

# TOWNSHIP OF MATACHEWAN OFFICIAL PLAN



As Adopted by the Council of the Corporation of the Township of Matachewan  
May 21, 2015

Prepared for:

The Corporation of the Township of Matachewan  
P.O. Box 177; 1 Moyneur Avenue  
Matachewan, ON P0K 1M0



Prepared by:

J.L. Richards & Associates Limited  
Engineers • Architects • Planners  
314 Countryside Drive  
Sudbury, ON P3E 6G2



JLR 26110

Minister's Modified Version

**Township of Matachewan  
Official Plan**

---

**- TABLE OF CONTENTS -**

<b>1.0</b>	<b>INTRODUCING THE MATACHEWAN OFFICIAL PLAN.....</b>	<b>1</b>
1.1	Purpose.....	1
1.2	Legislative Context.....	1
1.3	Basis.....	2
1.4	Principles of the Plan.....	3
1.4.1	Township Vision.....	3
1.4.2	Townsite Concept.....	3
1.5	Interpretation of the Plan.....	4
<b>2.0</b>	<b>PROMOTING COMMUNITY AND ECONOMIC DEVELOPMENT .....</b>	<b>5</b>
2.1	Community Improvement.....	5
2.2	Economic Development.....	6
2.2.1	Tourism.....	6
2.2.2	Forestry.....	6
2.2.3	Light Industrial / Business Park Development.....	7
2.2.4	Green Energy.....	7
2.2.5	Designating Areas for Economic Development Potential.....	7
2.3	Housing.....	8
2.3.1	Affordable Housing.....	8
2.3.2	Secondary Units.....	8
2.3.3	Garden Suites.....	9
<b>3.0</b>	<b>GUIDING LAND USE POLICIES.....</b>	<b>9</b>
3.1	General.....	9
3.1.1	Growth Management.....	9
3.1.2	Servicing.....	10
3.1.3	Road Access.....	10
3.1.4	Home Based Businesses.....	11
3.1.5	Community Facilities, Parks, and Recreation.....	11
3.1.6	Community Gardens, Greenhouses, and Temporary Markets.....	12
3.1.7	Public Infrastructure and Utilities.....	12
3.1.8	Wayside Pits and Quarries.....	12
3.1.9	Energy Conservation, Water Conservation, Air Quality Improvement, and Waste Reduction.....	13
3.1.10	Adaptive Design for Climate Change.....	13
3.2	Townsite.....	14
3.2.1	Townsite Residential.....	14
3.2.2	Townsite Mixed Use Commercial.....	15
3.3	Townsite Future Development.....	15
3.4	Rural Area.....	16
3.4.1	Rural Residential.....	16
3.4.2	Rural Commercial and Industrial.....	16
3.4.3	Mineral Mining in Rural Area.....	17
3.4.4	Aggregate Extraction in Rural Area.....	18
3.4.5	Outdoor Recreation and Tourist Commercial Uses.....	19
3.5	Crown Land.....	20

**Township of Matachewan  
Official Plan**

<b>4.0</b>	<b>PROTECTING NATURAL ENVIRONMENT &amp; CULTURAL HERITAGE.....</b>	<b>20</b>
4.1	Water Resources .....	20
4.1.1	Shoreline Development .....	20
4.2	Sourcewater Protection .....	21
4.3	Natural Heritage Features and Areas .....	22
4.3.1	Significant Habitat of Endangered and Threatened Species .....	22
4.3.2	Significant Wildlife Habitat .....	22
4.3.3	Fish Habitat .....	23
4.3.4	Significant Wetlands.....	23
4.4	Lakeshore Capacity Assessments .....	24
4.5	Environmental Impact Studies .....	25
4.5.1	Scoped Environmental Impact Study.....	25
4.5.2	Full Environmental Impact Study.....	25
4.6	Cultural Heritage Resources.....	26
4.6.1	Cultural Heritage Landscapes and Built Heritage Resources .....	26
4.6.2	Heritage Committee .....	26
4.6.3	Archaeological Resources.....	27
4.6.4	Marine Heritage Resources .....	27
<b>5.0</b>	<b>PROTECTING PUBLIC HEALTH &amp; SAFETY.....</b>	<b>28</b>
5.1	Natural Hazards.....	28
5.1.1	Flooding Hazards .....	28
5.1.2	Erosion Hazards and Unstable Soils.....	29
5.1.3	Wildland Fires.....	30
5.2	Human-made Hazards.....	30
5.2.1	Contaminated Sites .....	30
5.2.2	Abandoned Mine Hazards .....	31
5.2.3	Waste Disposal Sites.....	31
5.3	Land Use Compatibility Requirements .....	33
<b>6.0</b>	<b>PROVIDING INFRASTRUCTURE .....</b>	<b>35</b>
6.1	Transportation .....	35
6.1.1	Municipal Roads .....	35
6.1.2	Private Roads .....	35
6.1.3	Provincial Highways.....	36
6.1.4	Active & Recreational Transportation .....	37
6.2	Water & Sewage .....	38
6.2.1	Partial Services .....	39
6.2.2	Private Services .....	39
6.2.3	Large Developments.....	40
6.2.4	Septage .....	40
6.3	Stormwater Management.....	41
6.4	Waste Management.....	41
6.5	Utilities & Telecommunications .....	42
<b>7.0</b>	<b>IMPLEMENTING THE PLAN.....</b>	<b>42</b>
7.1	Amendments.....	42
7.2	Interim Control By-laws.....	42
7.3	Land Division .....	42
7.3.1	Subdivision .....	43

**Township of Matachewan  
Official Plan**

---

7.3.2	Consent .....	43
7.4	Parkland Dedication .....	44
7.5	Non-Conforming & Non-Complying Uses .....	45
7.5.1	Non-Conforming Uses .....	45
7.5.2	Non-Complying Uses .....	45
7.6	Property Standards .....	46
7.7	Pre-Consultation and Complete Applications.....	46
7.8	Review Procedure .....	47
7.9	Site Plan Control.....	47
7.10	Temporary Use By-laws.....	47
7.11	Zoning By-laws .....	47
7.11.1	Holding Symbol .....	48

## 1.0 INTRODUCING THE MATACHEWAN OFFICIAL PLAN

The Township of Matachewan has initiated a new Official Plan for the municipality, enabled under the provisions of Section 17 of the *Planning Act*. This will be the first Official Plan for the municipality, which was first incorporated as an Improvement District in 1976, and later as a Township in 1995.

### 1.1 Purpose

The purpose of an Official Plan is to set out “goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality” for the 20-year planning horizon (i.e. to 2034).

Decisions that affect a municipality’s growth and development have long-lasting impacts, and should reflect community values and result in a livable community that is economically and environmentally sustainable. The goal is to formulate policies that are easy to interpret and apply and that logically guide development.

The Plan was prepared to assist Council, administration, the public, and private sector development proponents in decision-making on land use matters in the context of known policies. Local boards and municipal departments, together with various levels of government, use the Plan to identify public undertakings that be required and assign appropriate budgets, schedules, preferred sites, and priorities. Private sector groups and the public may use the Plan to identify land use policies and development requirements.

This Plan will be implemented through the Zoning By-law and will provide the basis for other By-laws to regulate the development and use of land.

All planning decisions are required to conform to the Official Plan as per Section 24(1) of *Planning Act*.

### 1.2 Legislative Context

The *Planning Act* requires that each municipality prepares and adopts an Official Plan. The *Planning Act* also identifies matters of provincial interest, which are further defined by the Provincial Policy Statement (PPS). The Township’s Official Plan must be consistent with the policies in the PPS and other policy statements issued under the *Act*. The Official Plan was drafted, reviewed, and adopted in conformity with the requirements of the *Planning Act* and the content of the Plan is consistent with the PPS issued under Section 3 of the *Planning Act*, which came into effect on April 30, 2014. Furthermore, the Official Plan reflects changes to the *Planning Act* enacted through *Bill 51, Planning and Conservation Land Statute Law Amendment Act, 2006*.

