



TOWNSHIP OF BLACK RIVER-MATHESON FINAL OFFICIAL PLAN

Council Adoption: September 19, 2016
Ministerial Approval: March 20, 2017

Matheson
Holtyre
Ramore
Val Gagné
Shillington
Val Gagné South



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FINAL OFFICIAL PLAN

Council Adoption: September 19, 2016

Ministerial Approval: March 20, 2017



PREPARED FOR:

Township of Black River-Matheson
Clerk-Treasurer
P.O. Box 601, 429 Park Lane
Matheson, ON P0K 1N0
T: (705) 273-2313
www.blackriver-matheson.com



PREPARED BY:

MMM Group Limited
1145 Hunt Club Road, Suite 300
Ottawa, ON K1V 0Y3
T: (613) 736-7200
www.mmmgrouplimited.com

IN ASSOCIATION WITH:



CGIS Spatial Solutions
52 South Street
Perth, ON K7H 2G7
T: (613) 368-4321
www.cgis.com

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**Ministry of
Municipal Affairs**

**Ministère des
Affaires municipales**



Ministry of Housing

Ministère du Logement

Municipal Services Office
North (Sudbury)
159 Cedar Street, Suite 401
Sudbury ON P3E 6A5
Telephone: 705 564-0120
Toll-Free: 1 800 461-1193
Facsimile: 705 564-6863

Bureau des services aux municipalités
du Nord (Sudbury)
159, rue Cedar, bureau 401
Sudbury ON P3E 6A5
Téléphone : 705 564-0120
Sans frais : 1 800 461-1193
Télécopieur : 705 564-6863

March 21, 2017

By E-mail and Regular Mail

Heather Smith
Clerk-Treasurer
Township of Black River-Matheson
429 Park Ln, P.O. Box 601
Matheson, ON P0K 1N0
E-mail: treasurer@blackriver-matheson.com

Dear Ms. Smith:

**Re : Approval of the Official Plan for the Township of Black River-Matheson
MAH File No.: 56-OP-159946**

This is to advise you of the approval, with modifications, of the Township of Black River-Matheson Official Plan. Copies of the Notice of Decision and Decision are attached for your information and use.

The proposed official plan will provide guidance to the Township of Black River-Matheson on land use planning matters for the next 20 years. The modifications to the official plan are the result of a collaborative working relationship between the Province and the Township.

The last date of appeal to the decision on this planning application is **April 10, 2017**. After the appeal period has expired, and provided no appeals to the decision have been received, we will forward a duplicate original copy of the approved official plan, as modified.

We are also required under the Environmental Bill of Rights to post the Decision, with the last date of appeal, on the Environmental Bill of Rights Registry for additional public information. The posting of the Decision on the Registry coincides with the Notice of Decision date.

In closing, we are especially appreciative of the Township's co-operation throughout the process and the positive working relationship with the Municipal Services Office staff in

Sudbury. Should you have any questions or concerns, please contact David Welwood, Planner at 1-800-461-1193, ext. 46855.

Sincerely,



Victoria Kosny,
A/Manager, Community Planning and Development
Municipal Services Office – North (Sudbury)

c. Nadia De Santi, MMM Group (e-mail only)

Encl.: Decision and Notice of Decision

File No.: 56-OP-159946
Municipality: Township of Black River-Matheson
Subject Lands: Township of Black River-Matheson

Date of Decision: March 20, 2017
Date of Notice: March 21, 2017
Last Date of Appeal: April 10, 2017

NOTICE OF DECISION
With respect to an Official Plan
Section 17(34) of the Planning Act

A decision was made on the date noted above to modify, and approve as modified, all of the Official Plan for the Township of Black River-Matheson as adopted by the Township of Black River-Matheson By-law No. 2016-26. This new Official Plan replaces the Official Plan for the Township of Black River-Matheson which was approved by this Ministry in 2008.

Purpose and Effect of the Official Plan

The Official Plan for the Township of Black River-Matheson contains goals, objectives, and policies to guide land use decisions within the planning area for the next 20 years. Modifications were made to ensure the plan's consistency with the 2014 Provincial Policy Statement and to reflect the legislative direction of the *Planning Act*.

When and How to File An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$300.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council, or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the Minister of Municipal Affairs is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Other Related Applications

N/A

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Ministry of Municipal Affairs at the address noted below or from the Township of Black River-Matheson.

Mailing Address for Filing a Notice of Appeal

Ministry of Municipal Affairs
Municipal Services Office – North (Sudbury)
159 Cedar Street, Suite 401,
Sudbury ON P3E 6A5

Submit notice of appeal to the attention of David Welwood, Planner, Municipal Services Office - North
Tele: (705) 564-6855 Fax: (705) 564-6863

DECISION

With respect to the Township of Black River-Matheson Official Plan Subsection 17(34) of the Planning Act

I hereby approve the repeal of the Official Plan for the Township of Black River-Matheson and all subsequent amendments thereto, pursuant to the Township of Black River-Matheson By-law 2016-26, insofar as this Official Plan is in effect;

I hereby approve the Township of Moonbeam Official Plan as adopted by the Township of Black River-Matheson By-law No. 2016-26 subject to the following modifications:

1. **SECTION 1.3 PURPOSE OF THE OFFICIAL PLAN, PAGE 2** by adding a new bullet point (s) which states: **"(s) Built form that is well-designed; encourages a sense of place; and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant."**
2. **SECTION 1.5, BASIS OF THE OFFICIAL PLAN, PAGE 4** by
 - a. adding the following sentence after the first sentence in the ninth paragraph **"The Township intends to monitor growth in the Settlement Area in accordance with Section 9.3.1 of the Official Plan, with the intent that 60% or more of residential lot creation should occur within designated settlement areas"**,
 - b. replacing the words "will generally be discouraged" with the words **"(i.e., development on the basis of municipal sewage services and municipal water services) shall be prohibited"** in the fourth sentence of the ninth paragraph, and
 - c. adding the words **"on the basis of individual on-site sewage services and individual on-site water services"** in between the words "development" and "will" in the fourth sentence of the ninth paragraph.
3. **SECTION 3.2, AFFORDABLE HOUSING, PAGE 10** by adding the following two new paragraphs after the first sentence::

"The Township will endeavor to achieve a target that 25 percent of housing will be affordable to low and moderate income households. The Township will work with the Cochrane District Social Services Administration Board to assist in achieving this target.

Affordable, for the purposes of this section, shall mean:

- (a) in the case of ownership housing, the least expensive of:
 - (i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or

- (ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- (b) in the case of rental housing, the least expensive of:
 - (i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - (ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area."

4. **SECTION 3.7 COMMUNICATION TOWERS, PAGE 12** by adding the words "in accordance with Industry Canada guidelines" to the end of the last sentence.

5. **SECTION 3.14 HAZARD LANDS, PAGE 15** by:

- a. adding the following sentence to the end of the second paragraph: "Regardless, no development shall be permitted in an area subject to flooding regardless of whether the area of inundation contains high points of land not subject to flooding.",
- b. deleting the word "campgrounds" in subsection 1, and
- c. deleting subsection 3.14.2 (b) in its entirety and renumbering the subsequent subsection.

6. **SECTION 3.18, LAND USE COMPATIBILITY, PAGE 17** by deleting subsection 3.18.1 "Agricultural Uses and Cemeteries" in its entirety and replacing it with the following new subsections:

"3.18.1 Minimum Distance Separation (MDS) – Settlement Areas

It is not the intention of the municipality to apply the Minimum Distance Separation (MDS) I formula to proposed new non-agricultural uses within the approved settlement areas.

3.18.2 Minimum Distance Separation (MDS) - Cemeteries

When implementing the Minimum Distance Separation (MDS) II formula related to the construction or expansion of a livestock facility, it is the intention of the Municipality to treat the following cemetery as Type A use, as it is inactive and receives low levels of visitation.

- Old St. Laurent Cemetery

The location of this cemetery is shown on Schedule A."

7. **SECTION 3.20, SECONDARY DWELLING UNITS, PAGE 18** by:

- a. Adding a new paragraph (f) which states: "the secondary dwelling unit shall not be larger than the principal dwelling."

- b. deleting the final paragraph.

8. **SECTION 4, URBAN DESIGNATIONS, PAGE 23** by:

- a. deleting the word "urban" in the second paragraph, and
- b. deleting the words "and in compliance with municipal by-laws" in subsection 4.2.1 (c).

9. **SECTION 5.2, AGRICULTURAL AREA, PAGE 30**, by:

- a. deleting the words "Other compatible uses such as agro-forestry and"; by deleting and replacing the word "are" with the words **"and mineral extraction are also"**; and by adding the following words to the of the sentence in subsection 5.2.2: **"provided that the site will be rehabilitated"**,
- b. deleting the words "specialty crop areas," in subsection 4 b), and
- c. deleting subsection 7.

10. **SECTION 5.3, RURAL AREA, PAGE 33** by adding the following new subsection (11):

"11. Garden suites may be permitted in the Rural Area in accordance with the policies of Section 3.13 Garden Suites of this Plan."

11. **SECTION 5.5, CONSERVATION RESERVES, PAGE 34** by:

- a. adding the words **"AND PROVINCIAL PARKS"** to the section title, and
- b. adding a third paragraph which states **"It is the intent of Council that planning decisions will minimize negative impacts on conservation reserves and provincial parks such as the Wildgoose Outwash Deposit Provincial Park to the west of the Township."**

12. **SECTION 5.7 ACTIVE AGGREGATE EXTRACTION AREA, PAGE 37** by replacing the word "contact" with the word "contrary" in subsection 9.

13. **SECTION 6.5 ENDANGERED AND THREATENED SPECIES, PAGE 43** by deleting both occurrences of the word "significant" in subsection 2.

14. **SECTION 7 SERVICES, FACILITIES AND ROADS, PAGE 60**, by:

- a. inserting a new subsection 7.7 titled "Asset Management Plan" which states:

"7.7 Asset Management Plan

Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and

integrated with land use planning to ensure that they are available to meet current needs and that they are financially viable over their life cycle which may be demonstrated through asset management planning”

- b. Inserting a new subsection 7.8 titled “Community Hubs” which states:

“7.8 Community Hubs

The Township supports and encourages the co-location of public service facilities within community hubs where appropriate in order to promote cost-effectiveness and facilitate service integration and access to active transportation. Community hubs are especially encouraged within the Settlement Area.”

15. **SECTION 9.2.2, CONSENTS IN THE RURAL AREA, PAGE 64**, by replacing the word “adequate” with “direct” in subsection 4.

16. **SECTION 10 IMPLEMENTATION, PAGE 66**, by:

- a. Inserting a new bullet point to the list in the second paragraph in Section 10.2 (Pre-Application Consultation and Prescribed Information for Planning Applications) which states:
- **“Public Consultation Strategy”**
- b. Adding a new subsection after subsection 10.2 and by renumbering subsequent subsections. The new subsection will read as follows:

“10.3 Public Consultation

Public consultation is considered an essential component of the municipal planning process. The following policies shall apply in the implementation of this Official Plan:

1. **A Public Consultation Strategy, satisfying the minimum requirements of the Planning Act, is required for all applications for an Official Plan Amendment, Zoning By-law Amendment, and/or Plan of Subdivision. The Township may require additional public consultation measures in order to deem an application complete, as determined on a case-by-case basis.**
2. **Proponents are encouraged to hold accessible community meetings in addition to statutory public meetings in order to communicate the details of development proposals to residents and agencies.**

3. Public meetings must be held before proposals for Official Plan and Zoning By-law Amendments and draft Plans of Subdivision are dealt with by Council, in accordance with the Planning Act.
4. Notice of public meetings must be given in accordance with the Planning Act; however, the Township may consider alternate notice procedures as provided for in the Planning Act.
5. For special issues, including but not limited to, new Official Plans and comprehensive Zoning By-laws, the Township may consider additional means of public participation including open houses, public displays, area meetings, newspaper coverage, cable TV programming, internet postings and other similar means.
6. Council may, by resolution, forego public notification and public meetings in connection with Official Plan, Community Improvement Plan, and Zoning By-law Amendments if such amendments relate to matters that will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and may include the following matters:
 - (a) altering punctuation or language to obtain a uniform mode of expression;
 - (b) correcting clerical, grammatical, dimensioning or typographical errors;
 - (c) altering the number and arrangement of any provision;
 - (d) inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
 - (e) changing the format of a document;
 - (f) consolidating amendments; and,
 - (g) transferring Official Plan, Community Improvement Plan and Zoning By-law information to new base maps.
7. Written and oral submissions from the public relating to applications for Official Plan amendment, Zoning By-law amendment; plans of subdivision, plans of condominium, consent, and minor variance will be summarized within a staff report to facilitate decision making. Where appropriate, the submissions will be consolidated into common or overlapping land use planning issues, in addition to an acknowledgement of other issues presented through the public consultation process. The notices of decision associated with planning applications will recognize written and oral submissions and the effect they have had, if any, on planning decisions."

Dated at Toronto this 20 day of March, 2017.



Marcia Wallace
(A) Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs

THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON

BY-LAW NO. 2016-26

A BY-LAW TO ADOPT AN OFFICIAL PLAN FOR THE CORPORATION OF THE TOWNSHIP OF BLACK RIVER-MATHESON AND TO REPEAL BY-LAW NO. 63-2007

WHEREAS the Council of the Corporation of the Township of Black River-Matheson, in accordance with the provisions of Section 17 of the Planning Act, RSO 1990, as amended, hereby ENACTS AS FOLLOWS:

1. That the Township of Black River-Matheson Official Plan, consisting of the attached text and schedules (maps) is hereby adopted;
2. That the Clerk-Treasurer is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for approval of the Township of Black River-Matheson Official Plan;
3. That the Township of Black River-Matheson Official Plan hereby supersedes the Official Plan for the Township of Black River-Matheson, passed on December 10, 2007;
4. That the Township of Black River-Matheson By-law No. 63-2007 is hereby repealed;
5. That this By-law shall take effect and come into force upon third and final reading thereof, and upon final approval of the Minister of Municipal Affairs.

READ A FIRST AND SECOND TIME THIS 19TH DAY OF SEPTEMBER, 2016.

READ A THIRD AND FINAL TIME THIS 19TH DAY OF SEPTEMBER, 2016.


MAYOR
CLERK



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SECTION 1 INTRODUCTION TO THE PLAN

1.1 TITLE OF PLAN

This Plan may be cited as the “Black River-Matheson Official Plan”.

1.2 PLANNING AREA

This Plan applies to all lands included within the boundaries of the Corporation of the Township of Black River-Matheson.

1.3 PURPOSE OF THE OFFICIAL PLAN

An Official Plan is a document that provides direction for long-term development in the municipality. The Plan describes policies for how land in the municipality should be used.

The *Ontario Planning Act* requires municipalities to prepare and adopt an Official Plan to provide guidance for the physical development of communities. The purpose of the Township of Black River-Matheson Official Plan is to establish a vision, guiding principles, objectives, and policies to manage and direct physical development and the effect of change on the physical, social, cultural, economic, and natural environment for the planning horizon (i.e. until the year 2036). Good planning leads to orderly growth and the efficient provision of services. The Official Plan will balance the interests of individual property owners with the wider interests and objectives of the municipality.

This Official Plan is consistent with the Ontario Provincial Policy Statement, 2014, particularly the new policies relating to active transportation, northern and rural communities, infrastructure, climate change, mineral aggregate resources, and Aboriginal issues. Furthermore, this Official Plan also reflects the matters of provincial interest identified in the *Planning Act*. The Plan provides policies for: various urban and rural land uses; servicing (i.e. roads, water and sewers); land division; and implementation and administration of the Plan.

The Township of Black River-Matheson, in fulfilling its responsibilities under the *Ontario Planning Act*, R.S.O. 1990, ch. 13, shall have regard to, among other matters, matters of provincial interest such as the:

- (a) protection of ecological systems, including natural areas, features and functions;
- (b) protection of the agricultural resources of the Province;
- (c) conservation and management of natural resources and the mineral resource base;
- (d) conservation of features of significant architectural, cultural heritage, historical, archaeological or scientific interest or value;
- (e) supply, efficient use and conservation of energy and water;

- (f) adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (g) minimization of waste;
- (h) orderly development of safe and healthy communities;
- (i) accessibility for persons with disabilities to all facilities, services and matters to which the *Planning Act* applies;
- (j) adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- (k) adequate provision of a full range of housing, including affordable housing;
- (l) adequate provision of employment opportunities;
- (m) protection of the financial and economic well-being of the Province and its municipalities;
- (n) co-ordination of planning activities of public bodies;
- (o) resolution of planning conflicts involving public and private interests;
- (p) protection of public health and safety;
- (q) appropriate location of growth and development; and
- (r) promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.
- (s) Built form that is well-designed; encourages a sense of place; and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant. (Ministerial Approval: March 20, 2017, Modification 1)

The Province of Ontario issues Provincial Policy Statements periodically to provide direction on matters of provincial interest. Where these are in effect, the decisions of the Township shall be consistent with the Provincial Policy Statement that is in effect on the date of Council's decision.

The Official Plan will be reviewed in accordance with the requirements of the *Planning Act* and may be amended by the Township to reflect changing circumstances or new priorities. The main implementation tool, the Zoning By-law, will be updated in accordance with the requirements of the *Planning Act* to ensure that it is in conformity with the policies in this Plan.

The policies contained herein, together with the Schedules and any amendment(s) which are adopted and finalized pursuant to the *Planning Act*, constitute the Official Plan of the Township of Black River-Matheson.

1.4 EFFECT OF THE PLAN

Once the Official Plan is adopted by Council and approved by the Minister of Municipal Affairs and Housing and in effect, it will guide all planning decisions in the municipality. No public or private works shall be undertaken in the municipality, and except as provided for under the *Planning Act*, no By-law shall be passed for any purpose that does not conform to the policies of



this Plan. The approved Plan will provide a basis for the review of the municipality's Comprehensive Zoning By-law.

1.5 BASIS OF THE OFFICIAL PLAN

The Township of Black River-Matheson is located in Northeastern Ontario, approximately 65 km east of the City of Timmins, in the District of Cochrane. The Township has a land area of approximately 1,163 km² and consists of four main townsites: Matheson, Holtyre, Ramore and Val Gagné. These townsites are the built up areas and shall be referred to in this Plan as settlement areas. Matheson is the administrative centre of the Township with the highest population. It is located at the junction of the Trans-Canada Highway 11 and Provincial Highway 101.

The rural area includes the communities of Shillington and Val Gagné South. The rural area is characterized by forested land, agricultural activities, mining activities, resort commercial and seasonal development on area lakes and rivers supporting outdoor recreation activities. A large part of the rural area is Crown land.

The Township is situated in the Archean Abitibi Greenstone Belt, which provides for an area rich in minerals and a highly productive gold and base metal mining region. The natural features in the Township include numerous lakes, rivers, trails and the Shallow River Poplar Outwash Conservation Reserve. In addition, there is a Provincially Significant Wetland surrounding Moose Lake.

There are no buildings in the Township designated under Part IV of the *Ontario Heritage Act*, however there are five registered archaeological sites located within the Township, two of which are pre-contact Aboriginal cemeteries.

Historically, the Township has relied on mining and forestry as its primary economic drivers. However, the Township has identified mining and mineral exploration, residential construction, and agriculture activities as the three priority industries for future growth and development. Farming in the Township has grown with the establishment of the Mennonite community in the area, as well as the efforts of the Northeastern Community Network in promoting agricultural farming and production in the region. In addition, the major public sector employers include the Bingham Memorial Hospital, the municipal government, and the local schools. The major private sector employers include Primero Mining Corporation and Kirkland Lake Gold Inc.

Over the years, the Township has been experiencing a trend of population decline. According to the 2011 Census data, the population was 2,410, which represents a decrease of 8.0% from the 2006 Census population data reported as 2,619. Based on this continuing trend of population decrease, the projected population for the Township in 2036 is 1,654. It is acknowledged that mining and other resource activities are cyclical and could influence the population growth and/or

decrease in the area; therefore monitoring of the growth patterns over the planning horizon of this Plan is essential.

The population decline would reduce the potential demand for dwelling units from 1,056 to 766 units in 2036. Of the 766 dwelling units, approximately 93.5% of the housing demand is anticipated to be in the form of low-density housing (i.e. single-detached, semi-detached, duplex), while the remaining 6.5% is anticipated to be in the form of medium to high-density housing forms. During the planning horizon, the employment base is also expected to decrease to 681 jobs. This represents a decrease of 289 jobs across all sectors.

The total vacant land supply within the four settlement areas for residential and employment uses indicate that there is sufficient land to accommodate the projected housing unit demand and the employment projections to the year 2036, while leaving additional supply if demand increases due to new economic drivers and/or the establishment of new businesses in the area.

Development will be focused to the four settlement areas where there is an adequate level of public infrastructure that is currently available or can be provided at reasonable costs. The Township intends to monitor growth in the Settlement Area in accordance with Section 9.3.1 of the Official Plan, with the intent that 60% or more of residential lot creation should occur within designated settlement areas. The rural area will continue to be the focus for agricultural activities, mining and mineral exploration. Urban growth in the rural area (i.e., development on the basis of municipal sewage services and municipal water services) shall be prohibited although a limited amount of residential development on the basis of individual on-site sewage services and individual on-site water services will be considered for those desiring a rural lifestyle. (Ministerial Approval: March 20, 2017, Modification 2a, 2b, 2c)

The Growth Plan for Northern Ontario (2011) is a 25 year economic development plan, an infrastructure investment plan, a labour market plan, and a land-use plan which is intended to guide decision-making in Northern Ontario to 2036. The Official Plan responds to the Growth Plan by:

- (a) Designating areas within the Matheson, Holtyre, Ramore and Val Gagné Settlement Areas and the Rural Area for local economic opportunities and housing;
- (b) Supporting small businesses through provisions for home occupations and home industries;
- (c) Providing for roads and community infrastructure to help the community function effectively;
- (d) Protecting key environmental resources from alteration and development;
- (e) Accommodating the diverse needs of all residents, now and in the future by encouraging different housing types, including secondary dwelling units and garden suites;
- (f) Fostering partnerships with other levels of government;
- (g) Seeking the participation of Aboriginal communities in the preparation of the Official Plan and its implementation;



- (h) Providing a local framework to assist in the implementation of regional economic plans; and
- (i) Identifying key natural resources (e.g. aggregate resources) for long term use.

