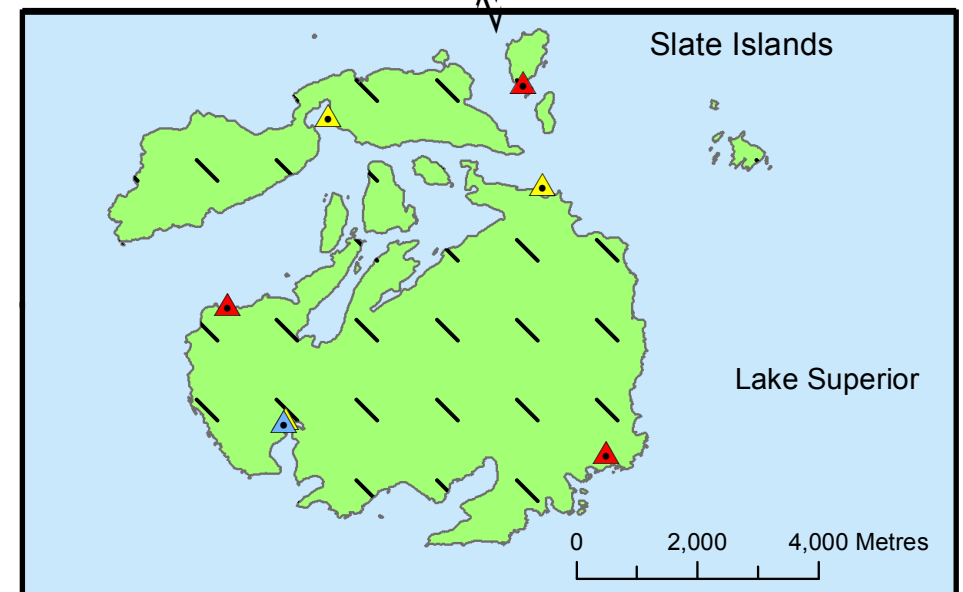
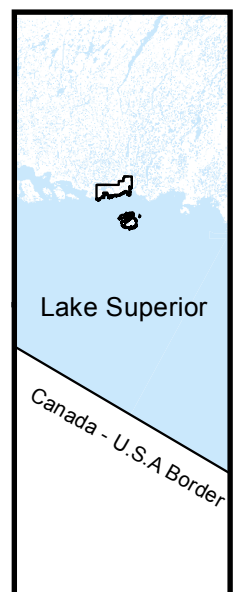




Schedule "B" - Land Use Official Plan for the Township of Terrace Bay Rural Area

- Legend**
- Land Use Designations**
- Rural
 - Open Space
 - Environmental Protection
- Natural Heritage Features**
- Wetland
 - Watercourse
 - Caribou Range - Continuous Coastal
 - Caribou Range - Discontinuous
- Transportation and Infrastructure**
- Roads
 - Provincial Highway (Hwy 17)
 - Railway (CP)
 - Hydro Line
 - Waste Management Facility
- Mineral Resources**
- Authorized Aggregate Sites
- Mineral Deposit Inventory**
- Deposit Status**
- Discretionary Occurrence
 - Occurrence
 - Past Producing Mine Without Reserves
 - Prospect
- Other Features**
- Urban Settlement Area
 - Township of Terrace Bay Boundary