In accordance with the requirements of the *Planning Act*, the Official Plan will be reviewed every five (5) years 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 within three (3) years of each Official Plan update.

### 1.3 Basis

Matachewan is a community of approximately 400 residents that is located in the District of Timiskaming, in Northern Ontario. The centre of the Township is approximately 40 kilometres west of Highway No. 11, the Northern Route of the TransCanada Highway, 250 kilometres northwest of the City of North Bay, and approximately 170 kilometres southeast of the City of Timmins. The Montreal River is a significant natural feature running through the Township that allowed for the establishment of fur trading posts, lumbering businesses, and exploration. In the 1920s and 1930s gold mines were established that helped grow the population until closure in the 1950s. Today Matachewan is comprised of a small Townsite area and the majority of the municipality is rural Crown Lands. Renewed potential with the mining industry is occurring, with subsequent spin-off development to support the mine. The Township is also pursuing development of other longer-term sustainable economic opportunities to maintain and grow its population.

The Township of Matachewan Official Plan:

- Is based on a 20-year planning horizon, and those population projections contained in the Background Report, to the year 2034, as required by the PPS.
- Is based on information presented in the Background Report relating to land use patterns and development activity, development constraints and resources, municipal and community services, and demographic information.
- Promotes community and economic development by supporting economic development opportunities, designating land for future development, and supporting community housing initiatives.
- Guides development of land in the Townsite and Rural areas in an orderly manner and encourages redevelopment, infill, and intensification, where possible, and discourages the undue extension of municipal services and expansion of Townsite boundaries.
- Protects natural heritage, cultural heritage, and archaeological resources through implementation of provincial policy and guidelines.
- Protects public health and safety by guiding development away from hazard areas, protecting sources of municipal drinking water, encouraging remediation of sites, and implementing land use compatibility guidelines.

In a broader context, this Plan:

- Is consistent with the Provincial Policy Statement (2014).
- Conforms with the 2011 Growth Plan for Northern Ontario, and aims to build upon those strategic directions to strengthen the Northern economy.
- Has been prepared through a lens of sustainability. It contains sustainable policies and policy areas and aims to satisfy the requirements of the Federal Gas Tax Agreement.

- Has been prepared to encourage the development of Matachewan as a healthy community, specifically supporting physical activity, active transportation, food systems planning, and food security.

## 1.4 Principles of the Plan

### 1.4.1 Township Vision

The Township's recently completed Community & Economic Development Strategic Plan (2013) sets out a Vision statement for the Township to give Matachewan direction to move forward with community and economic development efforts:

*"By working together, Matachewan will entice new businesses and residents to live and do business in their attractive and socially welcoming community."*

The following statements were captured during the consultation process and highlight some of the meanings behind Matachewan's Community Vision:

- *"Working together to continually build the best and most beautiful community"*
- *"Building a vibrant community that works together"*
- *"A community that celebrates together"*
- *"Building upon the natural environment to create a more beautiful community"*
- *"The best place to live, work and raise a family"*
- *"A proud Tight Knit community working together to make Matachewan the best place to call home"*

These vision statements are further reflected in the policies of this Plan.

### 1.4.2 Townsite Concept

As part of the development of the Township's first Official Plan, it was necessary to delineate land use designations and boundaries for the Settlement Area, including future growth areas, and a rural area.

As a result, land use designations and boundaries were developed that:

- Support of the Township's vision to entice businesses and residents to the Township;
- Are consistent with the PPS's policies on Settlement Areas, and providing designated growth areas that are adjacent to the existing built-up area, allowing for efficient use of land and infrastructure;
- Allow the Township economic opportunities that are supported by the Northern Growth Plan; and
- Make an efficient use of the Township's infrastructure.

The Townsite has been delineated as that area which is the existing built-up area, and that area which can be efficiently serviced by municipal water services. Note that the Township only has municipal water services, as it is uneconomical to provide municipal wastewater services. The Townsite area will continue to develop on partial services, to allow for infilling and rounding out

of the existing developed area, provided that there is capacity and that site conditions are suitable for municipal water services and private septic services with no negative impacts.

Additional lands for future growth have been designated as Future Development areas within the Townsite/ Settlement Area, which include those lands which are held in private ownership to round out the area adjacent to the existing built-up area. The lands designated for Future Development would utilize some of the roughly 2/3 remaining capacity at the Township's water treatment plant. It is expected that the Future Development area will also be developed on partial services, to round out the existing developed area, provided that there is capacity and that site conditions are suitable for municipal water services and private septic services with no negative impacts.

Though the projected population growth is minimal over the Planning Period, the Township wishes to designate these lands for opportunities for growth and development. The Townsite area and Future Development areas represent existing development areas and their logical extensions.

Policies for the Townsite and Future Development designations are found in Sections 3.2 and 3.3.

## **1.5 Interpretation of the Plan**

Township Council, appointed Committees, the appropriate approval authority for *Planning Act* decisions, and Township staff shall be responsible for interpreting all aspects of the Plan. When the approval authority is the Ministry of Municipal Affairs and Housing (MMAH), the Township or development proponent may consult MMAH prior to submitting a formal planning application. Where policies reference specific issues of significance to the Province, MMAH may assist the Township on an as-needed basis. As sections of the Plan are interrelated, the Plan shall be read and interpreted in its entirety.

Terms and words used in this Plan are consistent with the Provincial Policy Statement and shall be interpreted as such.

It is intended that land use boundaries shall be considered as approximate, except where bounded by existing roads, rivers, railways, or other clearly defined features. Minor adjustments may be permitted by Council without amendment provided that the intent of this Plan is maintained.

Technical revisions to this Plan are permitted without amendments to this Plan provided they do not change the intent of the Plan. Technical amendments include:

- Changing the numbering, cross-referencing, and arrangement of the text, tables, schedules, and maps;
- Altering punctuation or language for consistency;
- Correcting grammatical, dimensional, and boundary, mathematical, or typographical errors; and
- Adding technical information to maps or schedules.



Where any Act and/or Provincial Policy Statement, or portion thereof, is referred to in this Plan such references will be interpreted to include any subsequent legislation that may replace or revise the specified Act and/or Provincial Policy Statement.

For the purposes of this Plan, it shall be interpreted that the word "existing" when used in this Plan shall mean existing as of the date of the adoption of this Plan by the Township.

## **2.0 PROMOTING COMMUNITY AND ECONOMIC DEVELOPMENT**

### **2.1 Community Improvement**

The Community Improvement provisions of the *Planning Act* provide the opportunity to plan and coordinate comprehensive physical improvements in the Township. "Community Improvement Policies" are intended to give municipalities a planning mechanism to address deficiencies and offer incentives within designated areas in a coordinated and comprehensive fashion and to encourage private investment activity and physical improvements in these areas.

It is the Township's intention to encourage improvements to the quality of existing development, community facilities, and public services, particularly within the Townsite area to provide those additional community facilities as circumstances and finances permit. The Township has already started on a project to improve the visual image and branding of Matachewan, using new community entrance signage as a starting point for a new visual image for the Township.

Council may pass a By-law designating a Community Improvement Project Area under the *Planning Act*, the boundary of which may be the whole Township or any part thereof.

It is intended that Community Improvement Policies will be directed towards the following objectives:

- To improve Matachewan's visual image and condition, in particular the buildings along Highway 66 / Moyneur Avenue;
- To provide for the continued social and economic viability of the Township of Matachewan;
- To encourage development of a regular meeting place/activities for the community;
- To continually improve the visual image and branding of Matachewan;
- To provide an environment that is attractive to new investment in the Township of Matachewan;
- To promote a new landscape/streetscape design plan for Matachewan's main street (Highway 66 / Moyneur Avenue) and priority areas, including recreational areas;
- To encourage the ongoing maintenance, rehabilitation, redevelopment, upgrading, and improvement of the physical environment, within a framework of sound fiscal management;
- To encourage brownfield redevelopment;
- To encourage the preservation, rehabilitation, renewal, and reuse of heritage resources; and
- To support the provision of affordable housing.