This information contributed to the formulation of the Plan and is contained in a Background Report prepared by MMM Group Limited, a WSP company, in association with CGIS that should be referred to for background information and for further guidance in interpreting the general intent of the Plan. The Background Report does not form part of the Official Plan but may be viewed at the municipal office.

1.6 HOW TO READ THIS OFFICIAL PLAN

The text of the Official Plan is set out in paragraphs of explanation and numbered policies. The policies embody the essentials of the Plan which will govern through the authority of the *Planning Act* where it states that no public works shall be undertaken and no by-law passed that do not conform to the Plan. The paragraphs of explanation are to provide further information that will assist in the interpretation of the policies and help clarify the general intent of the Plan.

The policies provide guidance and are to be implemented through a variety of mechanisms, including the Zoning By-law. Italicized terms throughout the text refer to statutory provincial Acts. The Official Plan must be read as a whole since more than one Section or schedule may apply to a particular area or matter. Areas having Natural Heritage and Development Constraints are also subject to the underlying policies in the Urban and Rural Designations Sections of this Plan.

SECTION 2 VISION, PRINCIPLES AND OBJECTIVES

This Section of the Plan establishes the vision, guiding principles, and objectives that will guide the Township of Black River-Matheson over the planning horizon. In the event that clarification of the intent of these policies is required, the Objectives listed in this Section should be considered. Should any of these factors change significantly, the Plan shall be reviewed to determine whether major policy or land use designation changes are warranted.

2.1 VISION

The Township's Community Economic Development Strategic Plan, October 2013, prepared by McSweeney & Associates, established a vision for the community in order to foster a stronger economy and financial sustainability, while creating a cohesive community and improvements to the quality of life.

"Through effective and active communication in combination with positive community building efforts, Black River-Matheson will be a strong, vibrant and united community. Residents will be engaged in making their community a better place to live and businesses will be provided with the opportunity and the environment to grow and thrive."

2.2 GUIDING PRINCIPLES AND OBJECTIVES

The settlement areas of Matheson, Holtyre, Ramore, and Val Gagné will continue to function as service centres providing a variety of community and commercial facilities and services for their local populations. Matheson is the largest settlement area in the municipality and will continue to function as the main service centre for residents of the community, the surrounding area and the travelling public.

Principle 1 – Design for Complete and Healthy Neighbourhoods

The Township shall encourage and promote compact development while providing a desirable built form and street pattern for the development of new and/or revitalized neighbourhoods.

- (a) Promote a logical, orderly, attractive and cost-effective development and land use pattern in the municipality.
- (b) Encourage a mix of land uses and mixed use buildings.
- (c) Provide a range and mix of housing types and densities, including affordable housing and doddie houses for the housing continuum (i.e. age in place).
- (d) Protect and provide for recreational features such as parks, open space and trails.



- (e) Encourage the development of sidewalks, pathways and trails connecting land uses to encourage healthy and active transportation in new developments and/or in roadway modifications/upgrades.
- (f) Design roads as complete streets, where possible, to allow pedestrians, cyclists, horse-drawn vehicles, and motorists of all ages and abilities to move safely along roadways.
- (g) Locate and design places for horse-drawn vehicle saws (i.e. 3-sided sheltered structure for horse tie-ups) in the settlement areas, where possible.
- (h) Encourage development on municipal-owned roads.
- (i) Preserve and enhance those attributes that establish the quality and character of the municipality.
- (j) Provide incentives and opportunities for public and private land owners to create visually attractive properties, buildings, public realm.
- (k) Encourage recreational opportunities for Black River-Matheson's youth and residents.

Principle 2 – Respect and Recognize Cultural Resources

The Township shall recognize and respect cultural heritage of the community.

- (a) Protect significant natural heritage features and areas, significant built heritage resources and cultural heritage landscapes and archaeological sites from incompatible development.
- (b) Respect the diverse cultural heritage, of the Mennonite community and Aboriginal peoples.

Principle 3 – Protect and Enhance Agricultural Activities

The Township shall recognize and encourage farming and related uses in the rural area.

- (a) Protect agricultural areas, for their economic use and from incompatible development.
- (b) Encourage on-farm diversified uses, which include but are not limited to, home occupations, home industries, and uses that produce value-added agricultural products.
- (c) Develop a local farmers and crafters market in downtown Black River-Matheson.

Principle 4 – Encourage Economic Diversification

The Township shall strive to encourage economic diversification in the community.

- (a) Encourage economic growth and development including resource development, resource-based tourism and recreation development, commercial and industrial development in the municipality.
- (b) Protect mineral resources, aggregate resources and forestry resources for their economic use and from incompatible development.
- (c) Provide opportunities for the adaptive re-use of former brownfield sites.
- (d) Encourage community improvement.
- (e) Facilitate new business development and the expansion of existing businesses, including home occupations and home industries.
- (f) Create new locations for business startups, relocations and expansions.
- (g) Continue working with regional organizations such as North East Community Network (NeCN) and the Federation of Northern Ontario Municipalities (FONOM) to bring investment to Northern Ontario.
- (h) Establish partnerships with educational institutions such as College Boreal and Northern College to create a satellite campus in Black River-Matheson that supports the home building and construction trades, including facilities for hands-on demonstration projects.

Principle 5 – Preserve the Natural Environment

The Township shall protect the natural environment and resources.

- (a) Preserve and enhance the environmental quality of the area and minimize impacts of land uses on the natural environment and protect the integrity and functions of ecosystems, where possible.
- (b) Promote methods and educational opportunities for waste reduction, recycling, composting.
- (c) Encourage energy efficient buildings and development to minimize potential negative impacts to air quality and climate change.
- (d) Promote the protection of the quality and quantity of surface water and groundwater in the municipality.
- (e) Limited shoreline development subject to best practices.

**Principle 6 – Promote Community and Aboriginal Engagement**

The Township shall promote and provide a variety of opportunities for the community at large to become engaged and participate in the planning for their community.

- (a) To encourage and promote community participation in the planning of the municipality.
- (b) To develop and implement traditional and digital engagement tools to reach youth, adults, including older adults, and challenged persons to participate in the planning for their community.
- (c) To respect the cultural values and heritage of the Mennonite community, neighbouring First Nation communities and the Métis Nation of Ontario.

Principle 7 – Consider Green Infrastructure and Asset Management

The Township shall promote the use of green infrastructure.

- (a) By optimizing existing infrastructure and public service facilities.
- (b) Consider opportunities for adaptive re-use of infrastructure prior to consideration of new infrastructure and public service facilities.
- (c) Encourage green roofs, permeable surfaces, street trees, and other elements.
- (d) Consider reviewing the asset management plan on an annual basis to encourage the integration in land use planning.

SECTION 3 GENERAL LAND USE POLICIES

An objective of the Plan is to promote a logical, orderly, attractive and cost effective development and land use pattern in the municipality. To accomplish this, the Township of Black River-Matheson has been divided into a number of land use designations. The general pattern of these land uses is set out on Schedules A, B, C, D, E, F, G and H. It is the intent of Council that land in the municipality will be developed in accordance with the policies in the Plan and as shown on the Schedules. The following land use policies are intended to apply to the Planning Area as a whole and are to be taken into consideration along with policies that apply to the specific land use designation. For specific developments, whenever it is deemed appropriate, the Township shall refer to other agencies for the purposes of technical assistance related to these general land use policies.

3.1 ACCESSORY USES

Wherever a use is permitted in a land use classification, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted. Where permitted in the Zoning By-law, residential dwelling units shall be permitted in commercial buildings. However, the commercial use must remain the dominant use in the building and must have frontage along a street.

3.2 AFFORDABLE HOUSING

Council shall encourage affordable housing through residential infilling, residential intensification and by encouraging a mix of housing types and variety of lot sizes.

The Township will endeavor to achieve a target that 25% of housing will be affordable to low and moderate income households. The Township will work with the Cochrane District Social Services Administration Board to assist in achieving this target.

Affordable, for the purposes of this section, shall mean:

- (a) in the case of ownership housing, the least expensive of:
 - (i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - (ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- (b) in the case of rental housing, the least expensive of:
 - (i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or



- (ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area. (Ministerial Approval: March 20, 2017, Modification 3)

3.3 AIR QUALITY AND CLIMATE CHANGE

Climate change can be defined as a long-term change in average weather conditions, including temperature, wind patterns and precipitation (rain, snow), primarily due to increases in greenhouse gas emissions related to human activities. It may result in a higher frequency and severity of extreme weather events. The impacts of climate change on communities are difficult to predict and will vary locally and regionally.

Several policies in this Official Plan focus on increased energy efficiency through land development and buildings, support for active transportation methods, and the promotion of mixed use complete communities. Comprehensive mitigation strategies and adaptation strategies may be required to address the expected effects of climate change over the planning period. In collaboration with agencies such as Natural Resources Canada and Health Canada, the Township may consider the preparation of a Climate Change Mitigation and Adaptation Plan that outlines:

- (a) Mitigation strategies to reduce the Township's contribution to climate change;
- (b) Adaptation strategies to assist the Township in coping with the effects of climate change on its communities; and
- (c) Strategies to coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.

3.4 ALTERNATIVE AND RENEWABLE ENERGY SYSTEMS

Various forms of alternative energy systems and renewable energy systems can generate thermal and electrical power on a site-specific basis or as part of a more expansive utility grid system, thereby providing environmental, social and economic benefits. *Ontario's Green Energy and Green Economy Act, 2009* (Bill 150) was passed into law on May 14, 2009. Through its regulations, in particular Ontario Regulation 359/09, a framework is established for approvals of various types of renewable energy projects which are thereby exempt from municipal approvals. However, municipalities still have an opportunity to be consulted through the provincial Renewable Energy Approval (REA) process.

1. The Township will review and provide comments to the proponent with respect to servicing, infrastructure, or any other matter related to a proposed renewable energy project for which a provincial Renewable Energy Approval is required, for which a provincial Renewal Energy Approval is required, as per Ontario Regulation 359/09 or any other applicable

legislation or regulations. The proponent must then supply the Township's comments to the province with their REA Application.

2. Hydroelectric projects are a form of alternative/renewable energy generation that does not require REA approval, but must follow the appropriate environmental assessment process. For projects generating less than 200 MW, that process is outlined in the Ontario Waterpower Association's Class Environmental Assessment for Waterpower Projects.

3.5 BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments are a form of short term accommodation for travellers that are found within private homes. A bed and breakfast establishment may be permitted as an accessory use within a single-detached dwelling provided the bed and breakfast is clearly secondary to the residential use. The Zoning By-law shall establish appropriate provisions and standards for bed and breakfast uses.

3.6 COMMUNITY GARDENS

The Township recognizes the reality of rising food costs, and a growing desire for locally grown produce. The Township shall encourage community gardens/roof top gardens as important resources to the community and as an attractive alternative food source for residents. The Township shall support community gardens by:

1. Permitting community gardens and roof top gardens in the following designations: Rural, Residential Neighbourhood and Parks and Open Space.
2. Promoting community gardens in all development/redevelopment initiatives; and
3. Identifying sites, including Township parks and school sites, for the establishment of community gardens.

3.7 COMMUNICATION TOWERS

The Township of Black River-Matheson recognizes that the installation of communication towers is required to supply, improve, and maintain the quality of service. Local Zoning By-laws cannot prevent a telecommunication tower from being constructed, since the Federal Government has the approval authority under the *Radio Communications Act*. Industry Canada recognizes the importance of considering the potential impact of communication towers on the adjacent surroundings and the community. A proponent seeking to establish a communications tower shall work with the Township and seek input from the community in accordance with Industry Canada guidelines. (Ministerial Approval: March 20, 2017, Modification 4)



3.8 CONTAMINATED SITES

Prior to considering proposals for redevelopment of potentially contaminated sites, Council shall be satisfied that the soil quality is suitable for the proposed use. When a proponent submits an application for an amendment to the Plan to permit reuse/redevelopment of the lands that are known or suspected to be contaminated, approval of the amendment will be contingent upon the completion of an assessment of the property in accordance with O. Reg. 153/04 Record of Site Condition Regulation, as amended from time to time. The proponent shall submit a Record of Site Condition (RSC) that confirms that the site is suitable for the intended land use, as a result of a thorough site investigation which shall demonstrate that the site was not contaminated and therefore did not require remediation. Conversely, if the site requires remediation, the completion of all remediation activities will be a prerequisite to any subsequent approvals (i.e. subdivisions, consents, rezoning, and site plan approval) that the development also requires.

3.9 CROWN LAND

Two provincial ministries are responsible for the administration of Crown Land. The Ministry of Natural Resources and Forestry (MNRF) is responsible for the administration of Crown land, pursuant to the *Public Lands Act*. This includes acquisition, disposition, and management of Crown lands and water. The use and development of Crown land will take place in accordance with the land use management policies of the MNRF. Where a change in land use is proposed, the MNRF shall consult with the municipality and have regard for the policies of this Plan before carrying out, or authorizing any undertaking that will affect the municipality. The intent of the Official Plan is to encourage treed buffers and setbacks from roads, lakes and recreational areas.

The Ministry of Northern Development and Mines (MNDM) is responsible for mining rights on Crown land, pursuant to the *Mining Act*. Specifically, MNDM is responsible for issuing mining leases, exploratory licenses of occupations (ELOs), mining claims and other forms of land tenure on Crown land. Schedule G of this Official Plan illustrates Crown land.

3.10 ELECTRIC POWER FACILITIES

Notwithstanding any policy in this Official Plan, public utilities, including electricity generation facilities and transmission and distribution systems, shall be permitted in all land use designations without an Official Plan amendment.

Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

3.11 ENERGY

The Township recognizes the importance of the following supporting policies aimed at reducing energy consumption and reliance on carbon-based fuels in order to develop greener and healthy active communities. The principles of energy efficiency and energy diversity guide the energy policies. Energy efficiency refers to promoting energy-efficient urban and building designs, while energy diversity refers to promoting the development and use of alternative and renewable energy systems.

1. New developments shall consider the use of green building technologies and rating systems, such as Leadership in Energy and Environmental Design (LEED).
2. Land use patterns should support the use of alternative modes of transportation.
3. Development should reduce hard surfaces and maximize site permeability, wherever possible.
4. Buildings should be oriented in such a way as to maximize passive solar energy gain.
5. The Township shall promote landscaping and tree planting programs that help moderate summer and winter micro-climatic conditions.
6. Council shall support waste reduction from construction debris from demolitions of buildings by promoting and encouraging the adaptive reuse of older and existing building stock, and reuse of materials.
7. The Township shall promote alternative and renewable energy systems as accessory and standalone uses.

3.12 FORESTRY

Council recognizes the importance of forestry to the economy of the planning area and to the environment. Forestry is recognized as a primary permitted use in the Rural Area. The maintenance of forest cover along lakes, river and streams will be encouraged.

3.13 GARDEN SUITES

Garden suites are one-unit detached residential structures containing bathroom and kitchen facilities, and are designed to be portable and are accessory to an existing residential structure. Garden suites are an affordable housing type, in part, because they do not require the purchase of land, they are ancillary to existing dwellings, and are relatively inexpensive to install. Garden suites are especially suitable for some groups such as seniors because they provide affordable housing



and enable older adults to live independently while receiving informal support from family members or a caregiver in an independent unit. The following policies shall apply to garden suites:

1. Garden suites shall be permitted in conjunction with a single-detached or semi-detached dwelling in the Matheson, Holtyre, Ramore and Val Gagné Settlement Area, Agricultural Area and Rural Area designations. A garden suite may only be permitted as a temporary use subject to a rezoning and the use shall not exceed twenty (20) years from the date of passing the by-law. A garden suite means a one-unit detached residential structure containing kitchen and bathroom facilities that is ancillary to an existing principal dwelling and that is designed to be portable. The Zoning By-law shall include regulations for unit size and other performance standards.
2. Garden suites shall be permitted where there is adequate water and sewerage capacity on the lot to service the suite.
3. Garden suites must comply with the setbacks for accessory buildings, as set out in the Zoning By-law.
4. As per the *Planning Act* regulations for garden suites, Council may require the owner of the suite or any other person to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite as the Council considers necessary or advisable, including:
 - (a) The installation, maintenance and removal of the garden suite;
 - (b) The period of occupancy of the garden suite by any of the persons named in the agreement; and
 - (c) The monetary or other form of security that the Council may require for actual or potential costs to the municipality related to the garden suite.

3.14 HAZARD LANDS

Hazard Lands are lands which are flood or erosion susceptible, unstable, poorly drained or exhibit some other physical condition which could pose a risk to human life and/or property if the lands were developed. Flood plain areas have been designated as Hazard Lands on Schedules A and B of this Plan. It is the intent of this Official Plan to protect public health and safety by reducing the potential for public cost or risk to Ontario's residents from natural or man-made hazards. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage and not create new or aggravate existing hazards.

Development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding and/or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Regardless, no development shall be permitted in an area subject to flooding regardless of whether the area of inundation contains high points of land not subject to flooding. (Ministerial Approval: March 20, 2017, Modification 5a)

The following policies shall apply to lands designated as Hazard Lands:

1. Uses permitted on Hazard Lands shall include conservation, forestry, agriculture, public or private parks, golf courses or other outdoor recreation uses, and other uses compatible with the hazard. (Ministerial Approval: March 20, 2017, Modification 5b)
2. No new buildings or structures shall be permitted on areas designated as Hazard Lands except where such buildings or structures are:
 - (a) intended for flood or erosion control or are normally associated with a water course protection or bank stabilization;
 - (b) for other uses normally associated with shorelines such as docks, boathouses and marina facilities. (Ministerial Approval: March 20, 2017, Modification 5c)
3. All buildings and structures existing at the date of adoption of this Plan shall be recognized as permitted legal uses in the Zoning By-law. No enlargement, extension or replacement of any building or structure shall be permitted without an amendment to the Zoning By-law.
4. The Zoning By-law shall establish provisions for a building setback from shorelines, riverbanks and other hazardous areas. Such setback will be related to the extent or severity of the hazard.
5. Where hazard land information and/ or mapping is not sufficient or available, the proponent may be required to provide further information or undertake studies to define the area susceptible to risks and to address mitigating measures.
6. The Hazard Lands designation shown on Schedules A and B is general in nature and may be subject to minor changes without an amendment to this Plan provided the intent of the Plan is met. Where such changes occur, the appropriate abutting land use designation shall apply and the Zoning By-law shall be amended accordingly.



7. Council may consider the need to prepare a climate change adaption plan to identify any potential impacts of climate change that may increase the risk associated with natural hazards and identify mitigation measures.

3.15 HOME OCCUPATIONS

Home occupations shall include occupations or professions which are conducted entirely within a dwelling unit. Home occupations shall not be permitted in accessory buildings. Home occupations shall be permitted in the following land use designations: Agricultural Area, Rural Area and Residential Neighbourhood, provided they do not change the character of the dwelling as a residence or create or become a nuisance to other properties in the form of traffic, noise, dust, odour or outside appearance of the dwelling. The Zoning By-law shall specify the types of home occupation uses and limit the area of the dwelling devoted to the home occupation use.

3.16 HOME INDUSTRIES

Home industries shall be permitted within a detached building accessory to a residential use in the Agricultural Area and Rural Area designations provided that they are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means. Home industries could include small-scale manufacturing, carpentry, auto body, auto repair shop and cottage industries. Home industries in the Rural Area shall not change the residential character of the residence or become a nuisance to other properties in the form of traffic, noise, dust, odour or outside appearance of the dwelling or accessory building and the outside storage of goods shall be prohibited. Home industries that are agriculture-related and on-farm diversified uses shall be compatible with and shall not hinder surrounding agriculture operations. A home industry in the Agriculture Area must comply with section 5.2.1 (b) in this plan. The Zoning By-law shall specify the types of permitted home industries and the performance standards to regulate the use and size of development.

3.17 LAND DEVELOPMENT

It is the intent of Council to ensure that sufficient land and a choice of development sites is available to meet the anticipated development needs of the municipality. Council shall require a minimum 10 year supply of land designated and available for new residential development and residential intensification, and at least a 3-year supply of residential units with servicing capacity in draft approved or registered plans.

3.18 LAND USE COMPATIBILITY

Compatible development means development that, although it is not necessarily the same as or similar to existing buildings in the vicinity, nonetheless enhances an established community and

coexists with existing development without causing undue adverse impact on surrounding properties. Compatibility can be achieved in a variety of ways, including the provision of appropriate separation distances, setbacks, buffering features, and transition in building height and massing.

Land use conflicts should be avoided or mitigated as much as possible. The encroachment of residential or other sensitive land uses (such as educational and health facilities and day care centres) and major facilities (such as industries, resource extraction activities, waste management systems, sewage treatment facilities, oil and gas pipelines and transportation/rail infrastructure and corridors) on one another is discouraged. When a change in land use is proposed, consideration will be given to the effect of the proposed land use on existing and committed future land uses. Potential influence area requirements for industrial facilities will be in accordance with the policies of Section 4.4 Industrial of this Plan.

3.18.1 Minimum Distance Separation (MDS) – Settlement Areas

It is not the intention of the municipality to apply the Minimum Distance Separation (MDS) I formula to proposed new non-agricultural uses within the approved settlement areas.

3.18.2 Minimum Distance Separation (MDS) - Cemeteries

When implementing the Minimum Distance Separation (MDS) II formula related to the construction or expansion of a livestock facility, it is the intention of the Municipality to treat the following cemetery as Type A use, as it is inactive and receives low levels of visitation:

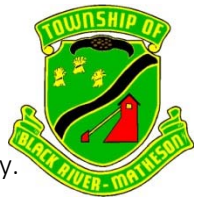
Old St. Laurent Cemetery

The location of this cemetery is shown on Schedule A. (Ministerial Approval: March 20, 2017, Modification 6)

3.19 RESIDENTIAL DEVELOPMENT

Density is a relative term that is used to define the scale and grain of development. It is typically a measure of persons or dwelling units per unit of land area. Net residential density is typically defined as the number of dwelling units per hectare and measures the area of land used exclusively for residential use, including private roads and parking areas but excluding public streets, rights-of-way, parks, environmental areas and non-residential uses.

Residential densities tend to increase or decrease depending on housing type. Typically, forms of medium- and high-density residential housing include multiple-attached developments such as townhouses and apartment buildings. However, it is important to recognize that higher-density development can also be achieved through detached or semi-detached dwellings on smaller lots,



while apartment buildings surrounded by large parking areas can significantly decrease their density. In other words, housing type can affect density but other factors must also be taken into consideration.

For the purposes of this Official Plan, the Township shall set a target of 10% of all new residential development to take the form of infilling and intensification within the settlement areas.