Lake Superior Flood Elevation 185.1 m CGD

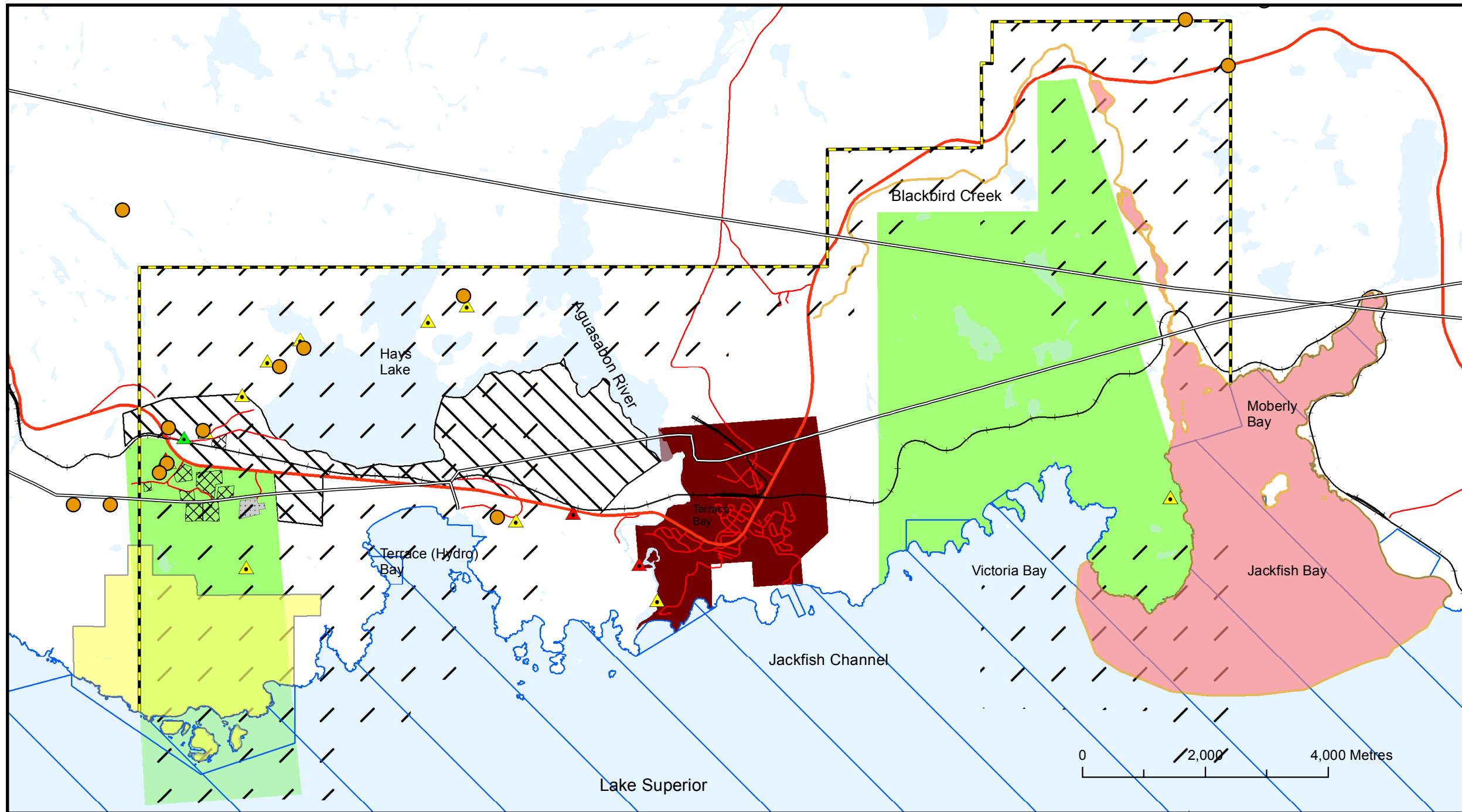


Date of Latest Revision: Nov 23, 2015

TCL **Tunnock Consulting Ltd.**

RIVERSTONE
ENVIRONMENTAL SOLUTIONS INC.

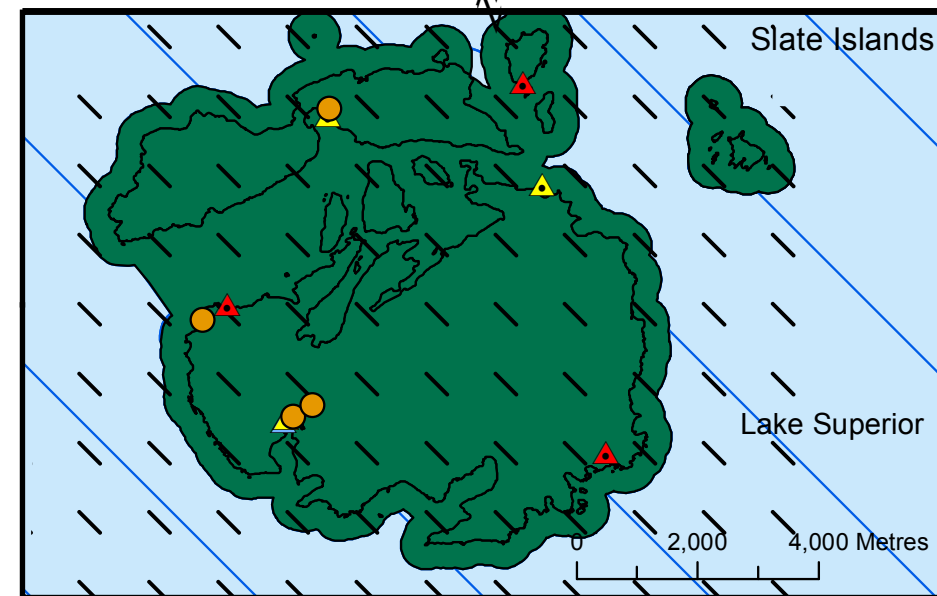
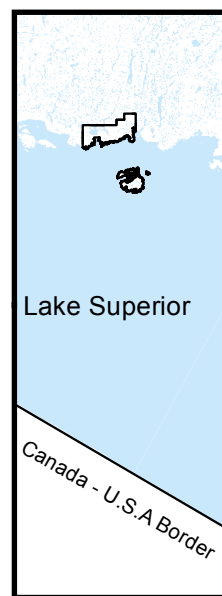




**Schedule "C"
Constraints Map
Official Plan for the
Township of Terrace Bay
Rural Area**

- Land Use**
- Settlement Area
 - High Aggregate Potential
 - Lake Superior Enhanced Management Area
 - Slate Island Provincial Park
- Transportation and Infrastructure**
- Roads
 - Provincial Highway (Hwy 17)
 - Railway (CP)
 - Hydro Line
 - Waste Management Facility
- Mineral Resources**
- Authorized Aggregate Sites
- Mineral Deposit Inventory**
- Deposit Status**
- Discretionary Occurrence
 - Occurrence
 - Past Producing Mine Without Reserves
 - Prospect
- Metallic Mineral Potential Estimation Tool**
- Areas of High Mineral Potential
 - AMIS_Site
- Other Features**
- Township of Terrace Bay Boundary
 - Jackfish Bay Area of Concern In Recovery
 - Lake Superior North Shore Conservation Reserve
 - Lake Superior National Marine Conservation Reserve

Lake Superior Flood Elevation 185.1 m CGD



Date of Latest Revision: June 27, 2016