## 2.2 Economic Development

The development of employment opportunities in a variety of sectors including mining, industry, light industry, education, tourism, services, and health care is a priority of Council. There are some employment opportunities in the Township; however, continued action is required in this area. A well-rounded, vibrant community with economic opportunities for all ages is a Township objective. The Township will continue to build on the basic necessary community infrastructure to retain existing businesses and attract new investment.

The Township's economy and population, like those of many Northern municipalities, are strongly tied to local mining activity influenced by the global economy. Matachewan supports mineral mining exploration within the Township and will pursue opportunities to utilize the community as a service centre for workers, explorers, and as a manufacturing, research, and servicing hub for any existing and potential mine established in the area.

The Township sees Tourism, Forestry, Light Industrial / Business Park Development, and Green Energy as other key areas in which commitment and action may be directed to promote development and has designated land within the municipality for economic development potential.

### 2.2.1 Tourism

The Township recognizes opportunities for sustainable tourism development, including the potential of the Montreal River area, particularly for hunting and fishing, camping, canoeing, snowmobiling, ATV-ing, and enjoyment of the wilderness and natural resources in the area. Tourism will be promoted by assisting private efforts, where appropriate, to improve and increase the range of tourist facilities and services. This will also service the leisure and active recreational needs of residents of the Township.

While it is recognized that the majority of the municipality is Crown Land, efforts will be made to utilize the community as a service hub for existing and potential outdoor recreational and tourism opportunities. This could include promotion of overnight accommodations, rental equipment outfits, guide establishments, restaurants, retail, and other convenience commercial businesses.

### 2.2.2 Forestry

Forestry has historically been one of three major industries in the Township, and this natural resource has been identified as a strength in the Township's Economic Development Plan. There are existing log hauling companies which do business within the Township, and approved forestry plans in conjunction with the Ministry of Natural Resources and Forestry (MNRF).

The Township sees the opportunity to build on this natural resource and will encourage value-added or spin-off industries to locate in Matachewan.

### 2.2.3 Light Industrial / Business Park Development

The Township recognizes opportunities for light industrial / business park type development, particularly those which are ancillary to the mining industry and other rural industries that may persist beyond the mine life.

Areas around the existing mine site, and areas outside of the Townsite, along Highway 66 may be appropriate for future light industrial / business park development. The commercial and industrial service sector will be encouraged to locate in Matachewan.

### 2.2.4 Green Energy

The Township recognizes the Province's Green Energy Act, created to expand renewable energy generation, encourage energy conservation, and promote the creation of clean energy jobs. This meets the Township's objectives to provide economic opportunities and encourage sustainable development. The Township shall support green energy and creation of "green" jobs.

The Township shall encourage the development of renewable energy projects used to supply on-site energy needs or supply back to the grid via a feed-in-tariff (FIT) program. The Township may explore opportunities to generate energy from renewable sources as a revenue generation method, or to power municipally-owned facilities.

The Township shall explore and promote opportunities for the development of renewable energy projects, including but not limited to:

- Large-scale energy facilities;
- Community-based energy projects involving the Township, local residents, registered charities, not-for-profit groups, and co-ops; and
- Individual generating systems as accessory structures.

The Township may seek and promote financing opportunities or incentive programs and may give priority to development applications that are renewable energy projects or incorporate renewable energy into a development project.

### 2.2.5 Designating Areas for Economic Development Potential

The Township has identified several areas for potential economic development potential, designated as Future Development on the land use schedules. Some of this land is Crown Land, and the Township recognizes that MNRF is responsible for the management and disposition of Crown Land. MNRF may dispose of Crown Land through a variety of methods, including direct sale to a municipality.

The Township has designated lands between the existing built-up area of the Townsite and the municipal waste disposal site, along Highway 66, as having potential to provide lands for future economic development opportunities. The Township shall apply to MNRF for disposition of these lands when economic development opportunities arise necessitating acquisition of these lands.

The Township may also support the application for disposition of Crown Land directly to a private developer where the proposal is not appropriate for or cannot be accommodated within the Townsite area and is for a unique and innovative development proposal which is deemed to offer broad public economic or social benefits.

## **2.3 Housing**

### **2.3.1 Affordable Housing**

Affordable housing in Matachewan shall be encouraged through infilling and intensification where servicing is appropriate, by encouraging non-profit housing, and by allowing an appropriate mix of housing types and low to medium densities. Council will encourage affordable rental housing accommodation in existing and new housing stock. Secondary dwelling units and garden suites shall be considered a form of affordable housing.

The Township of Matachewan will target a 5% ratio of affordable housing units in all new development.

Affordable shall be defined as the following:

- 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;
- 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.

Council may participate in federal and provincial housing programs designed to provide affordable housing in the community and may collaborate with the District of Timiskaming Social Services Administration Board (DTSSAB) and other agencies as appropriate, to identify and respond to affordable housing needs in the community.

### **2.3.2 Secondary Units**

Secondary units (also known as accessory apartments, basement apartments, or in-law suites) are self-contained dwelling units with a separate entrance, located within and subordinate to an existing dwelling unit (e.g., a single-detached dwelling, or a semi-detached or row-house dwelling where permitted) or within an accessory building thereto.

Secondary dwelling units will be permitted anywhere in the municipality, provided that they can be accommodated with the proper servicing.

The Zoning By-law shall include regulations for unit size and other performance standards to govern compatibility within the main dwelling and surrounding land uses. Secondary units must comply with parking requirements, as set out in the Zoning By-law.

### 2.3.3 Garden Suites

Garden suites are one-unit detached residential structures containing bathroom and kitchen facilities that are ancillary to existing residential structures and designed to be portable. They provide an affordable housing option that supports changing demographics, allows for aging in place, and provides opportunities for reasonably priced accommodation.

Garden suites shall be permitted in conjunction with a single-detached dwelling anywhere in the municipality, provided that they can be accommodated with the proper servicing. A garden suite may only be permitted through a temporary use By-law and the use shall not exceed twenty (20) years from the date of passing the by-law. Extensions for further periods of not more than three (3) years each during which the temporary use is authorized may be granted by Council or Planning Board by By-law per s.39.1(4) of the *Planning Act*.

Garden suites shall be permitted only where there is adequate water and sewerage capacity on the lot to service the suite.

The Zoning By-law shall include regulations for unit size and other performance standards. Garden suites must comply with the setbacks for accessory buildings, as set out in the Zoning By-law.

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:

- The installation, maintenance, and removal of the garden suite;
- The period of occupancy of the garden suite by any of the persons named in the agreement; and
- 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.

## 3.0 GUIDING LAND USE POLICIES

### 3.1 General

The policies of this Section deal with development considerations that are common to a number of land use categories. These policies apply, where relevant, in addition to the policies of specific land use designations.

#### 3.1.1 Growth Management

---

Growth management in Matachewan is based on:

- Accommodating growth through land use intensification, where possible, and having regard to the timely and efficient use of existing infrastructure;
- Evaluation of growth-related infrastructure costs and financial implications of proposed works;
- Directing development to areas suitable for provision of hard and soft municipal services;
- Encouraging a mix of housing types and tenures; and
- Maintaining an adequate supply of vacant designated land to enable choice and flexibility, while recognizing the growth projected for the planning horizon and the need to develop in an orderly, efficient, timely, and affordable manner.

The primary means for reviewing the adequacy of the Township's supply of land and expansions to the Townsite area will be the 5-year review process. Proposed amendments to the Plan to expand the Townsite area will be evaluated for public benefit on the basis of the following criteria:

- The need for growth at the proposed location and the rationale for a Comprehensive Review in advance of the 5-year review process;
- The costs and benefits of permitting growth at the proposed location; and
- The implications for municipal servicing and other services.

### 3.1.2 Servicing

Generally, development will be permitted on the basis of partial services (municipal water and private septic) in the Townsite Area, and on the basis of private services in the Rural Area, in accordance with the policies of Section 6.2 of this Plan.