3.20 SECONDARY DWELLING UNITS

Secondary dwelling units are permitted in single-detached, semi-detached and townhouse dwellings provided that:

- (a) the principal dwelling unit is located in a designation that permits the residential use;
- (b) the secondary dwelling unit is located within the main building or a detached ancillary structure (e.g. a detached garage);
- (c) there is adequate water and sewer capacity to accommodate the secondary dwelling;
- (d) the secondary dwelling unit would not otherwise qualify as a garden suite;
- (e) only one secondary dwelling unit is permitted on a lot; and
- (f) the secondary dwelling unit shall not be larger than the principal dwelling. (Ministerial Approval: March 20, 2017, Modification 7a, 7b)

3.21 TRANSCANADA PIPELINE

TransCanada is regulated by the National Energy Board, which, in addition to TransCanada, has a number of requirements regulating development in proximity to the TransCanada Pipeline as shown on Schedule A. The TransCanada Pipeline shall also be zoned in the Township's Zoning By-law. Any development adjacent to TransCanada Pipeline facilities shall comply with the following:

- (a) Pre-consultation with the Township and with TransCanada or its designated representative is required for any development proposal within 200 m of the TransCanada Pipeline;
- (b) Activities on or within 30 m of the right-of-way, such as excavation, blasting and any movement of heavy equipment must be approved in writing by TransCanada;
- (c) No permanent building or structure may be located within 7 m of the pipeline right of-way; and

- (d) Where development is proposed in close proximity to the TransCanada compressor station, a noise and vibration study to be carried out by TransCanada may be required for development proposals within 1,000 m of the compressor station in order to determine if provincial guidelines can be achieved, and if necessary, what mitigation measures are required, in accordance with the Ministry of the Environment and Climate Change Guideline 0-6, Compatibility between Industrial Facilities and Sensitive Land Uses.

3.22 WAYSIDE PITS AND QUARRIES, PORTABLE ASPHALT AND PORTABLE CONCRETE PLANTS

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

A portable asphalt plant means a small portable facility with equipment designed to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process.

A portable concrete plant means a small portable facility with equipment designed to produce concrete, and includes stockpiling and storage of bulk materials used in the process.

Portable asphalt plants and portable concrete plants are not of permanent construction, but are designed to be dismantled and moved to another location as required.

1. Wayside pits and quarries, portable asphalt plants and portable concrete plants used by a public road authority or their agents, shall be permitted throughout the Township, subject to the approval of the Ministry of the Environment and Climate Change, except for the following locations:
 - (a) in the Matheson, Holtyre, Ramore and Val Gagné Settlement Areas;
 - (b) in the Conservation Reserve; and
 - (c) where severe environmental disruption will occur.
2. Wayside pits and quarries, portable asphalt plants and portable concrete plants shall be permitted without an amendment to this Plan or the Zoning By-law. The Township of Black River-Matheson requests to be given adequate notice and an opportunity to provide comments regarding the opening of the plant.
3. Wayside pits and quarries, portable asphalt plants and portable concrete plants shall be removed from the site upon completion of the road project.



4. Wayside pits and quarries, portable asphalt plants and portable concrete plants shall be permitted on Active Mine Sites as an associated use to the mineral mining operation.
5. Wayside pits and quarries, portable asphalt plants and portable concrete plants shall be rehabilitated to their former use and condition at the end of a project and/or contract.

3.23 WILDLAND FIRE HAZARDS

Hazardous forest types for wildland fire are forest types assessed as being associated with a high or extreme risk of wildland fire. These areas are generally forested areas which are composed of a certain type and condition of forest fuels. Vegetation (fuel types) that are high to extreme risk for wildland fire include natural conifer forests and unmanaged conifer plantations. There is an inherent risk to the public when changes to the landscape occur, such as encroachment of development into forested areas associated with high to extreme risk. Potential forest hazard classifications for wildland fire identified as high to extreme risk for wildland fire are illustrated in Schedule H of this Plan. Schedule H is provided for information purposes and is intended to provide a screening tool for identifying areas at risk for wildland fire. Where updated and/or more detailed assessments are undertaken, Schedule H may be revised without requiring an amendment to this Plan. The following policies shall apply to areas near wildland fire hazards:

1. 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.
2. Development may 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 MNRF.
3. In the absence of detailed municipal assessments, proponents submitting a planning application shall undertake a site review to assess for the presence of areas of high to extreme risk for wildland fire on the subject lands and adjacent lands, to the extent possible. If development is proceeding where high to extreme risk for wildland fire is present, measures should be identified by proponents to outline how the risk will be mitigated.
4. Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in significant wetlands or significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies in the Section 6.3 Provincially Significant Wetlands and Section 6.6 Wildlife Habitat of this Plan.

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SECTION 4 URBAN DESIGNATIONS

This Section of the Plan establishes policies for the land use designations shown on Schedules A, C, D, E and F. These policies identify where different types of land use should locate in the Township, the extent of land that will be developed for that use and the development standards and policy considerations that will be applied when new development occurs.

The character of the municipality is not expected to change significantly during the period of this Plan. Most growth is expected to take place in the four settlement areas of Matheson, Holtyre, Ramore, and Val Gagné as shown on Schedules C, D, E and F where the highest level of goods and services are provided and public services are presently available. (Ministerial Approval: March 20, 2017, Modification 8a)

All development in the Settlement Areas shall be connected to a municipal sewage and water system and located on a year round maintained public road. It is the intent of Council that the lands in the Settlement Areas be developed in accordance with the following policies.

4.1 LAND USE DESIGNATIONS

The Settlement Areas are divided into the following land use designations:

- Residential Neighbourhood
- Mixed Use
- Industrial
- Parks and Open Space
- Hazard Lands

Development standards and permitted uses in the land use designations will be governed by the Township's Zoning By-law.

4.2 RESIDENTIAL NEIGHBOURHOOD

The Residential Neighbourhood designation shall mean that the predominant use of land shall be for residential purposes and may include single-detached dwellings, duplex, semi-detached dwellings, and low-rise apartments.

1. The following accessory uses shall be permitted in the Residential Neighbourhood designation provided they are compatible with the residential environment:
 - (a) Home occupations and home professions that are of limited extent and operation;

- (b) Public and institutional uses under the jurisdiction of the municipality or a local board, such as a school, park, playground, recreation facility, library, day nursery, cemetery, firehall, nursing home, hospital, place of worship and other appropriate public activities;
 - (c) Group homes must be licensed or approved under provincial statute (Ministerial Approval: March 20, 2017, Modification 8b); and
 - (d) Local convenience, personal service uses, public and private day care, bed and breakfast establishments, and private institutions such as a place of worship or hall may be permitted by way of an amendment to the zoning by-law.
- 2. Council shall permit affordable housing and accommodation for all segments of the population through residential intensification and a range of lot sizes and by encouraging a variety and mix of housing types and densities to meet the needs of current and future residents.
 - 3. Mobile home dwellings, consisting of mobile homes on permanent foundations in a registered plan of subdivision, shall be permitted only in an approved mobile home park by means of an amendment to the implementing Zoning By-law. Mobile home parks and mobile homes on individual lots shall be prohibited.

4.3 MIXED USE

The Mixed Use designation identifies the central business areas in the four Settlement Areas as shown on Schedules C, D, E and F. It is the general intent of Council to foster the business function of these areas by promoting all types of commercial uses. Medium and higher density residential uses and residential accessory to the commercial uses will also be encouraged in the Mixed Use designation.

- 1. The primary uses permitted in the Mixed Use designation are all types of commercial, highway commercial and tourist commercial uses including retail, wholesale, services, offices, restaurants, tourist services and facilities; motels and hotels; service and repair shops; establishments supplying fuel, building materials and hardware; institutional uses, government and public offices; and general business activities appropriate to a commercial area.
- 2. The following secondary uses shall be permitted in the Mixed Use designation provided they will not interfere with, or detract from the activities of the major users:



- (a) Public and institutional uses under the jurisdiction of the municipality or a local board, such as a school, park, recreation facility, library, day care centre, day nursery, firehall, nursing home, hospital and other appropriate public activities;
 - (b) Medium and higher density residential uses; and
 - (c) Accessory residential accommodation may be permitted without an amendment to the zoning by-law provided the residential use is accessory to the main commercial use; and the entrance to the residential use is separate from the commercial entrance.
- 3. 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.
 - 4. Adequate buffering shall be provided between the Mixed Use uses and any adjacent residential uses to reduce the impact of noise, 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 or planting or any combination of these uses sufficient to accomplish the intended purpose. Regulating lighting so that it is deflected away or shielded from residential uses may also be required.
 - 5. No open storage shall be permitted adjacent to residential uses or in any front or side yard.
 - 6. More than one commercial use may be permitted in a building on a lot.
 - 7. New uses shall only be permitted on lands where municipal water and sewer services are provided within the Settlement Areas.

4.4 INDUSTRIAL

Industrial areas have been identified which because of their location, accessibility and present characteristics are deemed suitable for industrial uses. Separation distances shall be required between industrial facilities and sensitive land uses such as residences, schools, day care centres, educational and health facilities and other similar uses. The Zoning By-law shall establish buffers and separation distances between industrial and sensitive land uses. Site plan control agreements and municipal agreements may also be required to regulate industrial development.

1. The primary uses permitted in the Industrial designation are all types of industries and industrial services whose operations are generally of a warehousing, manufacturing, storage, repair, wholesaling, recycling and transportation nature.
2. Secondary uses may be permitted in the Industrial designation without an amendment to the Zoning By-law provided they are incidental to the industrial operations; they provide a service for the industrial area or increase its attractiveness for industry; and they have characteristics or functional requirements similar to the industries.
3. Proposals to convert Industrial lands to other purposes will require an amendment to this Plan, and may be permitted only through a comprehensive review, and where it has been demonstrated that the land is not required for employment purposes over the life of this Plan, and that there is a need for the conversion. A comprehensive review to assess requests to convert Industrial lands to other purposes will consider such matters as:
 - (a) A review of the population and employment growth projections and consideration of alternative directions for growth, and which direction would best accommodate the growth while protecting provincial interests;
 - (b) The available supply of employment lands to accommodate a range of employment uses anticipated in the Industrial designation, as well as the identification of alternative sites that are currently designated or zoned for employment uses that could be developed through intensification and redevelopment;
 - (c) The integration with existing and planned infrastructure and public service facilities;
 - (d) The appropriateness of the proposed non-employment use(s) based on the land's physical and natural characteristics; and
 - (e) The impact of non-employment use(s) on the viability of any remaining employment lands with regard to matters such as compatibility of land use, affordability for employment purposes, visibility of employment lands, maintenance of the identity of the employment area, and any other relevant matter.
4. In determining potential impacts, studies may be required in accordance with MOECC's D-Series Guidelines and supporting studies may be required to demonstrate the level of impact on the sensitive land uses, or vice versa, in addition to identifying appropriate mitigation measures.



5. The potential influence areas (i.e. areas within which adverse effects may be experienced) for industrial facilities which would trigger a study in accordance with the MOECC D Series Guidelines are as follows:

Class I	70 metres
Class II	300 metres
Class III	1000 metres

6. The minimum separation distances between industrial facilities and sensitive land uses are as follows:

Class I	20 metres
Class II	70 metres
Class III	300 metres

Under no circumstance can a separation distance be less than the listed separation distances for a class I, II, or III industrial use.

7. The actual influence area (overall range within which an adverse effect would be or is experienced) for a particular facility is site- specific, and may be defined within, or in exceptional circumstances, beyond the potential influence area either before, or where applicable, after buffers have been used to reduce, eliminate or otherwise intercept adverse effects. In the absence of specific substantiating information (normally obtained through technical studies) which identifies an actual influence area, the potential influence areas set out in the MOECC's D-1 Guidelines, "Land Use and Compatibility," shall be used.
8. To ensure compatibility between sewage treatment facilities and sensitive land uses the following general separation distances shall apply:
- (a) For sewage treatment facilities which produce 500 m³/day = 100 metres;
 - (b) For sewage treatment facilities which produce 501 m³/day to 25,000 m³/day = 150 metres;
 - (c) Sewage treatment facilities with a capacity greater than 25,000 m³/day will be dealt with on an individual basis. A separation distance of greater than 150 metres may be required;
 - (d) For waste stabilization ponds = 100-400 metres.

4.5 PARKS AND OPEN SPACE

The provision of adequate parks, open space and recreation facilities and linking waterfront areas and other open space and parks with the existing built up community is an objective of Council.

1. The primary uses permitted in the Parks and Open Space designation shall be active and passive parks, open space, conservation areas, public docks and marina facilities, playgrounds, public and private recreation facilities.
2. The following secondary uses shall be permitted in the Parks and Open Space designation without an amendment to the zoning by-law provided that they will not interfere with, or detract from the activities of the primary uses: restaurants, rentals, boat storage and dock and marina facilities.

4.6 HAZARD LANDS

The policies of Section 3.14 Hazard Lands in this Plan shall apply to the Hazard Lands designation in the Settlement Areas.



SECTION 5 RURAL DESIGNATIONS

Lands shown on Schedule A including the communities of Shillington and Val Gagné South are subject to the Rural Designation policies of this Plan. Rural areas of the municipality will be serviced by means of private individual sewage systems and water supplies, with the exception of Val Gagné South which has a public water system. It is the intent of Council that the lands beyond the Settlement Areas be developed in accordance with the following policies.

5.1 LAND USE DESIGNATIONS

The rural part of the municipality is divided into the following land use designations:

- Agricultural Area
- Rural Area
- Shoreline Area
- Hazard Lands
- Conservation Reserve
- Active Mine Sites
- Active Aggregate Extraction Area
- Waste Disposal Site – Active
- Waste Disposal Site – Closed

5.2 AGRICULTURAL AREA

Lands designated as Agricultural Area are defined as prime agricultural lands having soils that are predominantly comprised of Class 1 through 3 of the Canada Land Inventory. It is the intent of Council to preserve Agricultural Areas for agricultural purposes, to direct non-farm uses to areas in the Township outside of the Agricultural Area, and to minimize the impact of non-farm uses on agricultural operations. This designation is also intended to protect and enhance the natural amenities, character and lifestyle of the Agricultural Area and encourage growth of the agricultural-related businesses that support existing farm operations in appropriate locations. Lands designated as Agricultural Area are illustrated on Schedule A and are generally located south of the Settlement Area of Val Gagné.

1. Permitted uses in the Agricultural Area include:
 - (a) Agriculture uses which include the growing of crops, including nursery and horticultural crops, aquaculture, apiaries, agro-forestry, maple syrup production, and associated on-farm buildings and structures, including accommodation for full-time labour when the size and nature of the operation requires additional employment;

- (b) On-farm diversified uses and facilities, home occupations and home industries provided that they are accessory to the principle agricultural use of the property, and are limited in area. On-farm diversified uses and facilities are those that produce value added agricultural products from the farm operation on the property, including, but not limited to, the sale of maple syrup, seasonal roadside produce stands and processing and packaging operations; and
 - (c) Farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations and provide direct products and/or services to farm operations as a primary activity.
- 2. Mineral exploration and mineral extraction are also permitted in the Agricultural Area provided that the site will be rehabilitated. (Ministerial Approval: March 20, 2017, Modification 9a)
- 3. Non-agricultural uses which are incompatible with agriculture are not permitted in the Agricultural Area and are encouraged to locate elsewhere in the Township.
- 4. Notwithstanding Policy 3, extraction of mineral aggregates is permitted as an interim use subject to criteria and in accordance with the Provincial Policy Statement without the need for an Official Plan Amendment, provided that the site is rehabilitated back to an agricultural condition defined in the Provincial Policy Statement. On these prime agricultural lands, complete agricultural rehabilitation is not required if:
 - (a) There is a substantial quantity of mineral aggregates below the water table warranting extraction or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
 - (b) Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: Canada Land Inventory Class 1, 2 and 3 (Ministerial Approval: March 20, 2017, Modification 9b); and
 - (c) Agricultural rehabilitation in remaining areas is maximized.
- 5. One secondary farm residence may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where



this additional dwelling does not have a significant negative effect on the tillable area of the farm or its viability. The secondary farm residence shall be constructed in close proximity to the principal farm buildings so that the secondary farm residence is considered to be an integral part of the farming operation. The secondary farm residence may share services with the principle residence provided clearance is obtained from the Porcupine Health Unit that the septic system serving the principle residence has adequate capacity to accommodate the secondary farm residence in accordance with MOECC Guidelines D-5-4. A secondary farm residence shall not be constructed with the intention of severing it from the farming operation in the future.

6. Garden suites may be permitted in the Agricultural Area in accordance with the policies of Section 3.13 Garden Suites of this Plan.
7. Agricultural parcels are to be of a size appropriate for the type of agricultural uses common in the area and be sufficiently large to maintain flexibility for future changes. The minimum lot area for new (and retained) agricultural parcels shall generally be 40 hectares in area. Agriculture uses are permitted on existing lots that are less than 40 hectares in size. (Ministerial Approval: March 20, 2017, Modification 9c)

5.3 RURAL AREA

The major part of the municipality is designated as a Rural Area in which the predominant use of the land shall be for forestry, agriculture, mining, aggregate extraction, recreation and other resource development activities; resource-based recreational activities, limited residential development and other rural land uses. Non-resource related development activities in the Rural Area will be controlled and the level of services in the Rural Area will be maintained at a similar level to that now prevailing. A limited amount of residential development and commercial and industrial uses shall be permitted provided the proposed development conforms to the relevant policies in this Plan.

1. The primary uses permitted in the Rural Area are forestry, mining, agricultural and agricultural-related uses including the use of lands, buildings or structures for the growing of crops, including agro-forestry, greenhouse crops, mushrooms, nursery and horticultural crops; raising of livestock and other animals and birds, including poultry, fur bearing animals, fish, deer, elk and bees; aggregate extraction, recreation and other resource development activities.
2. On-farm diversified uses shall be permitted in the Rural Area provided they are accessory to the principle agricultural use of the property, and are limited in area. On-farm diversified uses and facilities are those that produce value added agricultural products from the farm operation on the property including, but not limited to, the sale of maple

syrup, seasonal roadside produce stands and processing and packaging operations. Agriculture related uses permitted in the Rural Area are farm related commercial and farm related industrial uses that are small in scale and directly related to the farm operation and in close proximity to the farm operation.

3. In order to preserve and support the social and cultural needs of the Township's existing rural community which rely on horse-drawn vehicles as their transportation means, the Township may, by amendment to the Zoning By-law, permit the establishment of small-scale schools, places of worship and associated cemeteries where their location in the Rural Area designation conforms to the policies in Section 6 Natural Heritage and Development Constraints of this Plan.
4. Residential uses may be permitted in the Rural Area without an amendment to the Zoning By-law provided:
 - (a) the dwelling is located on a lot that can be legally conveyed under the *Planning Act*;
 - (b) the lot is located on and has access to a public road that has been opened, established and is maintained year-round; and
 - (c) the lot meets all the requirements of the Ministry of Environment and Climate Change or its designated agency for sewage disposal. Small, private sewage systems are approved under the Ontario Building Code and administered locally by the Porcupine Health Unit. Large systems on one parcel that generate more than 10,000 litres/day and small systems, with any portion of the system that goes off property are administered by the Ministry of Environment and Climate Change.
 - (d) the lot meets all requirements of the Ministry of Environment and Climate Change or its designated agency for potable water supply, subject to the policies in Section 7.2 Private Individual Sewage and Water Services of this Plan.
5. Residential uses in the form of a doddy house or a duplex shall be permitted in the Rural Area. A doddy house means an additional dwelling unit attached by an enclosed walkway to a permitted detached residential dwelling. A walkway means a covered or roofed pedestrian thoroughfare used to connect two or more buildings.
6. Dry commercial/industrial uses requiring large buildings, warehousing, large yard space and in some cases highway exposure may seek to establish in the Rural Area. Dry commercial/industrial uses may include such uses as equipment sales and service, contractor's storage yard, sawmills, mine sites, pits and quarries, lumber and building products yards, and the manufacturing or processing of farm or forestry related goods or



products, and services for the travelling public. All dry commercial/industrial uses are subject to the policies in Section 7.2 Private Individual Sewage and Water Services of this Plan.

7. The location of commercial and industrial uses is not predictable and such uses shall require a zoning by-law amendment. In considering an amendment to the zoning by-law it shall be clearly demonstrated that a rural rather than urban location is necessary for the commercial or industrial operation, and the amenity of the surrounding rural area is protected and that the proposed use conforms to Section 3.20 Land Use Compatibility of this Plan.
8. Notwithstanding the provisions of this Section, development in the Rural Area shall not result in the undue extension or expansion of the Settlement Areas. The Zoning By-law implementing this Plan shall establish a second rural zone classification that shall limit the uses permitted on lands adjacent to, or in close proximity to the Settlement Areas. The Settlement Areas will be expanded only where existing designated areas in the municipality do not have sufficient land supply to accommodate the growth projected for the municipality, and only when the need can be demonstrated through a comprehensive review.
9. Public and institutional uses under the jurisdiction of the municipality or a local board shall be permitted without an amendment to the Zoning By-law.
10. All development within the Rural Area will comply with the Provincial Agricultural Minimum Distance Separation Formula, as amended from time to time.
11. Garden suites may be permitted in the Rural Area in accordance with the policies of Section 3.13 Garden Suites of this Plan. (Ministerial Approval: March 20, 2017, Modification 10)

5.4 SHORELINE AREA

The shorelines of many lakes and rivers are considered suitable for shoreline development that may include seasonal dwellings and tourist commercial uses. The Official Plan shall not be interpreted as arbitrarily allowing complete development of the entire shoreline area for recreational dwellings or tourist commercial uses but should be used as the basis for considering development applications within the designation.

1. The primary uses permitted in the Shoreline Area designation shall be seasonal dwellings and tourist commercial uses not requiring year- round municipal road services.

2. Seasonal dwellings and tourist commercial uses may be permitted in the Shoreline Area designation without an amendment to the Zoning By-law provided:
 - (a) They are located on a lot that can be conveyed under the *Planning Act*;
 - (b) The use meets the requirements of the Ministry of Environment and Climate Change Guidelines D-5-4: Technical Guideline for Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment and D-5-5: Technical Guideline for Private Wells: Water Supply Assessment for sewage disposal and potable water supply;
 - (c) They are not located on a flood prone area or hazard land, or on land that may be prone to slumping due to unstable banks;
 - (d) Only one dwelling unit per lot is permitted.
3. The Shoreline Area designation shall in no way be interpreted to mean that access roads will be kept open in the winter by the municipality or that additional public services will be provided.
4. A single-tier of development shall be permitted in the Shoreline designation. Back lot development shall not be permitted in the Shoreline Area designation.
5. Where development is proposed with private sewage systems on water bodies where the development capacity has not been assessed or modeled, approval of the development may be subject to an assessment in accordance with the Provinces Lakeshore Capacity Assessment Handbook in consultation with the Ministry of the Environment and Climate Change. Should it be determined that the lake is at capacity, new lot creation, or, land use change which result in a more intensive use will not be permitted, or may be restricted, subject to the findings of the above-mentioned assessment.