Development on partial services shall be permitted within the Townsite to allow for infilling and rounding out of the existing development area, provided that there is reserve water system capacity and that site conditions are suitable to provide municipal water and private septic services with no negative impacts.

### 3.1.3 Road Access

Generally, all new development shall have frontage on and direct access to an improved public road which is maintained year-round by the Township or other public authority and can accommodate traffic generated by new development. Road access on a municipal road may be granted in accordance with the policies of Section 6.1.1 of this Plan. However, development may also be permitted on the basis of private road access in compliance with the policies of Section 6.1.2 of this Plan.

Where access is required to a provincial Highway, Section 6.1.3 of this Plan and the relevant policies and setbacks of the Ministry of Transportation (MTO) shall apply and will be subject to MTO approval.

Development in the Rural Area may also be permitted on the basis of a private road, unopened road allowance, water access, or fly-in access, or other type of access, provided that:

- The proposed development is on a lot which is legally conveyable under the *Planning Act*;
- There is confirmation of secured, mainland public docking access, and off-site parking, for water access only properties;
- The lot is able to be properly serviced for sewage disposal and potable water supply; and
- The landowner enters into a No Demand for Services Agreement and a Maintenance Agreement to be registered on title and shall apply to all assigns and successors.

#### 3.1.4 Home Based Businesses

Home based businesses are an important means of realizing small business start-ups and stay-at-home self-employment. Home based businesses are permitted subject to the requirements of the Zoning By-law. The Zoning By-law may provide home based business regulations that:

- Include a detailed list of permitted home occupations;
- Limit the number of employees, other than residents of the house;
- Provide a maximum percentage of the floor area of the residence that may be used for the home-based business, or the maximum floor area of an accessory structure;
- Provide appropriate parking standards for such uses; and
- Limit traffic impact, ensure safe access, and prohibit uses that are deemed to be significant traffic generators.

Where permitted, home based businesses shall be secondary to the residential use of the property and shall not generate adverse impacts on surrounding properties. Home-based businesses which can no longer be considered secondary to the residential use of the property shall be required to relocate to an appropriately zoned commercial or industrial site.

Home based businesses located along Highway 65, 66, and 566 require the approval of the MTO. Typically, the MTO will require that the property owner obtain an entrance and sign permit. As a condition of these permits, the MTO requires the property owner to acknowledge that the use of their existing entrance cannot be converted to a commercial entrance in the future if the MTO's safety requirements are not met and that an additional entrance will not be permitted to accommodate a home based business.

Home based businesses may be subject to site plan control, sign by-laws, and other by-laws, as applicable.

#### 3.1.5 Community Facilities, Parks, and Recreation

Community facility uses, such as schools, public parks, day care centres, hospitals, museums, churches, libraries, community centres, service clubs, and similar public or quasi-public uses will generally be permitted in all land use designations, provided that the design and siting of the buildings and structures are in keeping with the character of the surrounding area and the use will not detract from the primary function of the area. Proposed community facility uses will be subject to the following criteria:

- The land is suitable for the proposed use;
- The use can be adequately serviced;

- Adequate off-street parking and landscaping shall be provided; and
- Significant traffic generators shall be appropriately located so that surrounding uses are not adversely affected.

The Township encourages active transportation and recreation, and is working towards creation of a boardwalk that extends from the Montreal River Bridge to Pioneer Park. In light of this effort, Council will encourage land acquisition in this area to support the Township's active transportation and recreation goals. In addition, larger park features are envisioned at either end of this linear park to assist in meeting the Township's park and open space needs.

Council should obtain monies to provide for the upgrading and maintenance of the existing park and recreational facilities and proposed recreational facilities.

### 3.1.6 Community Gardens, Greenhouses, and Temporary Markets

The Township of Matachewan encourages community gardening and greening efforts to allow for growing local food, enhancing community aesthetics, and providing quality green spaces within the Township.

Community gardens and greenhouses will generally be permitted in all land use designations, provided that the design and siting of any buildings and structures are in keeping with the character of the surrounding area and the community garden / greenhouse use will not detract from the primary function and use of the area.

The Township shall encourage temporary farmers markets within the Townsite area, provided that suitable parking is available.

### 3.1.7 Public Infrastructure and Utilities

Public infrastructure uses and utilities, such as power (excluding alternative energy systems and renewable energy systems), water services, roads, railways, telecommunications, but not including waste disposal sites, will generally be permitted in all land use designations, provided that such use or utility is necessary and appropriate in the location is compatible with surrounding uses.

Municipal water treatment plants will be permitted in any land use designation, subject to all necessary approvals being obtained from the Ministry of Environment and Climate Change (MOECC), and being appropriately zoned in the implementing Zoning By-law.

### 3.1.8 Wayside Pits and Quarries

Wayside pits and quarries, portable asphalt plants, and portable concrete plants are temporary operations established by or on behalf of a public road authority on short notice solely to fulfill an immediate road construction or maintenance need. Wayside pits and quarries, portable asphalt plants, and portable concrete plants are generally permitted throughout the Township without the need to amend this Official Plan or the Zoning By-law, provided no severe



environmental disruption will occur and the site is not within a residential zone, wetland, or watercourse. The Township shall require a rehabilitation plan as a condition of approval.

### 3.1.9 Energy Conservation, Water Conservation, Air Quality Improvement, and Waste Reduction

The Township shall promote energy conservation, water conservation, air quality improvement, and waste reduction by:

- Initiating, participating, and cooperating in programs, including public education and awareness;
- Encouraging infill and intensification of existing built-up areas and the efficient use of existing infrastructure;
- Incorporating energy conservation measures and using environmental design standards, such as LEED, into site and building design;
- Encouraging the use of walking, bicycling, and carpooling as alternatives to private automobile use;
- Promoting design and orientation of subdivisions and developments, which maximize the use of alternative or renewable energy systems, such as solar and wind energy, at appropriate locations;
- Encouraging the reuse and multiple uses of treated water, including stormwater;
- Encouraging the planting of native trees, shrubs, and other ground vegetation for temperature reduction and infiltration;
- Encouraging development proposals to provide adequate waste disposal, recycling, and composting facilities; and
- Supporting innovative waste collection and diversion programs.

### 3.1.10 Adaptive Design for Climate Change

The Township shall encourage community infrastructure and proposed developments that take into account the potential impacts from climate change by promoting the following:

- The protection, enhancement, and restoration of significant natural heritage features and areas;
- Green industries and green building technologies and construction practices;
- Environmental designs and retrofits of buildings and infrastructure that reduce the quantity and improve the quality of stormwater runoff;
- The incorporation of active transportation networks and linkages in proposed developments;
- Tree planting and innovative green space designs that reduce energy use through shading and sheltering;
- The planting of native and non-native, non-invasive tree and vegetation species in proposed developments that are resilient to climate change and reduce carbon footprints;
- Artificial shading in appropriate locations;
- Greater use of permeable surfaces and pervious pavement, where appropriate, to reduce flood risk and strains on municipal infrastructure;
- The establishment of community gardens in suitable locations that have maximum exposure to sunlight; and

- Public education and awareness of measures to reduce the effects of climate change.

### 3.2 Townsite

The Townsite Area of Matachewan is designated as the Settlement Area which is generally built-up and where municipal water services and other services (municipal office, recreational facilities, health facilities, etc.) are provided. Population growth, development, infill, redevelopment, and intensification, as appropriate for Matachewan, are directed to this area of the municipality. Based on the projections outlined in the Background Report to this Plan, the Township has sufficient land designated to accommodate anticipated growth and to meet the demands for a range and mix of employment, housing, and other land use needs for the planning period to the year 2034.

Expansions to the Townsite Area will only be considered through a Comprehensive Review of this Plan.

#### 3.2.1 Townsite Residential

The Townsite Area is generally located to the north and south of Moyneur Avenue, off of the “Main Street” of Matachewan and shall allow for low to medium density housing, provided that services are in place to accommodate the development.