5.5 CONSERVATION RESERVES AND PROVINCIAL PARKS

The Shallow River Poplar Outwash Conservation Reserve is identified as Conservation Reserve on Schedule A of this Plan.

The Ministry of Natural Resources and Forestry is responsible for administering these lands and determining appropriate land use policies to ensure that negative impacts are minimized, in accordance with the *Provincial Parks and Conservation Reserves Act*.

It is the intent of Council that planning decisions will minimize negative impacts on conservation



reserves and provincial parks such as the Wildgoose Outwash Deposit Provincial Park to the west of the Township. (Ministerial Approval: March 20, 2017, Modification 11a, 11b)

5.6 ACTIVE MINE SITES

Mine sites are regulated by the *Mining Act* and administered by the Ministry of Northern Development and Mines. Other federal and provincial legislation applies. The intent of the Official Plan is to ensure these uses are protected from incompatible uses and to minimize adverse impacts of mineral mining operations on the surrounding natural and social environments.

1. Mine sites consist of active and proposed mineral mining operations (as defined by the Provincial Policy Statement) and may be used for a variety of mining and mining-related uses. Active Mine Sites are represented on Schedule A, which represents their general location.
2. The specific location and extent of an Active Mine Site shall be identified in the Zoning By-law. Until a Zoning By-law Amendment is adopted on lands identified as an Active Mine Site and the mine receives approval to operate, the underlying land use designation shall apply.
3. An Official Plan Amendment and a Zoning By-law Amendment shall be required to permit any new mine sites. In approving any new mine sites, Council shall consider:
 - (a) the impact on surrounding uses;
 - (b) impact on the social and natural environments;
 - (c) aesthetic appearance of the proposed development; and
 - (d) the benefit of the mining or mining-related use to the Township.
4. Active Mine Sites will be protected from activities that would preclude or hinder their expansion, continued use or which would be incompatible for reasons of public health, safety and environmental impact.
5. Active Mine Sites are considered as Class III Industrial Uses and are also subject to the policies in Section 3.20 Land Use Compatibility of this Plan.
6. Active Mine Sites are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure. After extraction and other related activities have ceased, mine sites shall be rehabilitated to the satisfaction of the Ministry of Northern Development and Mines.

7. Proponents of new mines are required to conduct an environmental assessment under the applicable legislation (i.e. *Canadian Environmental Assessment Act*, *Ontario Environmental Assessment Act*), and to consult with the Township and the public throughout these processes.

5.7 ACTIVE AGGREGATE EXTRACTION AREA

Land designated as Active Aggregate Extraction Area on Schedule A of this Plan are existing pits and quarries. It is the goal of this Plan to manage and protect aggregate resources responsibly for long-term use through regulations on current surface operations, minimizing adverse impacts on the social and natural environments, and protecting them from incompatible uses. Areas with potential aggregate resources are designated on Schedule B and are subject to the policies in Section 6 Natural Heritage and Development Constraints of this Plan.

1. The primary use of land designated as Active Aggregate Extraction Area shall be pit and quarry operations. Other uses that do not preclude the possibility of future expansion and extraction may also be permitted. New lot creation for rural residential development shall not be permitted on lands designated as Active Aggregate Extraction Area.
2. Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Township and with the Ministry of the Environment and Climate Change through the issuance of an Environmental Compliance Approval (ECA).
3. Active Aggregate Extraction Areas shall be protected from uses that may hinder the future expansion and extraction of aggregates. The protection of known aggregate resources shall take precedence, over any land use that would prevent the future expansion and extraction operations.
4. Existing Active Aggregate Extraction Areas shall be permitted to continue without an Official Plan Amendment, Zoning By-law Amendment or development permit under the *Planning Act*.
5. Requests for mineral aggregate extraction or the expansion of an existing operation within the Township shall consider the following:
 - (a) the effect of the operation of the pit or quarry on the environment;
 - (b) compatibility with surrounding land use as outlined in Section 3.20 Land Use Compatibility of this Plan;



- (c) the suitability of the progressive rehabilitation and final rehabilitation plans for the site;
 - (d) any possible effects on ground and surface water resources;
 - (e) any possible effects of the operation of the pit or quarry on agricultural resources;
 - (f) the main haulage routes and proposed truck traffic to and from the site;
 - (g) the quality and quantity of the aggregate on the site; and
 - (h) associated works that affect fish and or fish habitat may require authorization under the *Fisheries Act*.
6. A Site Plan Agreement, pursuant to Section 41 of the *Planning Act*, is required. The agreement shall address the following matters, but not be limited to:
- (a) hours of operation;
 - (b) location of proposed buildings, machinery and equipment;
 - (c) setbacks, landscaping and buffering;
 - (d) stormwater management;
 - (e) existing and anticipated final grades of excavation;
 - (f) access/egress;
 - (g) haulage routes;
 - (h) improvements/maintenance to Township roads as a result of increased truck traffic on existing roads; and
 - (i) site rehabilitation.
7. Rehabilitation of exhausted pits and quarries shall be required and implemented through a site rehabilitation plan. Site rehabilitation plans shall be prepared to the satisfaction of the Ministry of Natural Resources and Forestry and the Township.
8. Notwithstanding Policy 5.11 (1), in Active Aggregate Extraction Areas that are depleted or not suitable for exploitation, the property may be used for rural uses as described in the policies for the Rural Area. In all cases, a Zoning By-law Amendment to an appropriate zone will be required, provided that:
- (a) any license applying to the land has been surrendered or modified so as not to apply to the land and it can be demonstrated that the land has been suitably rehabilitated to permit the development;
 - (b) the proposed use will not limit the possibility of mineral aggregate extraction from other lands designated Active Aggregate Extraction Area; and
 - (c) issues of public health, public safety and environmental impact are addressed to the satisfaction of the Township. This may necessitate the submission of other supporting information such as geotechnical and groundwater studies.

9. A pit or quarry is considered a Class III industrial use in the absence of site specific information to the contrary in accordance with MOECC's Guideline D-6. (Ministerial Approval: March 20, 2017, Modification 12)

5.8 WASTE DISPOSAL SITES

Waste Disposal Sites are landfills, dumps, incinerators and any other facilities providing for the long-term storage or destruction of municipal solid waste. Composting, recycling and transfer facilities are industrial uses.

Human health and safety may be affected within the area of influence of an operating or non-operating waste disposal site. The most significant contaminant discharges and visual problems normally occur within 500 metres of the perimeter of the fill area. The actual area of influence will vary for every waste disposal site.

1. Active and Closed Waste Disposal Sites are designated on Schedule A in order to recognize their function and their potential impact on surrounding land uses.
2. The Township will monitor the capacities of existing Waste Disposal Sites.
3. The re-use of land used for waste disposal purposes within 25 years of the date waste was last deposited on the site will require approval in accordance with Section 46 of the *Environmental Protection Act R.S.O. 1990*.
4. Any development proposed within 500 metres of the perimeter of the fill area of an existing or closed waste disposal site shall be restricted unless it has been demonstrated that there will be no adverse effects from the landfill site such as leachate, gas migration, noise, odour, smoke and other problems associated with the site are not present. The proponent will be required to prepare appropriate technical studies to address these and other issues to the satisfaction of the municipality, in accordance with the Ministry of Environment and Climate Change guidelines.
5. No development will take place where there is insufficient waste disposal capacity in the municipal waste disposal sites.



SECTION 6 NATURAL HERITAGE AND DEVELOPMENT CONSTRAINTS

The location of the natural and cultural heritage resources and development constraints discussed in this Section of the Official Plan are illustrated on Schedule B, unless noted otherwise in the policies. Areas or sites having a natural or cultural heritage resource are also subject to the underlying land use designation policies in the Urban Designations and Rural Designations Sections of this Plan. Notwithstanding any other policy in this Plan, the policies contained in this Section shall not limit the ability of agricultural uses to continue.

6.1 NATURAL HERITAGE RESOURCES

The Township of Black River-Matheson recognizes the importance of the natural environment and natural heritage to its residents and visitors and to sustaining a high quality of life in the Township, with the lowest possible environmental impact.

Natural heritage is composed of an interconnected system of natural heritage features and areas, which are linked by natural corridors and support the natural processes necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The diversity and connectivity of the natural heritage features and areas and the long-term ecological function and biodiversity of the Township's natural heritage systems shall be maintained, restored or improved, including recognizing linkages between and among natural heritage features and areas and surface and groundwater features.

When potential development or site alteration may have an impact on, or be impacted by, one of the natural heritage features and areas described in this Section, the Township may refer to the appropriate agency for comment. For example, proposals near known nesting sites will be referred to the Ministry of Natural Resources and Forestry (MNRF).

Specific natural heritages features and areas have been identified by the MNRF and are illustrated as Schedule B of this Plan. Natural heritage values are constantly changing and being updated as new information becomes available. Any new natural heritage values or changes to existing values shall be reported to the Ministry for the purpose of updating the Ministry's Natural Resources Values Information System and associated mapping.

6.2 WETLANDS

Wetlands are essential components of ecosystems that contribute to the high quality of the environment. Wetlands assist in flood control by controlling and storing surface water, trap sediment to improve water quality, provide habitat for a variety of plant and animal species, and

function as recharge areas for groundwater resources. The Township of Black River-Matheson recognizes the importance of protecting wetlands and their critical ecological and hydrological functions.

The MNRF evaluates the biological, social, hydrological and special features of wetlands to determine their relative significance in Ontario and designates certain areas as Provincially Significant Wetlands.

1. All wetlands, including those that are not designated as Provincially Significant Wetlands, are important natural heritage features and areas and will be protected from incompatible development and site alteration.
2. A wetland evaluation must be performed before any planning approvals are processed for wetlands that have characteristics or components of a significant wetland, including significant species or functions. Guidance for wetland evaluations can be found in the MNRF Ontario Wetland Evaluation System – Northern Manual (2013).
3. Any evaluated wetland that is deemed to be significant will be granted the protections afforded in this Section, without the need for an amendment to this Plan.
4. Any proposed development and site alteration on or adjacent to a wetland shall require the preparation of an Environmental Impact Statement prepared by a qualified environmental professional and in accordance with Section 10.4 Environmental Impact Statement of this Plan, to demonstrate that there will be no negative impact on the natural feature and its ecological function.

6.3 PROVINCIALY SIGNIFICANT WETLANDS

The Township of Black River-Matheson recognizes that Provincially Significant Wetlands (PSWs) must be protected and conserved. The Township contains a Provincially Significant Wetland surrounding Moose Lake which is illustrated on Schedule B of this Plan.

1. Development and site alteration shall not be permitted within a PSW unless it is demonstrated, through the preparation of an Environmental Impact Statement (EIS) by a qualified professional and in accordance with Section 10.4 Environmental Impact Statement of this Plan, that there will be no negative impact on the natural feature or its ecological function.
2. Where development or site alteration is proposed within 120 metres adjacent to the boundaries of a PSW, the proponent shall provide the Township with an EIS, prepared by a qualified professional and in accordance with Section 10.4 Environmental Impact



Statement of this Plan, which demonstrates that there will be no negative impact on the natural feature or its ecological function. Where warranted by site and species-specific factors, development or site alteration proposals further than 120 metres from significant portions of a PSW may also require the preparation of an EIS.

3. Any change or interference within or adjacent to a PSW may require a permit from the MNRF.
4. Minor changes to the boundaries of an existing PSW shall not require an amendment to the Official Plan. Notwithstanding the foregoing, this Plan shall be amended to designate new areas as PSWs, to extend wetlands to include complexes, or to remove wetlands from the designation. In the period between the identification of changes to wetland boundaries by the MNRF and amendment to this Plan, the policies of this Section will apply to the PSWs as identified by the Ministry. The approval of the Ministry is required for any refinements other than minor adjustments to the boundary of a PSW.
5. Where a PSW area is in private ownership, public use and access to these lands for any purpose is not permitted without the consent of the owner.
6. The PSW surrounding Moose Lake shall be zoned as Provincially Significant Wetland in the Township's Zoning By-law.

6.4 AREAS OF NATURAL AND SCIENTIFIC INTEREST

The 2014 Provincial Policy Statement defines Areas of Natural and Scientific Interest (ANSI) as follows:

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

Life Science ANSIs represent significant segments of specific types of forests, valleys, prairies, savannahs, alvars and wetlands found in Ontario, and their native plants and animals and supporting environments. They also contain relatively undisturbed vegetation and landforms, and their associated species and communities. Earth Science ANSIs represent significant examples of bedrock, fossils and landforms found in Ontario, including ongoing geological processes. The Township does not currently contain any identified significant ANSIs that are not already protected within a park or a conservation reserve. The Township shall amend this Plan to illustrate new ANSIs on Schedule B as required.

1. The identification of ANSIs and candidate ANSIs shall be determined in consultation with the Ministry of Natural Resources and Forestry.
2. Development and site alteration may be permitted within ANSIs or on adjacent lands provided it does not negatively impact on the natural features or ecological functions for which the area has been identified.
3. Where development or site alteration is proposed within 120 metres of the boundary of an ANSI, the proponent shall prepare an Environmental Impact Statement (EIS) that demonstrates, to the satisfaction of the Township, that there will be no negative impacts on the ANSI or on its ecological function. Where warranted by species and site-specific factors, development or alteration that is proposed further 120 metres from significant portions of the ANSI may also require an EIS.

6.5 ENDANGERED AND THREATENED SPECIES

The *Endangered Species Act, 2007* (ESA) prohibits the killing, harming, harassment, capture, or taking of a species at risk, and the damaging or destroying of their habitat. The habitat of endangered species and threatened species is not illustrated on Schedule B, as habitat is dynamic and species and habitat information is limited or not published. The species that occupy the habitat of endangered species and threatened species are listed or categorized on the Province's official Species at Risk in Ontario list, as updated and amended from time to time. The Province administers the ESA to protect and conserve Species at Risk and their habitat. Under the ESA, the Province is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on Species at Risk and their habitat. The Ministry of Natural Resources and Forestry (MNRF) is the lead agency responsible for approving the delineation of habitat of endangered species and threatened species and administering the provisions for the ESA. A list of Species at Risk (SAR) known to have observations and occurrences in the MNRF Kirkland Lake District is available through the MNRF office. If at any time, SAR as listed under the ESA is encountered, work must stop immediately and the MNRF must be contacted.

1. The presence of, or high potential for, Species at Risk (extirpated, endangered, threatened or special concern species) on a site shall be identified through the use of the Natural Heritage Information Centre (NHIC) provincial database, and through consultation with MNRF district staff.
2. It is the responsibility of the proponent to ensure that any development or activity does not contravene the ESA. All development and site alteration must be planned and considered in accordance with the provisions of the ESA. A preliminary ecological site assessment should be carried out during the planning of proposed development and site alterations to determine whether a listed species or its habitat may be present before



carrying out an activity that may contravene the ESA. In accordance with the Natural Heritage Reference Manual (MNRF, 2010), an ecological site assessment can include review of one or more of the following:

- (a) Information about known occurrences within the recommended screening distance of at least 1 kilometre;
- (b) Information provided by the MNRF to municipalities (e.g. screening information, species lists, range maps);
- (c) In the absence of or in addition to such MNRF information, guidance from the local MNRF district office;
- (d) Official Plan mapping;
- (e) Existing local knowledge (e.g. that of municipal staff) of the area and the species likely to occur, given their ranges and habitat needs; and
- (f) Preliminary field investigations (if needed to confirm the presence of species).

If the results of the preliminary ecological site assessment determine that the habitat of an endangered or threatened species is not present on the proposed development site, no action is required. Proponents should submit this information to the Township.

If the results of the preliminary ecological site assessment determine that the habitat of an endangered or threatened species may be present on the proposed development site, the proponent shall provide the Township with an Environmental Impact Statement (EIS), prepared in accordance with Section 10.4 Environmental Impact Statement of this Plan, to demonstrate that there will be no negative impacts on the habitat of endangered and threatened species or its ecological function. The EIS must be completed by a qualified professional to address potential impacts on the habitat of endangered and threatened species. Some activities may need to be modified to accommodate endangered and threatened species and their habitats, and to minimize any adverse effects on these species. While current best management practices may help to mitigate the impacts resulting from an activity on the land, additional actions may be required to address specific impacts on a species at a particular site or location and will be determined on a case-by-case basis. (Ministerial Approval: March 20, 2017, Modification 13)

3. If impacts to an endangered species or threatened species cannot be avoided, a permit or agreement under the ESA should be obtained before the activity proceeds. The proponent should work directly with MNRF district staff to develop agreements or permits when required.

6.6 WILDLIFE HABITAT

Council recognizes that all of the undeveloped land in the Township may be suitable habitat for a variety of wildlife species. The 2014 Provincial Policy Statement defines a wildlife habitat area as an area of land where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Certain wildlife habitat has been identified by the MNRF as having special significance and is illustrated on Schedule B, as Spawning Area for fish and Nesting Sites. Other significant wildlife habitat areas may not be illustrated on Schedule B of this Plan, as the exact locations of these areas must be determined on a site-specific basis, in accordance with the criteria for determining significance provided in the Natural Heritage Reference Manual (MNRF, 2010) and the Ecoregion criteria.

1. Wildlife habitats may include one or more of the following characteristics:
 - (a) Seasonal concentrations of animals, such as deer wintering habitat;
 - (b) Rare vegetation communities and specialized habitats for wildlife;
 - (c) Habitats of species of “special concern” and other wildlife habitats, such as provincially rare plants, reptiles, amphibians, and birds, as well as nests of raptors such as osprey; and
 - (d) Animal movement corridors.
2. Lands designated as wildlife habitat are important components of natural heritage systems in the Township of Black River-Matheson and must be protected from incompatible development and site alteration.
3. A wildlife habitat evaluation must be performed by a qualified environmental professional before any planning approvals are processed for areas that have characteristics or components of a wildlife habitat. Proponents may be required to prepare an Environmental Impact Statement (EIS), in accordance with Section 10.4 Environmental Impact Statement of this Plan, which demonstrates that there will be no negative impacts on the natural feature or its ecological function.
4. Any evaluated wildlife habitat that is deemed to be significant will be granted the protections afforded in this Section without the need for an amendment to this Plan.

6.7 SPAWNING AREAS

The Township of Black River-Matheson supports the management of fisheries, with important economic, social and environmental benefits. Under the *Fisheries Act*, fish habitat is defined as spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. The Department of Fisheries and Oceans Canada (DFO) has a mandate to protect and preserve fish habitat on Crown and private



lands under the *Fisheries Act*, and the MNRF has a lead role in supporting planning authorities in carrying out their responsibilities.

1. Where detailed habitat mapping is not available, all watercourses and waterbodies will be considered fish habitat, unless it can be demonstrated to the satisfaction of the Township that the features do not constitute fish habitat as defined in the *Fisheries Act*. Evaluations of watercourses and waterbodies must be performed by a qualified biologist.
2. Development and site alteration shall not be permitted on or within 120 metres of fish habitat, including areas identified as Spawning Areas on Schedule B, unless it is demonstrated through the preparation of an Environmental Impact Statement (EIS), in accordance with Section 10.4 Environmental Impact Statement of this Plan, that there will be no negative impacts on the natural feature or its ecological function. This EIS shall be completed by a qualified professional and shall identify the features of the fish habitat, the nature of the proposed development, the potential impacts that the development may have on the fish habitat, and mitigation measures required to prevent adverse impacts on fish habitat.
3. Where development or site alteration will result in serious harm to fish, prior authorization is required from DFO under the *Fisheries Act*.

6.8 NESTING SITES

The locations of Nesting Sites are illustrated on Schedule B and are considered significant wildlife habitat areas. The Township of Black River-Matheson recognizes the importance of protecting these nesting sites from habitat destruction or disturbance.

1. Heavy development activities, such as road or pipeline construction, logging, blasting or other similar activities should not take place within distances designated by the MNRF during sensitive breeding seasons of the species that are supported by the nesting site.
2. Other development and human activity (e.g. pedestrian and all-terrain vehicle traffic) shall not occur within distances designated by the MNRF during sensitive breeding seasons of the species that are supported by the nesting site.
3. The policies of the MNRF regarding activities permitted within 300 metres during the non-nesting season (August 16 to March 31) are supported.
4. Development and site alteration, including the removal of vegetation, within 120 metres of a designated nesting site, shall require the preparation of an Environmental Impact Statement (EIS), in accordance with Section 10.4 Environmental Impact Statement of this

Plan, to demonstrate that the proposed development and site alteration will not result in negative impacts on the nesting site or its ecological function. This EIS shall be completed by a qualified professional and shall identify the potential impacts that the development may have on the nesting site or its ecological function, and mitigation measures required to prevent adverse impacts.

6.9 ADJACENT LANDS

The 2014 Provincial Policy Statement defines adjacent lands as those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of adjacent lands may be recommended by the Province or based on municipal approached which achieve the same objectives. For the purposes of this Plan, adjacent lands are determined to include all lands within the specific distance of the boundary of natural heritage features and areas as set out in the table below:

Natural Heritage Area or Feature	Extent of Adjacent Lands
Provincially Significant Wetland	120 metres
Significant Wildlife Habitat	120 metres
Fish Habitat	120 metres
Provincially Significant Areas of Natural and Scientific Interest – Life Science	120 metres
Provincially Significant Areas of Natural and Scientific Interest – Earth Science	50 metres

1. No development or site alteration will be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Statement (EIS) prepared in accordance with Section 10.4 Environmental Impact Statement of this Plan, that there will be no negative impact on the natural features or their ecological functions.

6.10 WATERCOURSES

The Township recognizes the importance of watercourses (i.e. streams, creeks and rivers) and waterbodies (including lakes and ponds) as part of the overall natural heritage system in the Township and protecting watercourses from incompatible development to minimize the impacts of such development on their hydrological and ecological function.

1. Natural creeks, streams and lakes in the Township shall be preserved in their natural state wherever feasible and watercourse corridors should be utilized as natural green spaces in the urban design of an area.