The Townsite Area will allow for a variety of housing types (i.e. single detached dwellings, semi-detached, townhouse style, low-rise multi-unit developments, etc.) and accommodate and encourage a variety in size, design, tenure, accessibility, and affordability to meet the housing needs of the Township. Lands will be zoned to accommodate this variety in the Zoning By-law.

Secondary dwelling units, garden suites, and group homes are considered residential uses and are permitted in accordance with the policies of this Plan.

Mobile homes may be considered on an individual basis, and permitted subject to approval of a site-specific Zoning By-law Amendment.

Complementary land uses may be permitted in the Townsite Residential Area where they are compatible with the residential environment, including parks and open space, public and institutional uses, and community facilities.

Home based businesses are permitted in the Townsite, subject to the policies of Section 3.1.4 of this Plan and approval of a site-specific Zoning By-law Amendment.

Local commercial uses and personal services uses may be permitted in the Residential Area subject to the approval of a site-specific Zoning By-law Amendment, where they are compatible with the surrounding residential area. Compatibility will be assessed based on the following:

- Potential effects to the character of the surrounding residential area;
- Noise and traffic generation; and
- Overall number of local commercial uses, location, and design.

### 3.2.2 Townsite Mixed Use Commercial

The Mixed-Use Commercial Area is generally located in the area along and adjacent to Moyneur Avenue, the “Main Street” of Matachewan, and shall allow for a wider variety of commercial and institutional uses in addition to low to medium density residential uses. It is the intent of this Plan to encourage growth of the business function of this area by promoting the expansion of retail, office, and public uses and by encouraging investment in community improvements. Tourist facilities and residential uses that are complementary to the area’s business function will also be encouraged to locate in the Mixed-Use Commercial Area.

Permitted uses include retail operations, offices, restaurants, motels and hotels, personal and related services, tourist services and facilities, entertainment uses, institutions, government and public operations, and general business activities appropriate to a Township centre.

In recognition of the existing character of the area, existing low to medium density residential development is also permitted. Secondary dwelling units may be permitted in the Mixed-Use Commercial Area, secondary to either a residential use or commercial use.

Mixed-use buildings that provide for the integration of two or more permitted uses, other than light industrial, shall be permitted.

Appropriate landscaping and buffering shall be provided along road frontages and along boundaries with residential uses. In order to promote a denser, more urban environment along Moyneur Avenue, reduced parking requirements may be considered.

Improvements to the Mixed-Use Commercial Area will be encouraged by such means as Community Improvement Plans, business improvement areas, redevelopment, renovation, and land assembly programs, and by the construction of new commercial buildings

Light industrial uses may be permitted by way of an amendment to the Zoning By-law, subject to adequate separation distances per MOECC Guidelines when proposed near residential uses or other sensitive uses, and the land use compatibility policies of Section 5.3 of the OP. Heavy industrial uses shall not be permitted.

### 3.3 Townsite Future Development

The Township has identified parcels for future development within the Townsite/Settlement Area for new residential or employment lands to enable the Township’s preparedness and market-readiness. Such lands may not be needed over the planning period, but may be ideal for future development, if and when development opportunities arise.

Lands designated Future Development are intended to provide for the orderly development of logical extensions of the Townsite Area, with potential residential areas as an extension to the existing Townsite Residential area, and a concentration of commercial and industrial development along the Highway 66 corridor in the Township.

Prior to new development, an Official Plan Amendment will be required to designate the lands as either Townsite Residential or Townsite Mixed Use Commercial and to address the ultimate use of the subject lands. Council will consider an Amendment regarding these lands in cases where the following is met:

- There is an opportunity for economic development;
- The proposed development cannot be accommodated elsewhere within the Townsite;
- Lands represent a logical extension of the developed Townsite Area, in that they abut existing or approved development; and
- Services are or can be made available.

It is Council's intent that future development on these lands be serviced by municipal water services. It is expected that the Future Development area will be developed on partial services, to round out of the existing developed area, provided that there is capacity and that site conditions are suitable for municipal water services and private septic services with no negative impacts.

In the interim, existing development, expansions to existing development, or the use of a lot of record for rural purposes shall be permitted.

### **3.4 Rural Area**

Lands designated Rural are intended to be maintained as rural in nature and are not intended for future growth of the Township of Matachewan. A goal is to protect and enhance these areas as the mineral, recreation, tourism, timber, fishery, wildlife, and aggregate resources of the Township. The amount and type of development in the Rural area shall be consistent with maintaining its rural, natural heritage landscape, including maintenance of tree cover and large open space areas.

#### **3.4.1 Rural Residential**

Limited low density residential development is permitted in Rural areas and shall generally be single detached dwellings. The conversion of existing single detached dwellings into two-unit dwellings may be permitted in accordance with the provisions of the Zoning By-law.

Mobile homes may be considered on an individual basis, and permitted subject to approval of a site-specific Zoning By-law Amendment.

Home based businesses are permitted in the Rural area, subject to the policies of Section 3.1.4 of this Plan and approval of a site-specific Zoning By-law Amendment.

#### **3.4.2 Rural Commercial and Industrial**

Most commercial and industrial development will take place in the Townsite area recognized in this Plan. However, it is anticipated that there may still be a need for small scale commercial and industrial development in the Rural area.

Commercial uses may be allowed in the Rural designation. Rural commercial uses which provide for the basic and immediate needs of the rural population and of tourists and the travelling public shall be permitted.

Permitted Rural Industrial uses may include, but not be limited to, agricultural processing plants, builders' supply yards, bulk storage yards, contractor yards, transportation terminals, motor vehicle repair garage, sawmill, warehousing, and other similar industrial uses.

Where industrial uses are proposed near or adjacent land to sensitive land uses, the land use compatibility policies of Section 5.3 of the OP shall be followed, and separation distances and/or studies shall be required in support of the proposed development. The approval of development proposals shall be based upon the achievement of adequate separation distances and the recommendations of the required studies.

Rural Commercial and Industrial uses must meet the following criteria:

- The use must be appropriate for the proposed location and be compatible with surrounding land uses;
- Access to uses will be carefully controlled in order to avoid creating any traffic hazard;
- The use shall be appropriately screened and buffered;
- Adequate parking and loading spaces will be provided;
- Advertising signage and outdoor storage of goods and materials will be appropriately controlled;
- The uses will be placed in a separate category in the Zoning By-law;
- The site conditions are suitable for the long-term provision of individual on-site sewage services and individual on-site water services; and
- Development may be subject to site plan approval.

### 3.4.3 Mineral Mining in Rural Area

Mining activity is regulated by the *Mining Act* and administered by the Ministry of Northern Development and Mines (MNDM). Various Acts administered by the MOECC and other Federal and Provincial legislation also apply. As such, Official Plans do not regulate mining exploration or underground mining operations. Notwithstanding, surface operations associated with mines may be subject to the *Planning Act* and therefore would be subject to the MOECC's D-Series guidelines respecting incompatible uses.

Permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining. For lands to be used for a mineral mining operation, an amendment to the Zoning By-law shall occur where such lands are not pre-zoned. In considering an amendment to the Zoning By-law to permit a mining or mining-related use or the expansion of an existing use, Council will consider:

- The impact on the environment, particularly from new mining operations, which must be located where there will be little or no impact on natural heritage features and areas;
- Indirect impacts on the utilities and services provided by the Township;

- The impact on surrounding land uses;
- The aesthetic appearance of the proposed development; and
- The benefit of the mining or mining-related use to the Township.

This Plan recognizes the concept of an influence area in order to offer mutual protection from encroachment by incompatible uses for either sensitive land uses or the extraction and processing activities in areas protected for mineral mining operations. Unless a detailed study recommends otherwise, a distance of 1,000 metres (3,280 feet) from the edge of a mining operation will be considered as an influence area. Development proposals will be considered based on studies of compatibility, environmental impact studies, groundwater, noise, dust, vibration, and other appropriate matters.

Past producing mining operations or active mining operations are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure.