2. A natural vegetative buffer of 30 m in width where possible, made of native deep-rooting species shall be maintained along all shorelines and watercourses.
3. The Township may refer to the Lakeshore Capacity Model found in the Ontario Lakeshore Capacity Assessment Handbook to assess the development capacity of the lakes located within the Township, especially those lakes with increasing pressures related to seasonal and/or permanent residential development and recreation.
4. Interference with a watercourse or waterbody may require a permit from the MNRF, and restrictions could apply.

6.11 BUILT HERITAGE RESOURCES AND CULTURAL HERITAGE LANDSCAPES

“Built heritage resources” and “cultural heritage landscapes” are defined in the 2014 Provincially Policy Statement as follows:

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

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

Currently, there are no *Ontario Heritage Act*-designated properties within the Township of Black River-Matheson. However, policies dealing with such properties are included in this Plan to enable future designation of cultural heritage resources.

1. The Township of Black River-Matheson recognizes the importance of cultural heritage resources. The *Ontario Heritage Act* may be utilized to conserve, protect and enhance resources of cultural heritage interest or value in the Township through the designation, by by-law of individual properties— or heritage conservation districts. The Township shall

encourage the conservation protection and rehabilitation of cultural heritage resources, as well as encourage and foster public awareness, participation and involvement in the conservation of these resources.

2. Council will maintain a municipal register of properties of cultural heritage interest or value, including any properties designated under Parts IV and V of the *Ontario Heritage Act*. Non-designated properties that Council believes to be of cultural heritage value or interest may also be included on the municipal heritage register. Council may also develop programs and strategies to conserve these properties.
3. Significant built heritage resources and cultural heritage landscapes shall be identified and conserved, when development and infrastructure decisions may affect these resources.
4. Where development or site alteration is proposed that may impact a significant cultural heritage resource, or on a property adjacent to or fronting a protected heritage property, the Township shall require an applicant to undertake a Heritage Impact Assessment. The Heritage Impact Assessment shall be conducted by a qualified professional with expertise in the conservation of cultural heritage resources to:
 - (a) Identify the positive and adverse impacts on the cultural heritage resource that may be expected to occur as a result of the proposed development;
 - (b) Describe alternative development approaches, mitigation measures, and conservation methods that may be required to prevent, minimize or mitigate the adverse impacts; and

Where a property has not previously been evaluated, a Cultural Heritage Evaluation Report may need to be completed prior to a Heritage Impact Assessment.

5. Where there is a conflict between the *Ontario Heritage Act* or the regulations and this Official Plan, the *Ontario Heritage Act* will prevail.
6. Where development or site alteration affects cultural heritage resources, the Township may enter into registered agreements under Section 41 of the *Planning Act* with the owners of designated heritage properties when it deems that financial securities are necessary to ensure the retention and conservation of cultural heritage resources as part of a development.
7. A Municipal Heritage Committee (MHC) may be established and maintained by Council, pursuant to the *Ontario Heritage Act*, to advise and assist Council on matters related to Parts IV and V of the Act. The MHC shall also have the ability to identify cultural heritage resources. Pursuant to the Act, and in consultation with the MHC, Council may:



- (a) List properties on the municipal heritage register
 - (b) Designate properties to be of cultural heritage value or interest; and
 - (c) Designate the Township, or any area or areas within the Township as a heritage conservation district.
8. Council shall have regard for the conservation of cultural heritage resources in the undertaking of municipal public works, undertakings and/or maintaining properties owned by the municipality. When necessary, Council shall undertake Heritage Impact Assessments and measures necessary to mitigate negative impacts on identified cultural heritage resources.
9. Council may prepare a Cultural Heritage Management Plan, which may include a comprehensive inventory of built heritage resources and cultural heritage landscapes.

6.12 ARCHAEOLOGICAL RESOURCES

‘Archaeological resources’ and ‘areas of archaeological potential’ are defined in the 2014 Provincial Policy Statement as follows:

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

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

Areas of archaeological potential are determined through the use of provincial screening criteria, or potential mapping. Provincial screening criteria include the consideration of factors such as proximity to known archaeological sites, burial sites or cemeteries, present or past water sources, well-drained sandy soil, elevated topography, distinctive landforms, resource extraction areas and historic transportation routes or other places of past human settlement.

Records of known archaeological sites are maintained by the Ministry of Tourism, Culture and Sport (MTCS). Any sites occurring within the Township will be made known to staff and will be used for planning purposes, but are not shown on the Schedules of this Plan as they are regarded as confidential.

1. Where a development proposal or site alteration is proposed on lands containing archaeological resources or is within an area considered to have archaeological potential, the Township shall require an applicant to undertake an Archaeological Assessment of the

lands to determine the nature and extent of any archaeological resources on the site. The archaeological assessment shall be conducted by an archaeological licensed under the *Ontario Heritage Act*, and will be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport (MTCS), as well as licensing requirements developed under the *Ontario Heritage Act*. The archaeological assessment will be submitted to the Township and the Ministry.

2. Where archaeological resources are found on lands to be developed, further archaeological assessment may be required. Significant archaeological resources shall be conserved through avoidance and long term protection, or through documentation and removal.
3. Alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.
4. 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 may be impacted by shoreline and waterfront developments. The assessment must be consistent with the guidelines set out by the MTCS, as well as licensing requirements developed under the *Ontario Heritage Act*.
5. If human remains are encountered, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services must be contacted. In situations where human remains are associated with archaeological resources, MTCS should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the *Ontario Heritage Act*.
6. The Township may prepare an Archaeological Management Plan, which shall be undertaken by a licensed archaeologist retained by the Township to develop a comprehensive inventory and mapping of known archaeological sites and areas of archaeological potential.

6.13 MINERAL AGGREGATE RESOURCES

The 2014 Provincial Policy Statement directs that mineral aggregate resources shall be protected for long-term use and defines these resources as follows:



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

Areas with the potential for mineral aggregate resources are identified on Schedule B as Mineral Aggregate Resources. The identification of Mineral Aggregate Resources on Schedule B does not presume that all lands located within these areas are suitable for the establishment of new or expansions to existing mineral aggregate operations. It is the intent of this Plan to protect the viability of these resources, where feasible, in order to support the continued development of the Township's extractive industry.

1. In areas shown as Mineral Aggregates Resources on Schedule B, or on adjacent lands, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - (a) Resource use would not be feasible; or
 - (b) The proposed land uses or development serves a greater long-term public interest; and
 - (c) Issues of public health, public safety and environmental impact are addressed.
2. Non-extractive land uses or developments shall be prohibited in those areas identified as having mineral aggregate potential unless it can be shown that:
 - (a) Extraction would not be feasible; or
 - (b) The proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
 - (c) The proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.
3. It is recognized that there is potential for deposits of mineral aggregate resources to exist outside of the areas identified on Schedule B. The extraction of mineral aggregate resources may be permitted outside of the areas identified on Schedule B where there is a sufficient quantity and quality of mineral aggregate resources to warrant extraction, as determined on a case-by-case basis.
4. The Township of Black River-Matheson may undertake an Aggregate Resource Inventory to identify the areas with high and moderate aggregate potential for aggregate extraction. The study will assess the resources and recommend, as appropriate, new policy directions

on the aggregate resources, including the identification of such areas as Mineral Aggregate Resources on Schedule B.

5. Until such time that the Plan is amended to incorporate the results of the Aggregate Resource Inventory, development applications which are located beyond the boundaries of settlement areas identified on Schedule A and within areas identified as Mineral Aggregate Resources on Schedule B, and on adjacent lands, may be reviewed to determine the aggregate potential of the lands.
6. Progressive and final rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration, as well as the opportunity to accommodate parks and open space uses. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Comprehensive rehabilitation planning shall be encouraged particularly where there is a concentration of mineral aggregate operations.
7. Extractions of any size shall be undertaken in a manner which minimizes social, environmental and economic impacts.
8. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
9. Existing mineral aggregate operations shall be permitted to continue without the need for an Official Plan Amendment, rezoning or development permit under the *Planning Act*.
10. Development of areas with existing mineral aggregate operations for purposes other than resource extraction shall not be permitted in accordance with Policies 1 and 2 of this Section. If such development is permitted, the underlying designation will apply.
11. Development in or adjacent to an area of known mineral aggregates resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
12. New or expanding mineral aggregate extraction operations shall be permitted in the areas identified as Mineral Aggregate Resources on Schedule B, provided that they are not offensive or create a nuisance as a result of noise, hours of operations, odour, traffic generation, air emissions or other means. New or expanding mineral aggregate operations



should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded mineral aggregate extraction operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.

13. Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral aggregate extraction, or when considering the establishment of new operations or expansions to existing operations. When necessary, Council will require the mitigation of any negative impacts on cultural heritage interests or values through the use of Cultural Heritage Evaluation Reports, Heritage Impact Assessments and/or Archaeological Assessments.

6.14 MINERAL MINING RESOURCES

The 2014 Provincial Policy Statement directs that mineral resources shall be protected for long-term use and defines these resources as follows:

Minerals: means metallic minerals and non-metallic minerals, but does not include mineral aggregate resources or petroleum resources. Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

The entire municipality has extremely high mineral potential. This does not presume that all lands located within these areas are suitable for the establishment of new or expansions to existing mineral mining operations. It is the intent of this Plan to protect the viability of these resources, where feasible, in order to support the continued development of the Township's mineral mining industry.

1. In areas having a high mineral potential, or on adjacent lands, development which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - (a) Resource use would not be feasible; or
 - (b) The proposed land uses or development serves a greater long-term public interest; and
 - (c) Issues of public health, public safety and environmental impact are addressed.
2. Non-extractive land uses or developments shall be prohibited in those areas identified as having mineral mining potential unless it can be shown that:

- (a) Extraction would not be feasible; or
 - (b) The proposed land use or development serves a greater long-term interest of the general public than does aggregate or mineral extraction; or
 - (c) The proposed land use or development does not preclude or hinder future extraction and would not be incompatible with future extraction for reasons of public health, public safety, and environmental impact.
3. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased in order to accommodate new land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible in accordance with the *Mining Act*. Final rehabilitation shall take surrounding land use and approved land use designations into consideration, as well as the opportunity to accommodate parks and open space uses. An Official Plan Amendment to the new land use designation may be required to implement the subsequent land use. Progressive rehabilitation should be undertaken wherever feasible.
4. Extractions of any size shall be undertaken in a manner which minimizes social and environmental impacts.
5. Existing mineral mining operations shall be permitted to continue without the need for an Official Plan Amendment, rezoning or development permit under the *Planning Act*.
6. Development of areas with existing mineral mining operations for purposes other than resource extraction shall not be permitted in accordance with Policies 1 and 2 of this Section. If such development is permitted, the underlying designation will apply.
7. Development in or adjacent to an area of known mineral resources, shall be located and buffered sufficiently to ensure that the extraction is not limited and that the development is not affected by the noise, dust or other health and public safety issues that are related to the extractive activity.
8. New or expanding mineral mining operations shall be permitted provided that they are not offensive or create a nuisance as a result of noise, hours of operations, odour, traffic generation, air emissions or other means. New or expanding mineral mining operations should be well removed from residential areas and screened from view to the greatest extent possible. New or expanded mineral mining operations should also not negatively affect existing and future adjacent land uses, social values, and the environment.



9. Council shall conserve cultural heritage resources when considering the establishment of new areas for mineral mining, or when considering the establishment of new operations or expansions to existing operations. When necessary, Council will require the mitigation of any negative impacts on cultural heritage interest or value through the use of Cultural Heritage Evaluation Reports, Heritage Impact Assessments and/or Archaeological Assessments.

6.15 ABANDONED MINE SITES

As defined in the 2014 Provincial Policy Statement, mine hazards include any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated. Mine hazards may pose a threat of injury and potential loss of life if they are not mitigated or rehabilitated. The Ministry of Northern Development and Mines (MNDM) maintains the Abandoned Mines Inventory System (AMIS) which contains information relating to potential mine sites. Abandoned Mine Sites are illustrated on Schedule B, which represents the approximate location of known abandoned mine hazards which may pose a constraint to proposed development in the vicinity. These sites are considered to be hazardous areas; the area within 250 metres of the hazard shall be zoned Hazard Land in the Zoning By-law. The information provided in the AMIS database has been compiled from various sources and MNDM makes no representation and takes no responsibility that such information is accurate, current or complete. The user is warned to undertake his or her own independent investigation to validate the information.

1. The Township shall require that applicants for any proposed development within 1 km of an Abandoned Mine Site identified on Schedule B consult with the MNDM regarding the nature of the hazard, and to undertake any remediation measures as legislated under the *Mining Act*.
2. Where an Abandoned Mine Site exists, the Township shall require applicants with proposed development on, abutting or adjacent to the lands affected by mine hazards to be supported by a study that:
 - (a) Identifies potential safety threats;
 - (b) Demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard; and
 - (c) Establishes measures to address and mitigate known or suspected hazards.
3. Development on, abutting or adjacent to lands affected by mine hazards or former mineral mining operations shall be permitted only if measures to address and mitigate known or suspected hazards are underway or have been completed, to the satisfaction of the Township and the Province.

4. Where rehabilitation requirements are known and are feasible, known mine hazards and adjacent lands may be zoned with a Holding Zone. In these instances, rehabilitation of the site in accordance with the requirements of the *Mining Act* shall be required prior to the removal of the holding symbol. In the interim, uses permitted on such properties will be restricted to existing land uses.



SECTION 7 SERVICES, FACILITIES AND ROADS

It is the intent of Council to provide a system of municipal services, facilities and roads to serve the needs of the residents, while at the same time taking into account the financial capability of the municipality. It is also the intent of Council to address present deficiencies and to ensure that all new development is adequately serviced from the beginning. In this regard, it is the intent of Council to address the uncommitted reserve capacity constraint in Holtyre in consultation with the Ministry of the Environment. In the area outside the Settlement Areas of Matheson, Holtyre, Ramore and Val Gagné, it is the intent of Council to maintain the present level of services. The provision of municipal services and facilities shall be budgeted and undertaken to guide development in an orderly way and provide an adequate level of services in all areas of the municipality.

7.1 MUNICIPAL WATER AND SEWAGE SERVICES

The following policies shall apply for development on municipal water and sewage services:

1. New development or redevelopment in areas where an adequate level of municipal services and facilities cannot be provided or ensured shall be considered premature;
2. Municipal piped sewer and water services shall only be provided in the land use designations in the Settlement Area. No extension of any municipal water or sewage system shall be made beyond the boundary of any Settlement Area.
3. All development in the Settlement Areas shall be connected to the municipal water and sewer services. No development shall be approved that exceeds the uncommitted reserve capacity of the municipal infrastructure.
4. Municipal waste disposal facilities shall be planned in accordance with the requirements of the *Environmental Assessment Act*. Liquid waste disposal facilities must be approved under an Environmental Compliance Approval from the Ministry of the Environment and Climate Change.

7.2 PRIVATE INDIVIDUAL SEWAGE AND WATER SERVICES

The following policies shall apply for development on private water and sewage services:

1. It is intended that all development in the Rural Area be serviced by private individual sewage and water services.

2. All private servicing systems shall be subject to the approval of the Ministry of the Environment and Climate Change or the Porcupine Health Unit.
3. It is Council's policy not to assume ownership of communal servicing systems involving water and sewage disposal. The effect of this policy is to preclude development where a communal water and sewage servicing system is proposed.
4. Only dry industrial uses are permitted on lots serviced by private individual sewage and water services. For the purpose of this Section, dry uses are considered to be uses which use water for domestic purposes only and which result in the production of domestic sewage. Domestic waste shall not include plant or chemical effluent of any type used in a manufacturing process. This policy shall not apply to mining, forestry or farming uses.
5. All applications for subdivision development of more than five lots or units on private sewage shall require the submission of a Servicing Options Report and Hydro-geological Study (Groundwater Impact Assessment) to determine minimum lot sizes as per MOECC Guideline D-5-4: Technical Guideline for Individual On-Site sewage systems: Water Quality Impact Risk Assessment. If development is proposed on a waterfront lot, a Lake Capacity Assessment is required to determine the residual capacity of the lake. These studies shall be prepared in accordance with the regulations and guidelines of Council and the appropriate designated agency or approval authority.
6. All applications for subdivision development of more than five lots on private wells shall require the submission of a Servicing Options Report and a Hydro-geological Study (Water Supply Assessment) to determine suitability of water quality and quantity and the potential for well interference. Wells must be constructed in accordance with Ontario Regulation 903 – *Wells of the Ontario Water Resources Act*.
7. Lot creation shall only be permitted where it is determined that there is sufficient reserve sewage system capacity for individual on-site sewage services including treatment capacity for hauled sewage from individual on-site sewage disposal systems.

7.3 STORMWATER MANAGEMENT

The following policies shall apply for managing stormwater runoff:

1. All new development, excluding agricultural uses, shall be provided with adequate storm drainage facilities connected to storm sewers or watercourses. The design and construction of all storm sewers and improvements to watercourses shall have sufficient depth and capacity to serve all areas, which may be ultimately connected to the system. Stormwater facilities shall be planned and designed in accordance with the Ministry of the



Environment and Climate Change's Stormwater Management Planning and Design Manual. The Stormwater Management Plan shall include provisions for minimizing changes in water balance and erosion; reduce risks to human health and property damage, maximize the extent and function of vegetative and pervious surfaces; and promote stormwater best practices.

2. A Stormwater Management Plan may be required for new plans of subdivision and major development proposals. The Stormwater Management Plan shall include provisions for minimizing changes in water balance and erosion; reduce risks to human health and property damage; maximize the extent and function of vegetative and pervious surfaces; and promote stormwater best practices. The Stormwater Management Plan shall outline means to lesson nutrient input into surrounding water bodies and municipal storm sewers after construction. A construction-mitigation plan shall outline means to lesson nutrient inputs during construction. The Stormwater Management Plan shall be submitted to the municipality for approval. Approved recommendations from the Stormwater Management Plan shall be implemented through the development approval process.

7.4 PROVINCIAL HIGHWAYS

In addition to all the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the Ministry of Transportation (MTO)'s permit control area under the *Public Transportation and Highway Improvement Act* (PTHIA), will also be subject to MTO approval. Early consultation with the MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity of, a provincial highway or interchange/intersection within MTO's permit control areas will be subject to MTO's policies, standards and requirements. The only Provincial Highways in the Township are Highway 101 and Highway 11.

1. Direct access onto a provincial highway will be restricted. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of MTO's access management practices and principles.
2. A transportation study, otherwise known as a traffic impact study, prepared by a professional and certified engineer may be required by a proponent to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of the development.

3. The Ministry of Transportation's policy is one highway entrance for one lot of record. The Ministry of Transportation will restrict back lots that do not have frontage on a provincial highway from using other property owner's entrances. New cottages or developments that do not have frontage on a provincial highway must gain access from a new or existing public road that meets Ministry of Transportation access management practices and principles.
4. Any new proposed access connection (e.g. private entrance, public road, signalized intersection) shall be in accordance within the Ministry's Highway Access Management Guideline, as amended. Proponents will consult with MTO as early as possible in the planning or development approval process to ensure the consideration and implementation of appropriate access management alternatives.
5. Any proposals for snowmobiles or trail crossings of provincial highway will require the prior approval of the Ministry of Transportation. Trails located along the right-of-way of a provincial highway are not permitted.
6. A drainage/stormwater management report/plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for those developments located adjacent to, or in the vicinity of, a provincial highway whose drainage would impact the highway.
7. Outdoor storage and loading areas shall be visually screened or appropriately located so as to not be visible to the travelling public.
8. Entrances serving home occupations or home industries located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit if necessary. As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future without the review and prior approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the home occupations or home industries. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business and one for the retained parcel.
9. Only those lands that are compatible with the operation of a patrol yard will be permitted to locate adjacent to, and in close proximity to, the existing patrol yard located on the north side of Highway 11, east of Highway 101 East, and legally described as Parcel 14895, being Part 1, Plan CR 535, in Part Lot 4, Concession 6, geographic township of Bowman. The location of the existing patrol yard is illustrated on Schedule C.



10. For highway safety reasons, wind turbines located adjacent to a provincial highway will be set back a minimum distance measured from the limit of the highway property line equal to the distance of the height of the wind turbine structure plus the length of one blade. Wind farms and associated wind turbines placed within MTO's permit control area will be required to obtain all setback requirements prior to commencement.
11. Access to new developments adjacent to provincial highways is subject to the policies and regulations of the Ministry of Transportation.

7.5 LOCAL ROADS

1. New local roads shall be constructed to municipal standards prior to their assumption by the municipality.
2. Council will review the status of area local roads on a regular basis to determine the level of service and maintenance to be provided. Where a road improvement project in a Settlement Area is required, consideration shall be given for the provision of a sidewalk on one side of the street.
3. In addition to the applicable municipal requirements, all development located adjacent to provincial highways are also subject to Section 7.4 Provincial Highways of this Plan.
4. Standards and regulations with respect to minimum setbacks from roads; and parking and loading requirements may be established in the Zoning By-law.
5. The needs of horse-drawn vehicles shall be considered in the design and construction of all new roadways and reconstruction and resurfacing projects, where feasible.

7.6 UNOPENED ROADS AND PRIVATE ROADS

1. Unless it is clearly in the public interest, no new roads shall be opened in the municipality. An individual may, however, request that a road be opened, provided that:
 - (a) the road is opened at the individual's expense; and
 - (b) the individual enters into a development agreement with the municipality for opening the road and bringing the road up to the minimum municipal road standards for assumption purposes.

2. Unless it is clearly in the public interest, existing private roads will not be assumed by the municipality and no responsibility for access, snow removal, maintenance or use by school buses or public vehicles is acknowledged.

7.7 ASSET MANAGEMENT PLAN

Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning to ensure that they are available to meet current needs and that they are financially viable over their life cycle which may be demonstrated through asset management planning. (Ministerial Approval: March 20, 2017, Modification 14a)

7.8 COMMUNITY HUBS

The Township supports and encourages the co-location of public service facilities within community hubs where appropriate in order to promote cost-effectiveness and facilitate service integration and access to active transportation. Community hubs are especially encouraged within the Settlement Area. (Ministerial Approval: March 20, 2017, Modification 14b)



SECTION 8 COMMUNITY IMPROVEMENT

Community improvement may be generally defined as encompassing all those activities, both public and private, that maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities within the municipality. The undertaking of community improvements is a priority of Council. The goal of Council is to encourage community improvement by developing a planning framework to guide community improvement activities in order to maintain the municipality as a desirable place to live; and to encourage new employment and business opportunities by creating a positive investment climate. The Community Improvement provisions of the *Planning Act* allow municipalities to prepare Community Improvement Plans for designated Community Improvement Project Areas as the result of age, dilapidation, overcrowding, or for any other environmental, social or community economic development reason.