Areas with significant mineral potential are found throughout the Township of Matachewan. Areas with the highest mineral potential can be found on mapping provided by the Ministry of Northern Development and Mines. Known mineral deposits in the Rural Area shall be protected from development and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

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

Consultation with the Ministry of Northern Development and Mines should occur when development is proposed in the Rural Area.

#### 3.4.4 Aggregate Extraction in Rural Area

Aggregates such as sand, gravel, and other materials are a non-renewable resource. Aggregate resource extraction should be considered an interim land use. If appropriate rehabilitation measures are used, sites of aggregate extraction can be returned to a subsequent productive use compatible with surrounding land uses. The Plan provides for the continuation and expansion of existing pits and quarries and the introduction of new pits and quarries. The potential impacts of pits and quarries on other land uses are also taken into account.

Pits and quarries are regulated under the *Aggregate Resources Act*; however, the Township of Matachewan is not designated under the *Aggregate Resources Act*. Therefore, the *Act* and regulations apply to Crown Land, but do not apply to private land in the municipality. It is the intention of the Municipality to protect, wherever possible, aggregate resources and aggregate extraction and to ensure that the resources are utilized in accordance with proper controls.

Pits and quarries are permitted in the Rural designation, subject to a Zoning By-law Amendment. The supporting information from the applicant shall include, but not necessarily be limited to, the following:

- the location, nature, extent, and economic potential of the mineral deposit;

- the nature and location of adjacent land uses and the effect the pit and quarry operation could have on natural and cultural heritage, groundwater, sensitive land uses, and surface water;
- the capability of the existing road network to service the proposed location;
- the effect of the noise, odour, dust, and vibrations generated by the use and the use of haul routes on adjacent land uses; and
- proposed mitigation measures;
- Mining or quarry plans and supporting information related to site development, landscaping and buffering, operations, decommissioning as well as progressive and final site rehabilitation.

If a pit or quarry operation is proposed within 1,000 metres of a sensitive land use, proponents shall be required to provide supporting technical studies, prepared by a qualified professional and in accordance with MOECC Guidelines, to identify the influence area, address potential impacts caused by pits or quarries, and identify mitigation measures.

Where supported by appropriate technical studies, a separation distance lesser than the identified influence area may be permitted, however the minimum required separation distance shall be no less than:

- 300 metres from a pit; or
- 500 metres from a quarry.

Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities wherever feasible.

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations shall only be permitted if:

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

### 3.4.5 Outdoor Recreation and Tourist Commercial Uses

Outdoor recreation uses including sports and recreation clubs, tourist facilities, shoreline parks, boat launches, nature trails, wildlife reserves are permitted in the Rural area, in addition to recreational and tourist commercial uses such as marinas, golf courses, campgrounds, bed and breakfast establishments, antique outlets, tent and trailer parks, and other such uses in accordance with the following:

- Outdoor recreation uses shall be appropriate for the proposed location and be compatible with surrounding uses;
- Adequate parking and loading spaces shall be provided;
- Advertising signage and outdoor storage of goods and materials will be appropriately controlled; and

- Outdoor recreation uses shall be zoned appropriately in the Zoning By-law and may be subject to site plan approval.

### **3.5 Crown Land**

The majority of the land within the Township is Crown Land, administered by the Ministry of Natural Resources and Forestry (MNR). Crown land is shown on the schedules as an overlay, and does not represent a land use designation.

While the Crown is not bound by the policies or land use designations of this Plan, the Township will work in cooperation with the Province to determine the future use and development of Crown Lands. The Township encourages the Province to consult with Council when making land use decisions concerning Crown Lands. This Plan shall be binding on any lands that cease to be Crown Lands, either by sale or transfer into private ownership, or tenanted development via leases or land use permits, and the use and development of those lands shall be in conformity to this Plan.

The MNR is encouraged to have regard for the policies and schedules of this Plan and to consult with the Township with respect to the use and disposition of Crown Lands.

Mineral exploration and mining are approved activities on Crown Lands. Under the *Mining Act*, MNDR is responsible for the administration of mineral rights.

## **4.0 PROTECTING NATURAL ENVIRONMENT & CULTURAL HERITAGE**

### **4.1 Water Resources**

Water resources are addressed from a number of perspectives in this Plan. Natural Heritage policies address water quality and quantity through the protection of natural heritage features and areas such as lakes, rivers, streams, waterway corridors, and fish habitat. Water resources are also protected through stormwater, water supply, and sewerage policies.

The Township will seek to protect, improve, and/or restore groundwater and surface water resources through its planning approval processes. The Township will also promote efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality.

Development and site alteration will be restricted and development approaches may be required in or near sensitive surface water features and sensitive groundwater features in order to protect, improve, and/or restore these features and their related hydrologic functions.

#### **4.1.1 Shoreline Development**

Where new shoreline development is proposed, a minimum undisturbed natural vegetated buffer of 10 metres will be required adjacent to the shoreline to minimize the impacts of development on water quality. Further, the provision of non-development setbacks and natural



vegetated buffers of up to 30 metres will be encouraged, and may be required where there is potential for greater impacts on water quality.

The Municipality shall encourage, through planning approvals and other mechanisms such as landowner education, the use of Best Management Practices for shoreline development, including measures such as the following:

- Locating on-site sewage systems where native soils are deepest, and at the furthest distance possible from the shoreline. A minimum setback of 30 metres for sewage systems is recommended whenever possible;
- Minimizing the clearing of natural vegetation on the site, particularly along the shoreline;
- Reducing lot grading;
- Using grassed swales and/or vegetated filter strips on lots that require ditching to control runoff;
- Directing roof leaders to rear yard ponding areas, soak-away pits, or to cisterns or rain barrels; and
- Sump pumping foundation drains to rear yard ponding areas and infiltration trenches.

#### **4.2 Sourcewater Protection**

The Township has two municipal wells – one located in the main building for the water treatment plant (WTP), and one located adjacent to the WTP building.

In accordance with the recommendations of the Township of Matachewan Groundwater Study (2004), the Township will promote greater understanding of the local hydrogeological conditions, and ensure the protection of the Township's groundwater resources and water supply by implementing the following actions as needed:

- Establishing a groundwater management team to develop and implement the groundwater management strategy;
- Improving community awareness on groundwater and the community's water supply issues;
- Promote active community participation in the groundwater management strategy;
- Improve groundwater information available through monitoring of the resource and maintaining available databases;
- Implementing a program to identify and properly abandon unused water wells;
- Implementing a program to upgrade or replace septic systems within the wellhead protection area;
- Establishing a wellhead protection area spill control plan; and
- Adopting land use restrictions in the wellhead protection area and areas of high vulnerability.

Parts of Midlothian Township, including Midlothian Lake and Lloyd Lake, fall within the Mattagami Region Source Protection Area (SPA), however the remainder of the Township falls outside the SPA and is not covered by the Mattagami Region Source Protection Plan. The Mattagami Region Source Protection Plan took effect October 1, 2014, and identifies vulnerable areas for the protection of drinking water. This plan will be amended to conform with significant threat policies in the Mattagami Region Source Protection Plan if and when they apply more

---

broadly in the Township of Matachewan.

The protection of water resources will be a primary consideration in planning and development decisions, including the evaluation of any development proposal. In such evaluations, particular emphasis will be placed on the protection of Intake Protection Zone – 3, as identified in the Mattagami Region Source Protection Plan, which includes parts of Midlothian Township, including Midlothian and Lloyd Lakes.

### **4.3 Natural Heritage Features and Areas**

The Township encourages the protection and enhancement of natural heritage features and areas. This Plan identifies natural heritage features by way of overlays.

#### **4.3.1 Habitat of Endangered and Threatened Species**

Development and site alteration shall not be permitted in the habitat of endangered or threatened species. There are a number of species listed under the *Endangered Species Act* (ESA) that have been identified as having occurrences in the region. Specific occurrences within the Township of Matachewan are currently unknown however new information on species occurrences is gathered regularly and the species listed under the ESA is subject to change. Development and site alteration shall not be permitted in habitat of endangered and threatened species except in accordance with provincial and federal requirements.

#### **4.3.2 Significant Wildlife Habitat**

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

Significant wildlife habitat identified in the Township of Matachewan includes: Moose Aquatic Feeding Areas; Nesting Sites for bird species; Moose Calving/Fawning Sites; and Old Growth Forests.

Development in areas of significant wildlife habitat or within 120 metres of significant wildlife habitat shall be permitted only where an Environmental Impact Study carried out in accordance with Section 4.5 of this Plan, and prepared by a qualified professional, has demonstrated that there shall be no negative impact on the habitat or its ecological function and, in the case of adjacent lands, the ecological function of the adjacent lands must be evaluated.

#### **4.3.3 Fish Habitat**

Matachewan's rivers, streams, and lakes support a variety of fisheries. However, these habitats are vulnerable to degradation from factors such as channelization, loss of stream bank vegetation, untreated runoff, changes to stormwater flows, and sedimentation. MNRF is the provincial fisheries manager and should be consulted to determine what fish community information may be available for a specific location prior to development. Fish spawning areas are indicated on Schedule C.

---

The harmful alteration, disruption, or destruction of fish habitat is prohibited under the *Fisheries Act*. Development and site alteration shall not result in a net loss of fish habitat or negatively impact fish passage.

Development and site alteration shall not be permitted within 30 metres of fish habitat, except in accordance with relevant provincial and federal requirements. Development that proposes a decrease to the 30-metre setback shall only take place where it has been demonstrated, through a fish and fish habitat assessment, that a net environmental gain of the productive capacity of the area will be achieved. In this assessment, a fish habitat biologist shall be required to provide a detailed impact analysis exploring development design and location options for the purpose of clearly demonstrating avoidance of any predicted harmful impacts.

Development in areas within 120 metres of fish habitat shall be permitted only where an Environmental Impact Study carried out in accordance with Section 4.5 of this Plan, and prepared by a qualified professional, has demonstrated that there shall be no negative impact on the habitat or its ecological function and, in the case of adjacent lands, the ecological function of the adjacent lands must be evaluated.

#### 4.3.4 Significant Wetlands

Wetlands are areas of swamps, bogs, marshes, or fens which are valuable in their natural state for biological, social, or hydrological reasons. Provincially Significant Wetlands (PSW) are evaluated and approved by the MNRF and, based on wetland functions and features, classified according to their significance.

Development and site alteration of PSWs is not permitted. Within a wetland, the only permitted uses shall be:

- Open space and passive recreational uses which do not involve site alterations and do not adversely affect the natural features or ecological functions of the wetland;
- Conservation uses which improve the ecological functions of the wetland; and
- Uses of a scientific or educational nature.

Development and site alteration shall also not be permitted on adjacent lands within 120 metres of a PSW unless an EIS, which is carried out in accordance with Section 4.5 of this OP by a qualified professional, has demonstrated that there shall be no negative impact on the adjacent lands or their ecological function.

No PSWs have been identified as of the date of adoption of this OP. Despite this, it is possible for PSWs to exist in the Planning Area. Should any PSWs be identified in the future through an amendment to this OP or through any EIS, the policies of this section shall apply.

For a wetland that is unevaluated but has characteristics or contains components that are typical of a significant wetland (e.g., significant species or functions), the Township will ensure that a wetland evaluation is undertaken (e.g., a stand-alone evaluation or as part of an EIS by the proponent unless the Ministry of Natural Resources and Forestry has already identified the wetland as a work project) prior to processing any planning approvals. Newly identified provincially significant wetlands will be shown on the Land Use Schedule when the Plan is updated as part of a five-year review.

---

#### 4.4 Lakeshore Capacity Assessments

Certain lakes may be sensitive to new development, or “at capacity”. Lake capacity is determined through the completion of a Lakeshore Capacity Assessment in accordance with the Lakeshore Capacity Assessment Handbook 2010.

Where a lake has been determined to be at capacity or where lake capacity has been identified as a potential concern, prior to the granting of planning approvals within 300 metres of such waterbodies to allow for further development (either the creation of new lots by consent or subdivision, or the intensification or conversion of existing uses), an assessment must confirm that there is sufficient capacity available and identify mitigating measures such that there will be no negative impacts to the waterbody.

MNRF has a role in lakeshore capacity assessment only for lakes which are managed for lake trout. The only designated Lake Trout Lake within the municipality is Midlothian Lake, in Midlothian Twp. Elmer Lake in Doon Twp is a stocked Put-Grow-Take Lake Trout Lake and therefore is not designated. No information was provided by MNRF to indicate that Midlothian Lake is considered to be at capacity for development.

#### 4.5 Environmental Impact Studies

A preliminary Ecological Site Assessment (ESA) which identifies significant features that may be affected by development may be required prior to development approval, depending on available background information. The ESA will be used to determine whether an EIS is required.

An EIS will be required for development in or adjacent to natural heritage features. An EIS will evaluate the ecological function of natural heritage features and adjacent lands and assess potential impacts on the features and/or adjacent lands. Development and site alteration is not permitted unless the EIS demonstrates that there will be no negative impacts on the natural features or their ecological functions.

The terms of reference and guidelines for an ESA and/or EIS will be determined by the Township in accordance with the Natural Heritage Reference Manual. Generally, an ESA and/or EIS, when required, will be considered required for a “complete” planning application. Studies will be completed at the expense of the development proponent.

##### 4.5.1 Scoped Environmental Impact Study

The Township may consider reducing an EIS to a scoped study if the proposal is:

- Minor in nature (construction of small accessory buildings or a minor addition to an existing building); or
- Located in an area where previous municipal studies are sufficient to provide the necessary technical information to assess a proposal.

A scoped EIS will involve a checklist that can be completed by the applicant in consultation with the Township, MNRF, or other appropriate approval authority. If the scoped study indicates that there may be potential impacts that warrant greater review, a full site EIS shall be prepared.

#### 4.5.2 Full Environmental Impact Study

Where a full site EIS is required, the study must be prepared by a qualified professional with expertise in environmental science. Terms of reference will be prepared to guide the development of an EIS, and will generally:

- Define the nature and the boundaries of any significant features and ecological functions on or adjacent to the site;
- Describe the location, extent, and nature of development;
- Describe the relationship of adjacent lands to any significant features or ecological functions;
- Assess areas within the development site and in a landscape context supporting ecological function and biodiversity of natural heritage systems;
- Outline potential impacts and assess potential negative impacts;
- Describe any mitigation or compensation proposals designed to alleviate or eliminate impacts and identify residual impacts; and
- Identify whether residual impacts are “negative impacts”; and
- Include any other requirements as identified by the Township.

#### 4.6 Cultural Heritage Resources

Council has entered into a data-sharing agreement with the Ministry of Tourism, Culture and Sport (MTCS) to obtain archaeological site location information. Presently there are three (3) cultural heritage resource sites in the Township of Matachewan.

The Township recognizes the importance of cultural heritage resources and will encourage the identification, conservation, restoration, and enhancement of these resources. The Township supports awareness and participation with the public and First Nations surrounding heritage resources, through the implementation of the following policies.

##### 4.6.1 Cultural Heritage Landscapes and Built Heritage Resources

Cultural heritage landscapes refer to a defined geographical area of cultural heritage value or interest which has been modified by human activities and is valued by a community. Several individual heritage features such as structures, spaces, archaeological sites, and natural elements, together form a significant landscape, distinctive from that of its constituent elements or parts. Built heritage resources include significant buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community.

Cultural heritage sites include built heritage resources and cultural heritage landscapes that relate to the presence of First Nations.

All new development permitted by this Plan shall conserve significant cultural heritage resources and shall, wherever possible, incorporate these resources into any new development plans. In addition, all new development will be planned in a manner which preserves and enhances the context in which cultural heritage resources are situated.