1. This Plan designates the Settlement Areas of Matheson, Holtyre, Ramore and Val Gagné as community improvement areas.
2. The community improvement policies of this Plan are enabling policies under the *Planning Act*. It is the intent of Council that the Community Improvement Areas of this Plan may be further designated by by-law, in whole or in part, as one or more defined Community Improvement Project Area for which detailed Community Improvement Plans will be prepared.
3. The objectives of Community Improvement Plans are to:
 - (a) maintain or improve municipal services, public utilities and social and recreational facilities;
 - (b) encourage private sector investment and improvement in the maintenance and rehabilitation of existing commercial, industrial, institutional and residential buildings and structures;
 - (c) improve the business and property tax base by encouraging building expansion and new development by both the public and private sectors;
 - (d) promote the revitalization of the downtown commercial areas;
 - (e) encourage adequate standards of property maintenance and occupancy and enforce a Property Maintenance and Occupancy By-law;

- (f) acquire, clear, grade or otherwise prepare land for the purpose of undertaking community improvements;
- (g) participate in provincial and federal funding programs that will assist in implementing the community improvement policies of this Plan;
- (h) determine community improvement project priorities on an annual basis;
- (i) enhance the visual appearance of Community Improvement Areas;
- (j) encourage and provide incentives for the construction of affordable housing;
- (k) encourage improvements to energy efficiency and energy conservation;
- (l) encourage the cleanup and redevelopment of brownfield sites;
- (m) maintain the quality, safety and stability of the community;
- (n) make full use of municipal authority granted under the *Planning Act*, the *Municipal Act* and other Provincial and Federal legislation to prepare and carry out community improvement; and
- (o) encourage the preservation, rehabilitation, renewal and reuse of cultural heritage resources.



SECTION 9 LAND DIVISION POLICIES

It is the general intent of the Official Plan that land division shall take place by registered plan of subdivision in conformity with the Plan. Where a plan of subdivision is clearly not necessary for the proper or orderly development of the municipality, a consent to a land conveyance may be granted in accordance with the following applicable policies. When considering an application for a plan of subdivision or a consent, regard shall be had to the policies of this Plan and to the factors listed under Sections 2, 3, 50, 51, 53 of the *Planning Act* and such subdivision or consent shall be consistent with the policies of the 2005 PPS.

9.1 PLANS OF SUBDIVISION & PLANS OF CONDOMINIUM

1. Prior to considering any land severance application, the consent granting authority shall establish that a plan of subdivision or a plan of condominium is not necessary for the proper and orderly development of the lands. A plan of subdivision or plan of condominium shall conform to this Official Plan and shall normally be required in the following instances:
 - (a) where more than three lots are to be created on a land holding;
 - (b) where a new road or an extension to an existing road is required;
 - (c) where an extension to trunk mains for municipal sewage and/or water services is required; and
 - (d) where it is necessary to ensure that surrounding lands are developed in a proper and orderly fashion.
2. Where old Registered Plans of subdivision or parts of old Registered Plans exist and are deficient in some way by reason of inadequate size, poor access, lack of or inadequate infrastructure or would encourage development in undesirable locations, consideration may be given to passing a by-law, under the *Planning Act*, deeming such plans not to be registered. The Township may require entering into an agreement to provide for facilities, infrastructure and matters required to provide for appropriate development as a condition of repealing part or all of a deeming by-law.
3. Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision should be designed so that the lots back onto the provincial highway, and front onto a local internal street. Subdivisions/condominiums shall not be permitted in the Rural and Agricultural designations as a means to focus growth and development in the settlement areas.

9.2 CONSENTS

9.2.1 Consents in the Settlement Areas

In the Settlement Areas, consents to sever an individual parcel of land may be permitted provided that the:

1. resulting use of the land will be in accordance with the policies of this Plan and that no development would lead to significant expense by the municipality for additional public works;
2. size and shape of the proposed lot is appropriate for the proposed use;
3. parcel fronts on and has access to an existing opened and established public road that is maintained year-round and which is of an acceptable standard of construction;
4. consent should contribute to infilling or the minor extension of areas that are already substantially developed;
5. undue extension of any municipal sewage and/or water service is not required; and
6. lots created by consent within the Settlement Areas shall be serviced by municipal sewer and water services.

9.2.2 Consents in the Rural Area

In the Rural Area, consents to sever an individual parcel of land may be permitted provided:

1. it is clearly apparent that the resulting use of the land will be in accordance with the policies of this Plan;
2. soil and drainage conditions are suitable to permit the proper siting of buildings, the supply of potable water and the installation of a sewage disposal system approved by the Ministry of the Environment and Climate Change or its designated agent, and where there are no negative impacts.
3. in the case of permanent development, the proposed severed lot and the retained lot front on and have access to an opened public road, maintained for year-round use, which is of an acceptable standard of construction;
4. in the case of tourist development, seasonal cottage development and resource related development, the proposed lot has direct access to a public road or public access point,



which would include a boat launch site, a marina or other public area that would permit boat access to the lot; (Ministerial Approval: March 20, 2017, Modification 15)

5. the proposed severance will not create a traffic hazard due to limited sight lines on curves or grades;
6. the proposed lot is not on good agricultural land;
7. the proposed lot shall comply with the Minimum Distance Separation I Formula as amended from time to time;
8. the proposed severance does not restrict the potential for economic activities related to the resources of the area such as forestry, mining, aggregate extraction, tourism development, or the management or conservation of a natural or man-made resource;
9. the effect of the proposed severance will not prevent access to any other parcel of land;
10. the proposed severance reflects good planning principles;
11. lot creation through the consent process shall generally be limited to four lots (three severed, one retained from the original parcel) provided that no extension of municipal roads or municipal services or utilities are required;
12. the parcel to be severed and the retained parcel shall generally have a minimum frontage of 100 metres and a minimum area of 0.8 hectares unless supported by a hydrogeological investigation which justifies a smaller lot size; and
13. notwithstanding any other policies of this Plan, consents may be granted to:
 - correct lot boundaries;
 - convey land to an adjacent lot;
 - grant easements; or
 - separate buildings or structures in existence at the date of the adoption of this Plan, provided that the requirements of the Zoning By-law are met.

SECTION 10 IMPLEMENTATION

10.1 IMPLEMENTATION

This Plan shall be implemented by means of the powers conferred upon Council of the Township of Black River-Matheson and other public agencies by the *Planning Act* and other applicable statutes.

10.2 PRE-APPLICATION CONSULTATION AND PRESCRIBED INFORMATION FOR PLANNING APPLICATIONS

The *Planning Act* permits the Township to require applicants to consult with the Township prior to formal submission of planning applications. During the pre-consultation, the Township shall determine which studies and information are required by Township staff and Council to evaluate the application. Furthermore, Township staff shall identify those studies that must be submitted at the time of application submission. All studies shall be prepared by qualified professionals according to all applicable federal, provincial, and municipal guidelines. Proponents are strongly encouraged to consult and engage the affected community and Aboriginal and Métis groups early in the planning process in order to identify potential issues, opportunities, and mitigation of potential adverse impacts, prior to finalizing the application(s).

Depending on the nature of the proposed development and planning application, the Township may require the following studies or additional information to deem applications complete and to properly evaluate a development application. Any such studies, or peer reviews thereof, shall be at the expense of the applicant/proponent:

- Archaeological Assessments
- Cultural Heritage Evaluation Report
- Drainage/Stormwater Management Report/Plan
- Ecological Site Assessment
- Environmental Impact Statement
- Erosion and Sediment Control Plan
- Fisheries Assessment
- Geotechnical Study
- Groundwater Impact Assessment
- Hauled Sewage / Septage Treatment Capacity Confirmation
- Heritage Impact Assessment
- Hydro-geological Study
- Minimum Distance Separation Calculation
- Noise/Vibration Study
- Planning Rationale
- Public Consultation Strategy



- Record of Site Condition (RSC)
 - Servicing Options Study
 - Shoreline Riparian Control Study
 - Sun-Shadow Study
 - Transportation Impact Study
 - Water Supply Assessment
- (Ministerial Approval: March 20, 2017, Modification 16a)

In addition, for development within 300 metres of a lake's shoreline, a Lakeshore Capacity Assessment shall be completed prior to the consideration of:

- Any subdivisions, commercial or industrial planning approvals for undeveloped lakes;
- Any lot creation, redevelopment, conversion, or the intensification of existing uses on any lake with existing development.

The assessment shall be prepared by a qualified professional according to the Lakeshore Capacity Assessment Handbook (2010). The Ministry of the Environment and Climate Change may be consulted to obtain technical advice or to modify the assessment. Development approval will consider the Lakeshore Capacity Assessment results, including if sufficient development capacity remains to support the proposed development.

10.3 PUBLIC CONSULTATION

Public consultation is considered an essential component of the municipal planning process. The following policies shall apply in the implementation of this Official Plan:

1. A Public Consultation Strategy, satisfying the minimum requirements of the *Planning Act*, is required for all applications for an Official Plan Amendment, Zoning By-law Amendment, and/or Plan of Subdivision. The Township may require additional public consultation measures in order to deem an application complete, as determined on a case-by-case basis.
2. Proponents are encouraged to hold accessible community meetings in addition to statutory public meetings in order to communicate the details of development proposals to residents and agencies.
3. Public meetings must be held before proposals for Official Plan and Zoning By-law Amendments and draft Plans of Subdivision are dealt with by Council, in accordance with the *Planning Act*.
4. Notice of public meetings must be given in accordance with the *Planning Act*; however, the Township may consider alternate notice procedures as provided for in the *Planning Act*.

5. For special issues, including but not limited to, new Official Plans and comprehensive Zoning By-laws, the Township may consider additional means of public participation including open houses, public displays, area meetings, newspaper coverage, cable TV programming, internet postings and other similar means.
6. Council may, by resolution, forego public notification and public meetings in connection with Official Plan, Community Improvement Plan, and Zoning By-law Amendments if such amendments relate to matters that will not affect the policies and intent of the Official Plan or Community Improvement Plan, or the provisions of the Zoning By-law in any material way, and may include the following matters:
 - (a) altering punctuation or language to obtain a uniform mode of expression;
 - (b) correcting clerical, grammatical, dimensioning or typographical errors;
 - (c) altering the number and arrangement of any provision;
 - (d) inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
 - (e) changing the format of a document;
 - (f) consolidating amendments; and,
 - (g) transferring Official Plan, Community Improvement Plan and Zoning By-law information to new base maps.
7. Written and oral submissions from the public relating to applications for Official Plan amendment, Zoning By-law amendment, plans of subdivision, plans of condominium, consent, and minor variance will be summarized within a staff report to facilitate decision making. Where appropriate, the submissions will be consolidated into common or overlapping land use planning issues, in addition to an acknowledgement of other issues presented through the public consultation process. The notices of decision associated with planning applications will recognize written and oral submissions and the effect they have had, if any, on planning decisions. (Ministerial Approval: March 20, 2017, Modification 16b)

10.4 ENVIRONMENTAL IMPACT STATEMENT

1. An Environmental Impact Statement (EIS) shall be prepared prior to consideration of a development application in cases when the proposal has the potential to impact the following features, in accordance with Section 6 Natural Heritage and Development Constraints of this Plan:
 - (a) Wetlands;
 - (b) Provincially Significant Wetlands;



- (c) Areas of Natural and Scientific Interest;
 - (d) Habitat of Endangered and Threatened Species;
 - (e) Wildlife Habitat;
 - (f) Spawning Areas; and
 - (g) Nesting Sites.
2. An EIS is required if any of the features identified in Policy 1 of this Section are known to be present or has high potential to be present. While mapping of these features on Schedule B of this Plan may assist in this assessment, an EIS may be required for features not indicated on the Schedule.
3. Applicants for development are encouraged to submit any required EIS during the pre-application consultation process to avoid delays and identify opportunities and constraints for the proposed development. A season-specific field assessment may also be required for certain features or areas.
4. Where required, an EIS shall be prepared by an individual(s) with appropriate environmental qualifications, and shall include, but not be limited to:
- (a) A description of the existing natural environment, including natural features and ecological functions, that may be affected by the proposed development;
 - (b) A description of the potential impacts of the proposed development on the natural features and the ecological functions for which the area is identified;
 - (c) Suggested development alternatives that would avoid these impacts or, if impacts cannot be avoided recommended mitigation measures, including proposed implementation methods; and
 - (d) Recommended monitoring activities.
5. Where required, no planning approval will be granted until an EIS has been completed to the satisfaction of Council. Where necessary, other agencies or individuals with environmental expertise may be consulted to assist in the review of Environmental Impact Assessments.
6. Where significant woodlands, wildlife habitat, significant valleylands or other natural heritage features are not designated, development and site alterations shall not be permitted for:
- (a) Any development permitted under the policies of this Plan within the feature; and
 - (b) Any development permitted under the policies of this Plan within 120 m of the feature; unless an EIS demonstrates that there will be no negative impacts on the natural heritage features or on its ecological functions.

10.4.1 Scoped EIS

In cases where the development constitutes a relatively minor undertaking (such as construction on a single residential lot), or one that barely encroaches within the adjacent lands zone, municipal planning staff can exercise discretion and request that the proponent prepare a scoped EIS. This typically involves a simple checklist approach of planning issues that only addresses the key issues identified at the initial assessment stage.

10.4.2 Full Site EIS

For more complex proposals, such as plans of subdivisions/condominiums, and resort/recreational developments (e.g., marinas), a full site EIS is the appropriate mechanism for demonstrating that development can meet the test of municipal and provincial natural heritage policies. Components of a full site EIS typically include consideration of the following:

- (a) A detailed description of the natural heritage attributes of the study area, including terrain setting; soils; geology; groundwater and surface water resources; vegetation communities; fish and wildlife communities and habitat; and delineation of the precise boundaries of the natural heritage feature(s);
- (b) A characterization of the existing ecological, hydrological, and hydrogeological functions performed by the significant feature(s);
- (c) A detailed description of the proposed development, including building type and density, servicing (sewage disposal, water supply) and infrastructure (roads, stormwater management, etc.);
- (d) A prediction as to potential impacts (direct, indirect and cumulative) of the development on the natural and physical environment;
- (e) The identification and evaluation of measures/options to avoid, reduce or otherwise mitigate impacts to meet the standard of no loss of feature and function;
- (f) The selection of a preferred mitigation/rehabilitation strategy;
- (g) A summary of predicted net effects after the application of mitigation compared to overall environmental targets and standards; and
- (h) An evaluation of the need for and the elements of a monitoring program to assess the effectiveness of the preferred mitigation/rehabilitation strategy.



Additional guidance regarding the specific technical requirements of an EIS and the approach that should be taken for the preparation of an EIS within the context of a typical municipal planning process are discussed further in the Natural Heritage Reference Manual (OMNRF 2010).

10.5 NON-CONFORMING USES

While the policies and Schedules of this Plan represent a guiding framework for the future land use pattern in the municipality, it is recognized that some existing land uses may not conform to that the situation may persist for some time. Moreover, these uses may have been established for a number of years and a measure of stability may exist between them and their neighbours. It must be recognized that there are many existing situations which can continue without causing any serious adverse results. Nothing in this Plan shall affect the continuance of any use that was legally established on the date that this Plan was adopted whether or not they the use conforms to this Plan.

1. Where an existing land use does not conform with the land use designation or to any applicable policy in this Plan, it may, notwithstanding these policies or designation, be zoned in the Township's Zoning By-law in accordance with the present use and performance standards, provided:
 - (a) the zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent conforming uses;
 - (b) it does not constitute a danger or nuisance to surrounding uses by virtue of a hazardous nature, environmental threat, traffic or other detrimental character;
 - (c) it does not interfere with desirable development in adjacent areas that are in conformity with this Plan.
2. Where an existing use in one or more of these respects is incompatible, it may be made a non-conforming use in the Township's Zoning By-law with the intent that the use will eventually terminate.
3. Where a use of land does not conform with the land use designation shown or to any other applicable policy in the Plan, but is nevertheless reasonably compatible with other uses in its vicinity and is a non- conforming use in any Zoning By-law, permission may be given for the enlargement or extension of such uses under Section 45 of the *Planning Act* provided:

- (a) the enlargement or extension will not seriously jeopardize the possibility of future developments in its vicinity that may conform more closely with the intent of the Plan; and
- (b) in any such enlargement or extension, special efforts are made to enhance the compatibility of the use and to improve its amenity and design.

10.6 ZONING BY-LAW

Council shall pass a Zoning By-law under the provisions of Section 34 of the *Planning Act*. The Zoning By-law shall make provisions for appropriate development standards and zone land in accordance with the policies of this Plan.

10.7 HOLDING BY-LAW

It is an objective of Council that development proceeds in an orderly and efficient manner so that financial hardship will not be experienced by the municipality. Where the principle of the development has been established, a holding zone may be placed on the lands to limit or prevent the use of the land until such time as Council is satisfied that further development may take place.

1. It is the policy of Council that special zones and special zone provisions may be established for holding purposes in areas where a development proposal has been received by Council and the development is considered premature due to servicing or other constraints.
2. Where there is an intention by Council to apply holding provisions, the land subject to the holding provisions must be zoned for its future intended use. The addition of the holding zone “H” suffix to the zone category shall indicate that development of the site cannot proceed until the suffix is removed.
3. The holding zone “H” suffix shall be attached to the appropriate zone category and identified on the Zoning By-law Schedule.
4. The holding “H” suffix may be removed when the following conditions have been met:
 - (a) where required, the proponent has entered into a subdivision agreement with the municipality.
 - (b) where required, the proponent has entered into a site plan control agreement with the municipality.



- (c) in the case of an application for land division, all conditions of approval have been met by the applicant.
5. Once the holding provisions are removed, the applicable zone provisions and zone standards of the zone category from which the holding "H" suffix was removed shall apply.

10.8 TEMPORARY USE BY-LAW

Council may pass a by-law under the provisions of Section 39 of the *Planning Act* to permit the temporary use of land, buildings or structures, in defined areas for a prescribed period of time for any purpose set out therein that is otherwise prohibited by the by-law. The prescribed period of time for a garden suite shall not exceed twenty years, while a maximum three year period is prescribed in all other cases. The temporary use by-law shall be consistent with the intent of the Official Plan. Council shall ensure that the proposed use is not detrimental to the existing uses in the area and that the proposed use is temporary in nature and shall not entail any large capital expenditure or major construction so that the owner does not experience hardship in reverting to the original use upon termination of the temporary use provisions. Council may, by by-law, grant further periods of not more than three years in which the temporary use is authorized. Garden suites shall be permitted only as long as the original occupant for whom the use was intended still occupies the garden suite.

10.9 INTERIM CONTROL BY-LAW

Where Council has, by by-law or resolution, directed that a review or study be undertaken in respect of land use policies in the municipality or in any defined areas thereof, Council may pass an Interim Control By-law under Section 38 of the *Planning Act* to be in effect for a period of time specified in the by-law. Such period of time shall not exceed one year from the date of passing thereof, prohibiting the use of land, buildings or structures within the municipality or within any defined area or areas thereof for, or except for, such purposes as are set out in the by-law. Council may amend the by-law to extend the period of time during which it will be in effect, provided the total time does not exceed two years from the date of passing of the interim control by-law.

10.10 SITE PLAN CONTROL

1. Council may pass a by-law under the provisions of Section 41 of the *Planning Act* to designate all or part of the municipality as a site plan control area. The intent of the site plan control area is to improve the efficiency of land use and servicing and to encourage a more attractive form of development. To address the provision of facilities designed to have regard for persons with disabilities, and can be used to regulate matter relating to exterior design as well as sustainable design elements. As a condition to approving plans

and drawings for development, Council may require the provision, and where appropriate, the maintenance of the following matters to the satisfaction of the municipality:

- (a) access facilities;
 - (b) off-street parking and loading facilities;
 - (c) walkways and other means of pedestrian access;
 - (d) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from land;
 - (e) conveyance of easements for servicing;
 - (f) on-site lighting;
 - (g) site landscaping and screening devices; and
 - (h) facilities for the storage of garbage and other waste.
2. All of the land within the corporate boundary of the Township of Black River-Matheson is hereby designated as a Site Plan Control Area.
3. Council may pass a by-law to control commercial, industrial, multiple residential uses and mobile home parks.
4. The following developments are exempt from site plan control:
- (a) Single-detached dwellings and any other class of dwelling to a maximum of four dwelling units;
 - (b) conservation uses;
 - (c) recreational uses;
 - (d) open space uses;
 - (e) public uses;
 - (f) public utilities;
 - (g) institutional uses; and
 - (h) agricultural uses.

10.11 PROPERTY STANDARDS BY-LAW

Council has passed a Property Standards By-law under the *Building Code Act* for prescribing standards for the maintenance and occupancy of property within the municipality. The purpose of the by-law is to encourage the proper maintenance and repair, and establish standards of occupancy for all private property. This by-law may prohibit the occupancy of such property that does not conform with the standards; and for requiring property that does not conform to the standards to be repaired and maintained to conform to the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.



Complimentary to the enforcement of minimum standards on private properties, Council shall undertake to keep in a fit and well-maintained condition, all municipally owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, parks and recreation facilities.

10.12 TARIFF OF FEES BY-LAW

1. Council may pass a by-law under the provisions of Section 69 of the *Planning Act* to establish a tariff of fees for the processing of planning applications. The tariff shall be designed to meet only the anticipated costs incurred by the municipality in processing each type of planning application.
2. Council shall be entitled to submit the planning application to a professional planner, engineer or other consultant for a professional opinion as to the compliance of the proposed development with the policies of this Plan and such other matters as Council shall deem advisable. All fees and other costs relating to the consultant's advice as well as reasonable municipal costs associated with the application shall be paid for by the applicant.

10.13 SECTION 37

In accordance with Section 37 of the *Ontario Planning Act*, the Township may pass a by-law that authorizes increases in the height and density of development in exchange for the provision of public facilities or services. The by-law may list examples of qualifying public facilities or services, such as provision of affordable housing, parkland, public art, or heritage conservation.

10.14 PARKLAND DEDICATION

1. The approval authority may require the owner of the land to convey to the municipality, for park or other public recreational purposes, up to 5% of the land proposed for residential purposes and up to 2% of the land proposed for commercial or industrial purposes. No person shall construct a building on the land proposed to be developed or redeveloped unless the payment has been made or arrangements for the payment that are satisfactory to the council have been made. Lands conveyed to the municipality may be sold at any time, but the proceeds from the sale shall be kept in a special account which shall be used for park and public recreation purposes only.
2. To ensure that parkland dedications are of an acceptable quality, parkland sites should follow these guidelines:

- (a) be relatively level and not be required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;
 - (b) be located within a neighbourhood or community context to provide convenient pedestrian and vehicular access; c. provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields (i.e. soccer fields, baseball fields, etc.);
 - (c) have adequate access within the development;
 - (d) be provided with basic service requirements; and
 - (e) be developed in accordance with other Township parkland standards, if applicable.
3. Municipal parks will be established and maintained when funds have been accumulated from both municipal funds and through provisions of Section 51.1 of the *Planning Act*.
4. Where the land dedication is of insufficient size, physically unsuitable or poorly located to be of use for park or other public recreational purposes a payment of money may be given in lieu of the land dedication. Where a payment of money in lieu of the land dedication is accepted, Council shall keep the funds in a special account which shall be used for park and public recreation purposes only.
5. Conservation Reserve lands may not be considered as part of a parkland dedication pursuant to the *Planning Act*.



SECTION 11 ADMINISTRATION

11.1 OFFICIAL PLAN AMENDMENTS

Council shall monitor the Official Plan on a regular and ongoing basis in order to ensure the continued appropriateness of the Plan and to determine the need for amendments to provide for changing circumstances in the municipality. An amendment to the Official Plan shall be required any time that changes are made to the Official Plan policies or to the Schedules in this Plan.

11.2 TECHNICAL AMENDMENTS

No notice or public meeting shall be required for technical amendments to the Official Plan. Technical amendments include such matters as the updating of *Planning Act* references, the renumbering of sections, and the correction of typographical or grammatical errors provided they do not result in policy changes.

11.3 REVIEW OF THE OFFICIAL PLAN

Council shall update this Official Plan in accordance with the provisions of the *Planning Act*, as amended from time to time.

11.4 SETTLEMENT AREA BOUNDARY EXPANSION

A planning authority may allow the expansion of a Settlement Area boundary as illustrated on Schedules C, D, E and F only at the time of a comprehensive review and only where it has been demonstrated that the proposed expansion is in accordance with the policies of the Provincial Policy Statement issued from time to time under the *Planning Act*.

11.5 INTERPRETATION OF THE PLAN

The Official Plan should be read as a whole to understand the comprehensive and integrative intent as a policy framework for priority-setting and decision-making. Sections 1 to 12 and Schedules A, B, C, D, E, F, G and H constitute the Official Plan. Both the preambles and the numbered policies are policy.

The intent of the Official Plan shall in all cases be considered flexible and no strict interpretation of any boundary line or any figure is intended except where they meet with roads, rivers, railway lines, transmission lines or other clearly defined physical feature.

Where reference is made in the Official Plan to other documents, such as federal or provincial Acts, or other legislation, or to other documents that are not part of the Plan, it is understood that it is the

latest approved version of the document that is being referenced, unless otherwise specified. Minor amendments to the Official Plan or the Zoning By-law are permitted without adopting an amendment provided the general intent and purpose of the Official Plan and/or the Zoning By-law is maintained. Minor amendments could include: number changes, cross-referencing; correcting grammatical or typographical errors.



SECTION 12 SCHEDULES

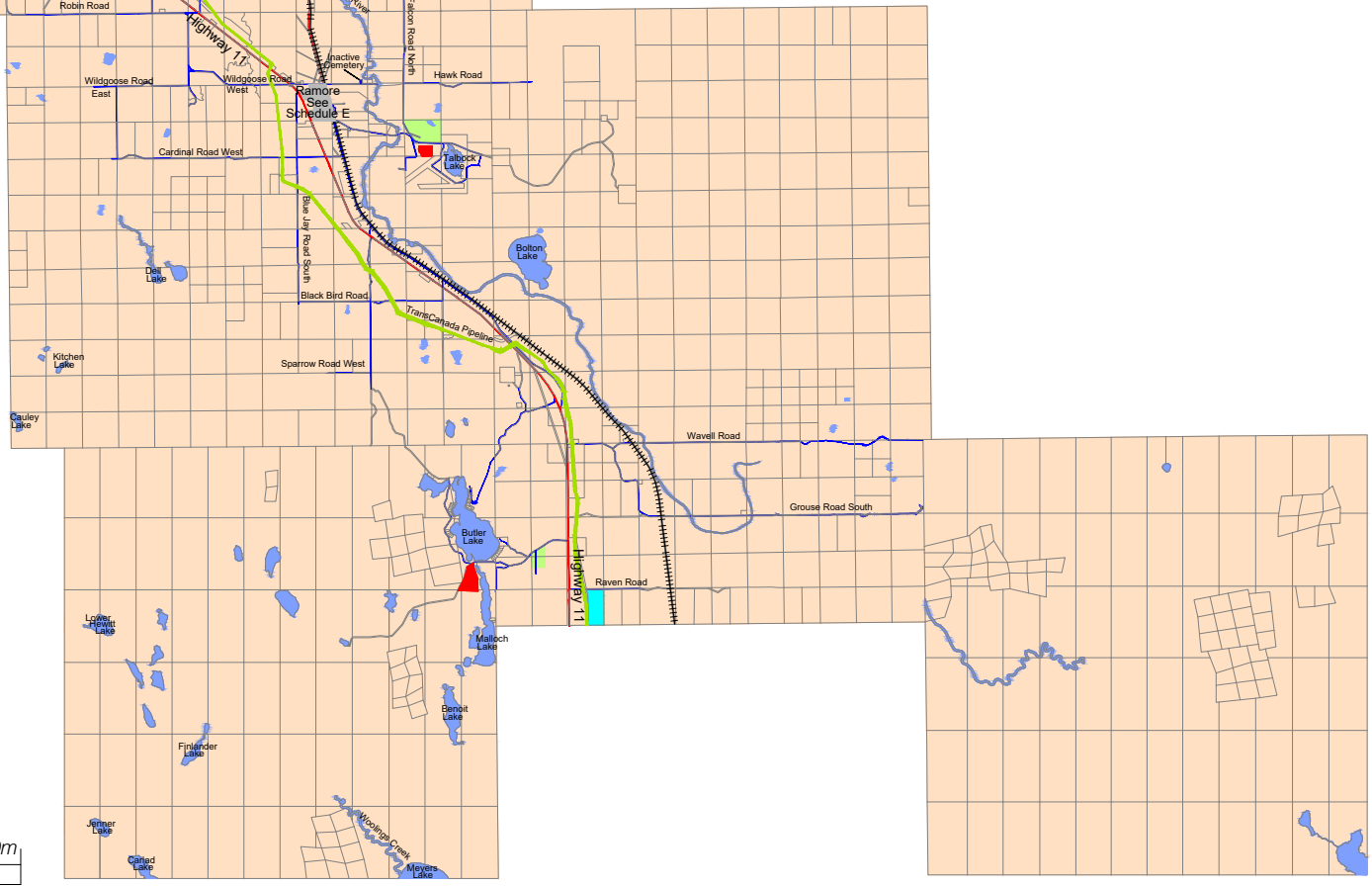
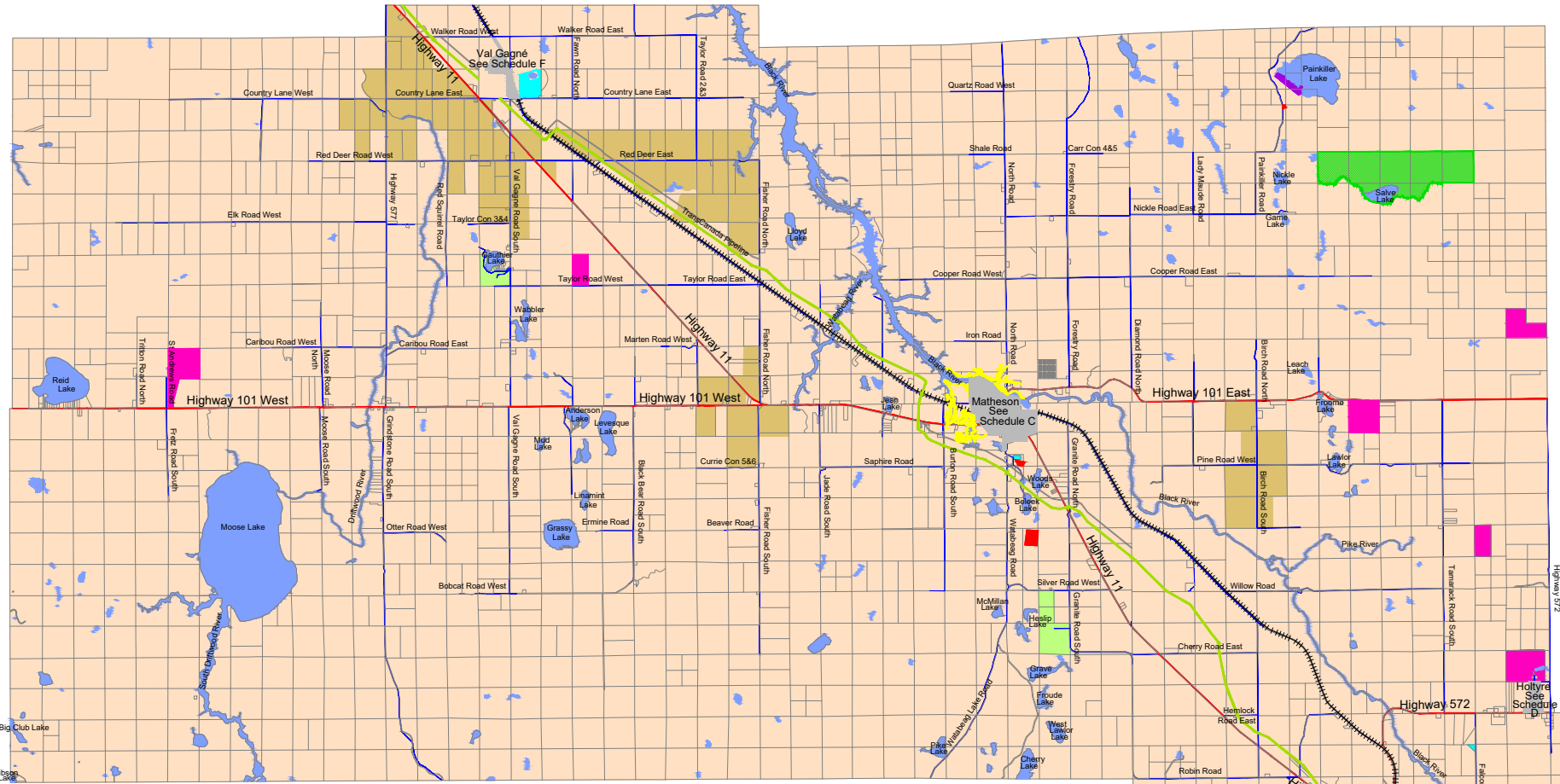
The Schedules to this Plan include:

- Schedule A – Rural Land Use Designations
- Schedule B – Natural Heritage and Development Constraints
- Schedule C – Matheson Land Use Designations
- Schedule D – Holtyre Land Use Designations
- Schedule E – Ramore Land Use Designations
- Schedule F – Val Gagné Land Use Designations
- Schedule G – Crown Land
- Schedule H – Potential Forest Hazard Classifications for Wildland Fire

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SCHEDULES

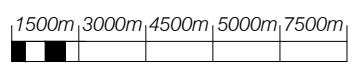


**TOWNSHIP OF
BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE A - RURAL
LAND USE DESIGNATIONS**
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017

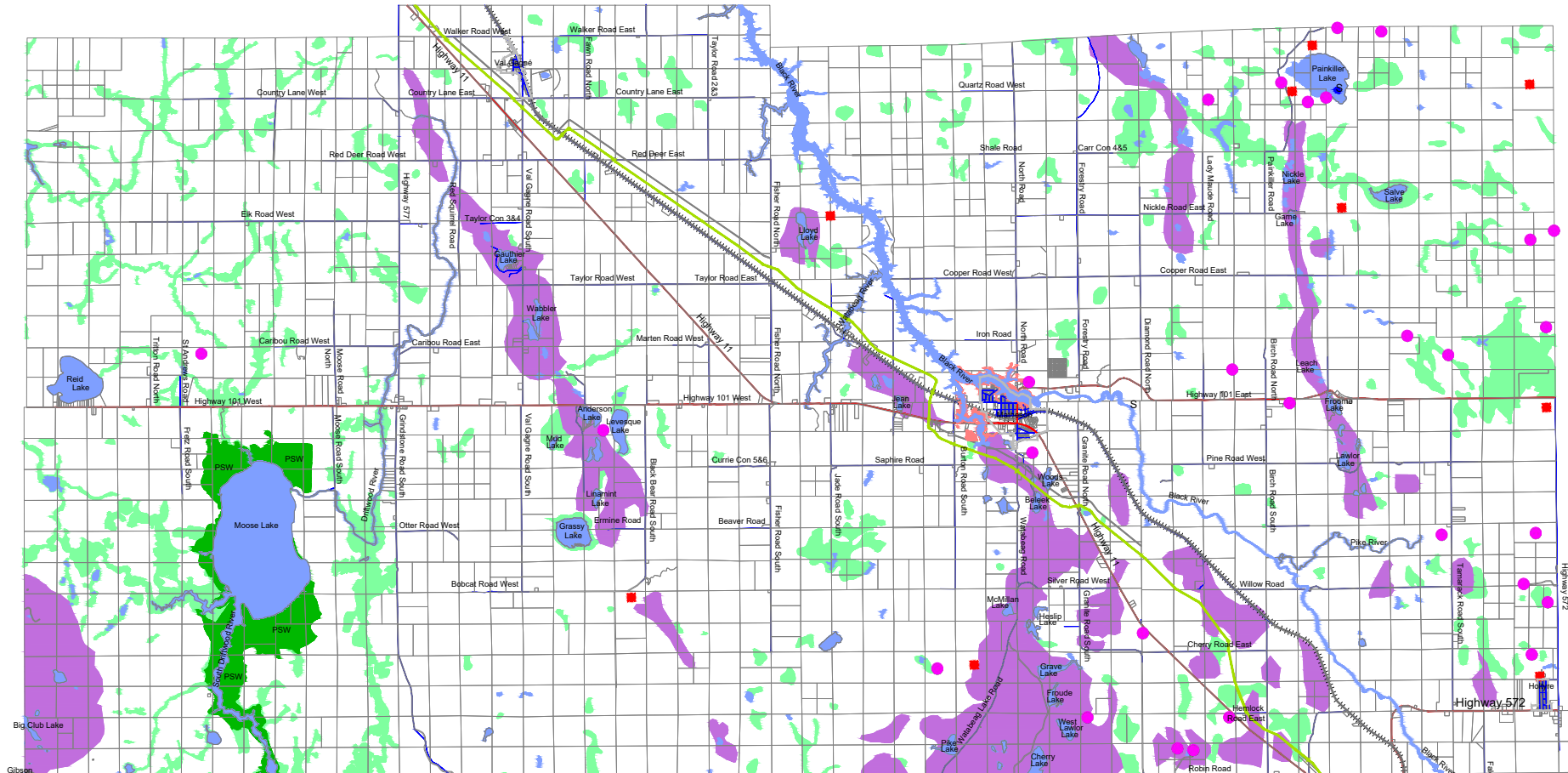
- Settlement Area
- Agricultural Area
- Rural Area
- Shoreline Area
- Hazard Lands
- Conservation Reserve
- Active Mine Sites
- Active Aggregate Extraction Area
- Waste Disposal Sites - Active
- Waste Disposal Sites - Closed
- Inactive Cemetery
- Provincial Highway
- Local Roads
- Railway
- TransCanada Pipeline



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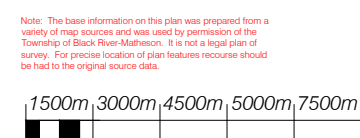
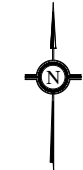


TOWNSHIP OF BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE B
NATURAL HERITAGE
AND DEVELOPMENT CONSTRAINTS
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017

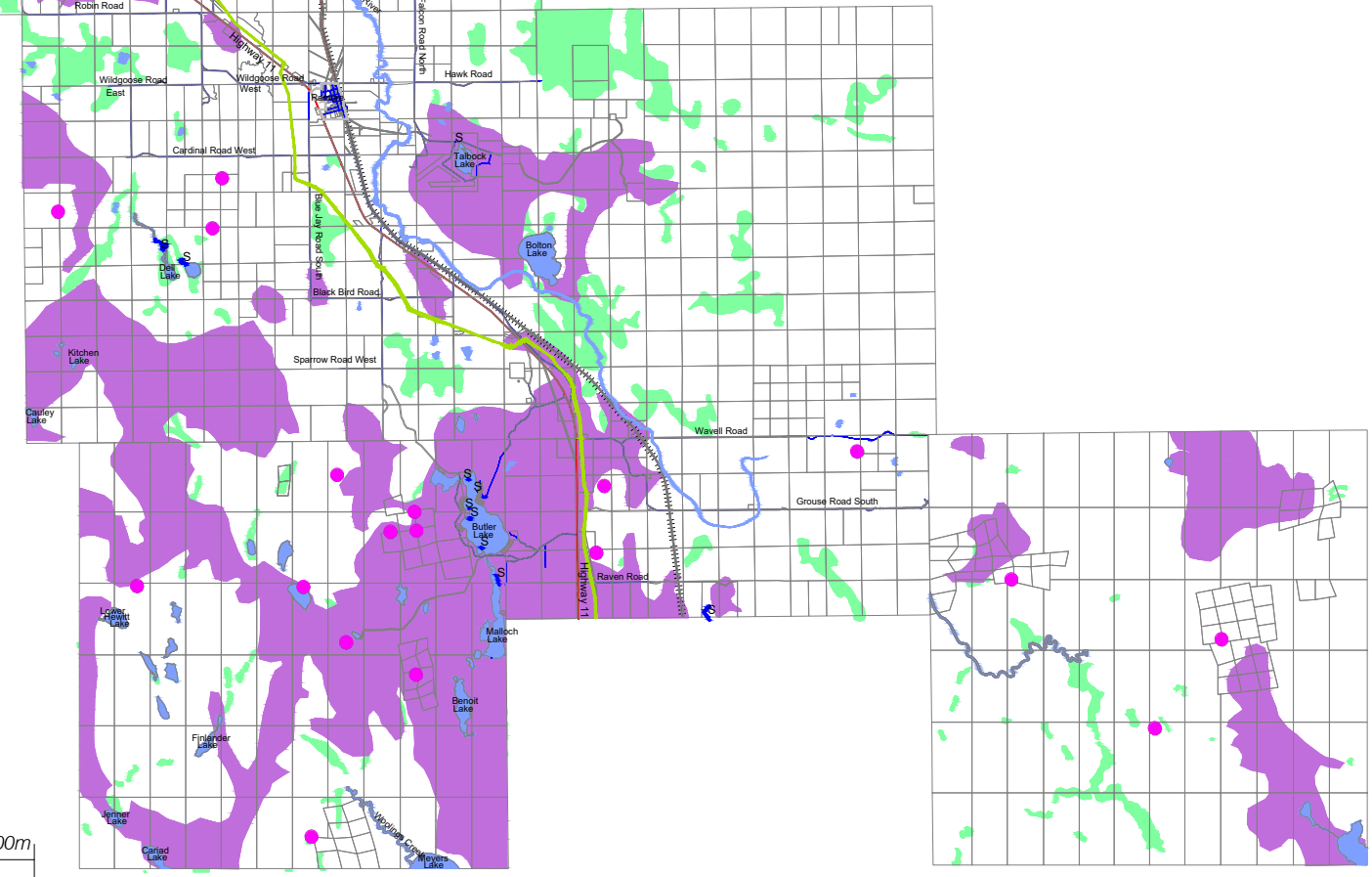
- Settlement Area
- Wetlands
- Provincially Significant Wetlands
- Spawning Areas
- Nesting Sites
- Mineral Aggregate Resources
- Hazard Lands
- Abandoned Mine Site
- Provincial Highway
- Local Roads
- Railway
- TransCanada Pipeline

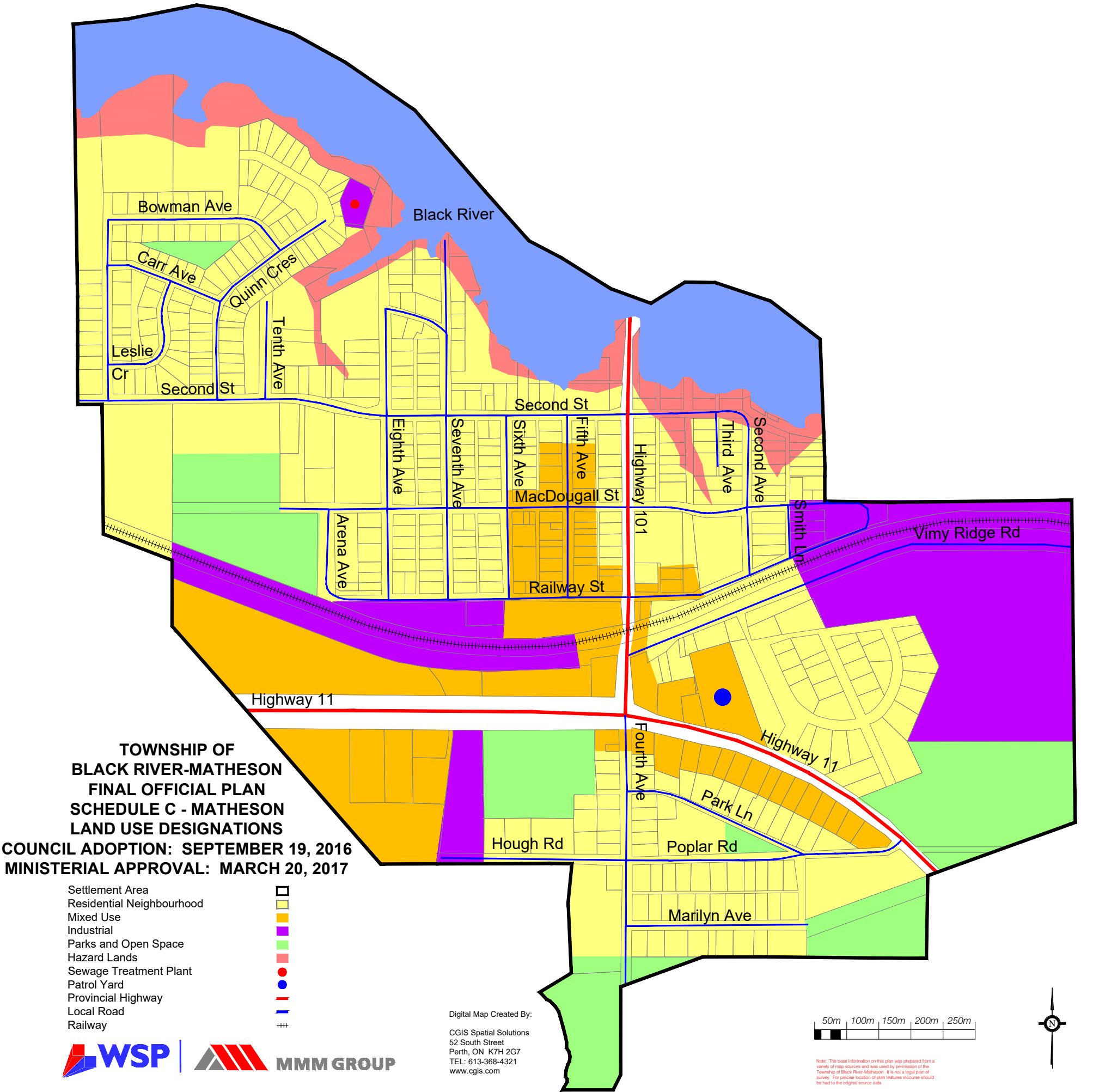


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**TOWNSHIP OF
BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE D - HOLTYRE
LAND USE DESIGNATIONS
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017**

- Settlement Area

Residential Neighbourhood

Mixed Use

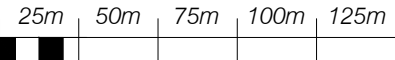
Industrial

Parks and Open Space

Provincial Highway

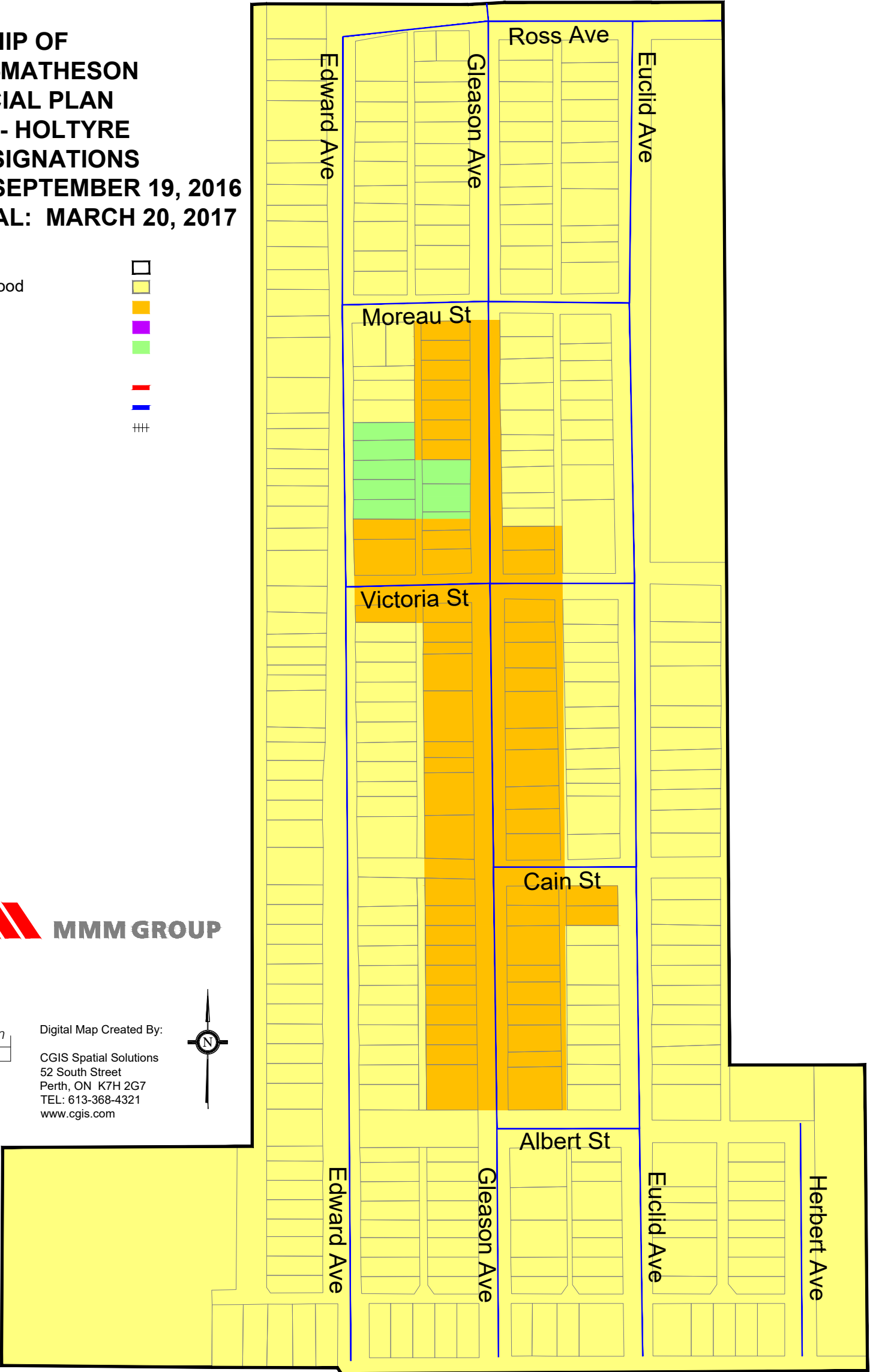
Local Roads

Railway
-



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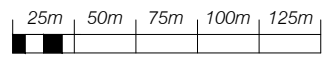
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**TOWNSHIP OF
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FINAL OFFICIAL PLAN
SCHEDULE E - RAMORE
LAND USE DESIGNATIONS
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017**

- Residential Neighbourhood
- Mixed Use
- Industrial
- Parks and Open Space
- Provincial Highway
- Local Roads
- +++

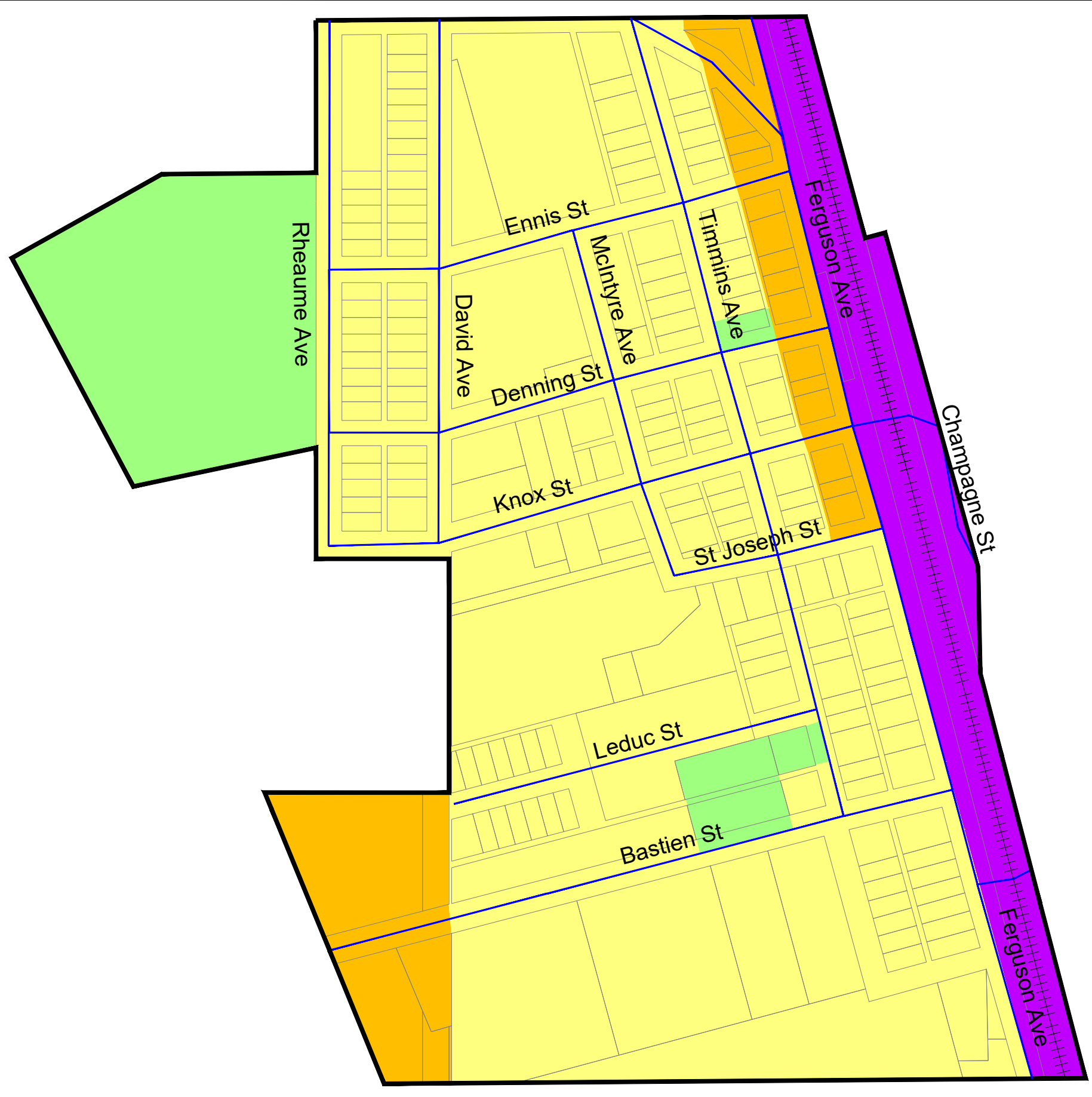
Railway



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TOWNSHIP OF
BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE F - VAL GAGNÉ
LAND USE DESIGNATIONS
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017

- Settlement Area

Residential Neighbourhood

Mixed Use

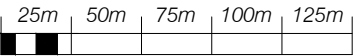
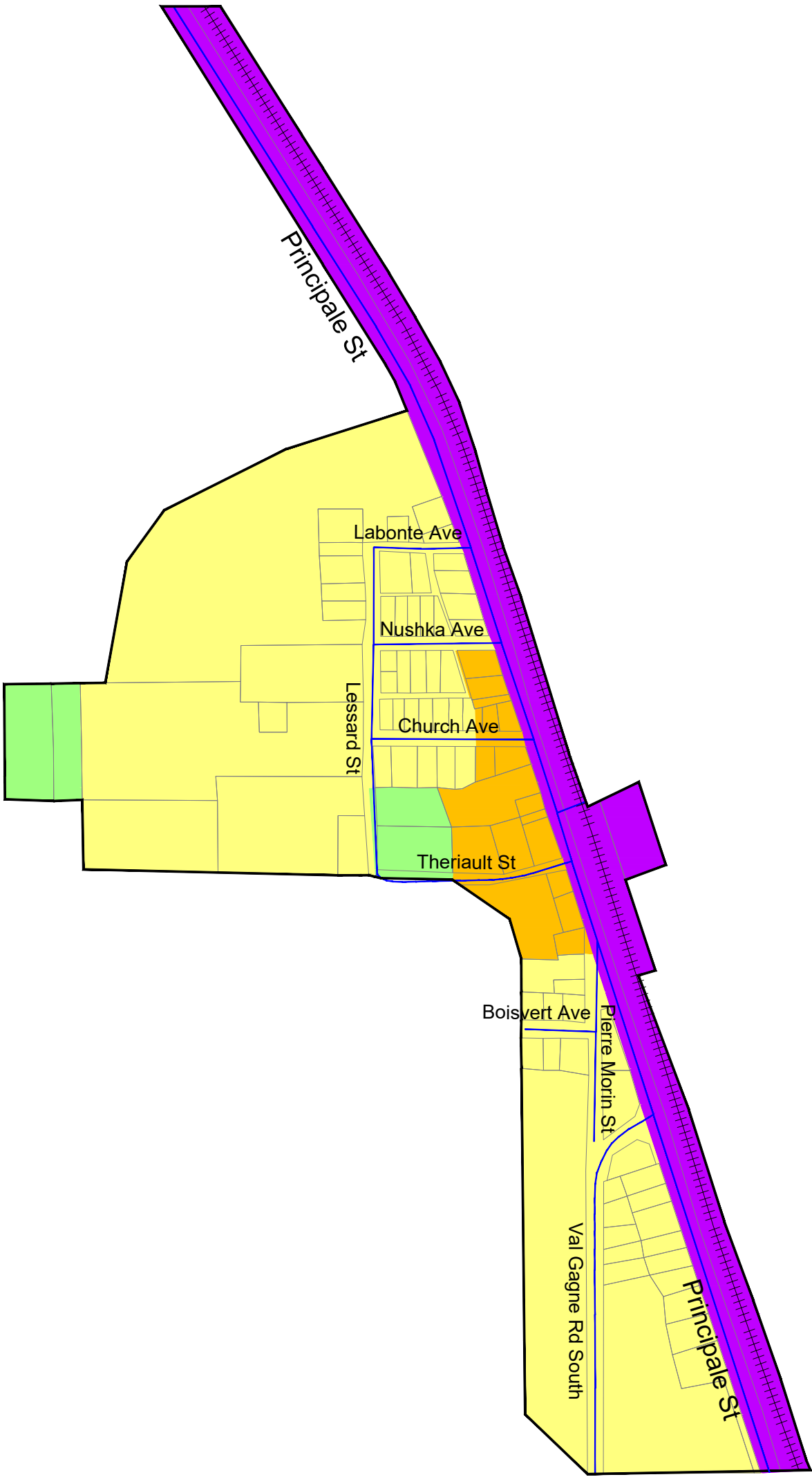
Industrial

Parks and Open Space

Provincial Highway

Local Roads

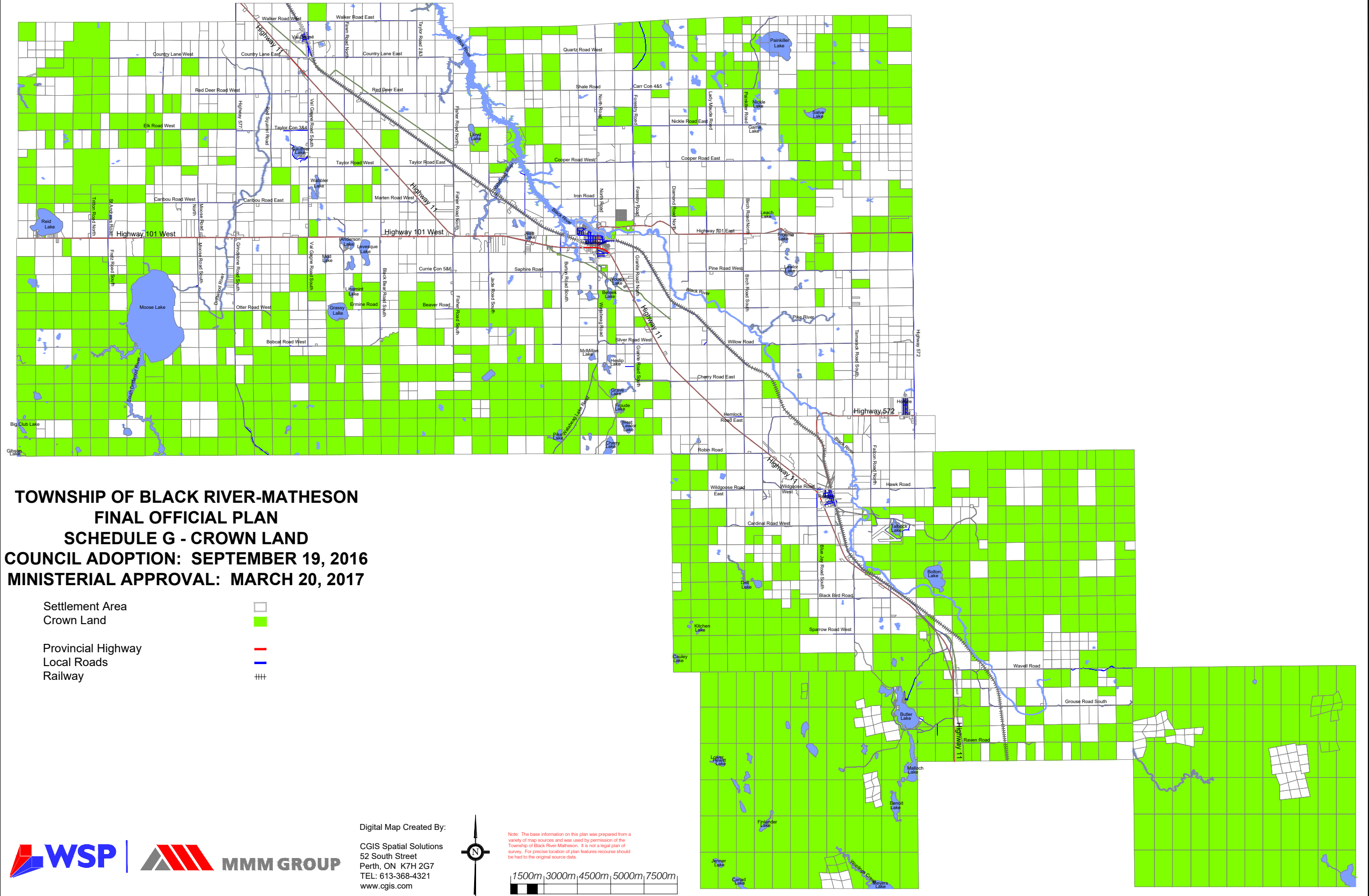
Railway
- +++



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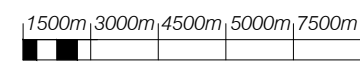


TOWNSHIP OF BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE G - CROWN LAND
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017

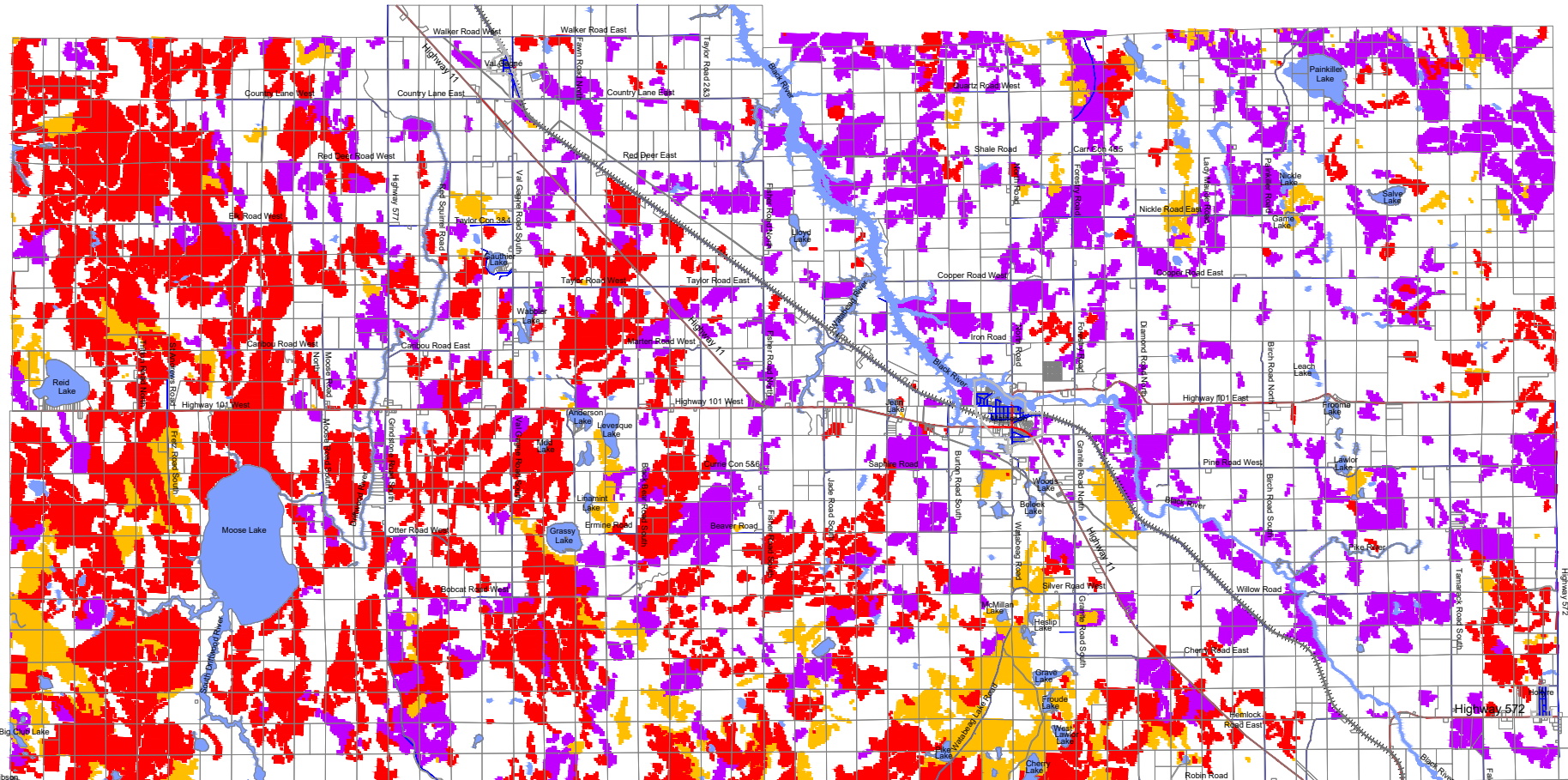
- Settlement Area
- Crown Land
- Provincial Highway
- Local Roads
- Railway



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TOWNSHIP OF BLACK RIVER-MATHESON
FINAL OFFICIAL PLAN
SCHEDULE H
POTENTIAL FOREST HAZARD
CLASSIFICATIONS FOR WILDLAND FIRE
COUNCIL ADOPTION: SEPTEMBER 19, 2016
MINISTERIAL APPROVAL: MARCH 20, 2017

- Settlement Area 
- Wildland Fire Potential
 - Extreme 
 - High 
 - Pine - Needs Evaluation 
- Provincial Highway 
- Local Roads 
- Railway 



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