Where development or site alteration is proposed on a property containing a designated heritage building (Parts IV and V of the *Ontario Heritage Act*), in a heritage conservation district, or on a

---

property fronting on or directly abutting a property designated heritage building, a Heritage Impact Assessment shall be required. The Heritage Impact Assessment shall be conducted by a qualified professional with expertise in cultural heritage resources to:

- Identify the positive and adverse impacts on the heritage resource that may be expected to occur as a result of the proposed development;
- Describe mitigation measures that may be required to prevent, minimize, or mitigate the adverse impacts; and
- Demonstrate that the proposed development will not adversely impact the defined cultural heritage value of the property, and/or its streetscape/neighbourhood.

The *Ontario Heritage Act* may be utilized to conserve, protect and enhance significant cultural heritage resources within the Township through the designation, by By-law, of individual properties, heritage conservation districts, and/or landscapes sites.

#### 4.6.2 Heritage Committee

Council may establish a Municipal Heritage Committee (MHC) pursuant to Section 28 of the *Ontario Heritage Act* to advise and assist on matters related to Parts IV, V, and VI of the Act. Pursuant to the Act, and in consultation with the MHC, Council may by By-law:

- Designate properties to be of cultural heritage value or interest; and
- Define the municipality, or any area or areas within the municipality as an area to be examined for designation as a heritage conservation district.

#### 4.6.3 Archaeological Resources

Archaeological resource areas are determined through mapping and screening criteria, based on the known archaeological record or features. Such criteria include known archaeological sites, proximity to water, current or ancient shorelines, cemeteries, sandy soils, rolling topography, unusual landforms, historic transportation features such as portage routes, places of past human settlement, or places significant to history and understanding of a people or place.

Significant Native and non-Native cemeteries or unmarked burial sites may also be considered as archaeological resources. The location next to Fort Matachewan is of particular interest. In the event that human remains or cemeteries are encountered during site assessment or development, all work shall cease and the site shall be secured. The appropriate authorities shall be notified and the required provisions under the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall be followed. All relevant First Nations communities shall be consulted for input where any burial site or remains is considered to be of potential First Nations origin. The applicant and/or Township shall seek the First Nation's advice on the manner in which these resources and features are to be dealt with. The Township may require that the development proponent retain archaeologists licensed under the *Ontario Heritage Act* to assess or monitor the site and recommend conservation strategies.

Where a development proposal or site alteration is located on lands with significant archaeological resources or is within an area considered to have archaeological potential, a Phase I Archaeological Assessment in accordance with requirements of the MTCS shall be required to determine the nature and extent of the resources on the site. The study shall be conducted by an archaeologist licensed under the *Ontario Heritage Act* and shall be submitted to the Township and to the MTCS prior to development approval.

Where resources are found on site, further investigations through a Phase II and potentially Phase III Archaeological Assessment may be required. The study may identify the need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. In situ preservation is preferred to ensure that the integrity of the resource is maintained. If the site is determined to be significant the development may be prohibited.

Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the *Ontario Heritage Act*.

#### 4.6.4 Marine Heritage Resources

A marine archaeological survey to be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act* may be required if partially or fully submerged marine features or items of cultural heritage value are identified and impacted by shoreline and waterfront developments.

Any marine archaeological resource that is identified must be reported to the MTCS immediately. The Ministry shall determine whether the resource shall be left on location or may be removed, through excavation, by licensed marine archaeologists.

## 5.0 PROTECTING PUBLIC HEALTH & SAFETY

### 5.1 Natural Hazards

The Township shall minimize the risk to public safety and to property by restricting development within areas identified as being susceptible to natural hazard processes, such as flooding and erosion. Development is strictly prohibited in areas of natural hazards for:

- Uses associated with hospitals, nursing homes, schools, and daycares, where there is a threat to safe evacuation of the sick, the elderly, persons with disabilities, or the young during an emergency as a result of flooding, or failure of flood-proofing, or erosion;
- Essential emergency services such as fire, police, ambulance stations, and electrical substations that could be impaired in the case of flooding, failure of flood protection works, and/or erosion; and
- Uses associated with the disposal, manufacture, treatment, or storage of hazardous substances and outdoor industrial storage.

Prior to permitting new development or redevelopment in areas susceptible to potential natural hazards, Council will be satisfied that potential hazards associated with the hazard can be avoided or acceptably mitigated.

#### 5.1.1 Flooding Hazards

Flood plain management policies are intended to prevent the loss of life, to minimize property damage and social disruption and to encourage a coordinated approach to the use of land and the management of water.

For the purpose of this Plan, a flood plain shall mean low lying lands adjacent to watercourse

---

corridors defined by the 1:100 year flood or defined by specific right-to-flood levels.

The Montreal River Watershed is controlled in a number of places by Ontario Power Generation (OPG) reservoirs and generating stations with specific right-to-flood elevations, provided below.

Mistinikon Lake is a hydro reservoir lake controlled by OPG's Big Bend Dam. The minimum and maximum operating ranges are 315 m – 320.01 m, with a summer operating range (Victoria Day weekend to Thanksgiving Day weekend) between 319 m – 319.7 m.

Plans of survey adjacent to the Montreal River were referenced and provided the right-to-flood elevation of 1,000 ft or 304.8 m elevation in the area of the Townsite of Matachewan.

From the Townsite, the Montreal River continues on to Indian Chutes Generating Station (OPG), at the southeast corner of Kimberley Township, which is a run-of-the-river system facility located approximately 24.5 kilometres downstream. The minimum and maximum operating ranges are 293.50 m – 295.59 m with a summer range (Victoria Day weekend to Thanksgiving Day weekend) of 295.17 m – 295.50 m.

Flood plain areas are not specifically identified on the OP Schedules. Where a landowner is proposing to develop where a flood line study has not been completed and below the right-to-flood elevation of 1,000 ft or 304.8 m within the Townsite, the landowner may be required to undertake a detailed flood line study.

Development shall not be permitted within the flood plain except for:

- Flood and/or erosion control structures;
- Shoreline stabilization;
- Minor additional and/or renovations to existing structures in accordance with the policies below;
- Minor recreational facilities which, by their nature, must locate near watercourses; or
- Uses such as agriculture, forestry, conservation, wildlife management, and similar activities, provided that no associated buildings and structures are located on the flood plain.

### 5.1.2 Erosion Hazards and Unstable Soils

Erosion hazards and unstable soils can cause the loss of land, such that the land may be unable to support structures, and therefore pose a threat to life and property. Development shall only be permitted where the effects of erosion hazards and unstable soils can be avoided or, in the case of existing development, successfully mitigated.

While areas that are susceptible to erosion hazards and unstable soils have not been mapped, this issue should be considered at the time of development review and site assessment.

Land uses that are in conformity with the underlying land use designation may be permitted, subject to satisfying the policies of this Section, except for those uses that are explicitly prohibited in Section 5.1. Existing buildings and structures shall be recognized as permitted uses.

A geotechnical study may be required for proposed development on sites with identified erosion



---

hazards or unstable soils. The study shall be completed by a qualified geotechnical engineer, consistent with criteria established in MNRF's "Understanding Natural Hazards", or other applicable guidelines. For new development, the geotechnical study shall satisfy that the erosion hazards can be avoided. In the case of existing development undergoing expansion or change of use, such study will determine how the erosion hazard can be mitigated.

### 5.1.3 Wildland Fires

Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.

Development may 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 MNRF.

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.

Lands determined to be of high to extreme risk for wildland fire may be designated as site plan control areas.

Wildland fire mitigation measures which would result in development or site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

## 5.2 Human-made Hazards

### 5.2.1 Contaminated Sites

Contaminated Sites are those lands where the environmental condition of the property has been harmed through past activities. While such lands represent a potential hazard due to real or potential environmental contamination, opportunities for brownfield redevelopment may exist. The redevelopment of abandoned or underutilized industrial and commercial sites is consistent with policies encouraging increased intensification and redevelopment in built-up areas.

Contaminated sites are not mapped as part of this Official Plan.

Prior to development on a site that is known or suspected to be contaminated, a Phase I Environmental Site Assessment (ESA) will be required.

Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required, in accordance with Ontario Regulation 153/04, to be prepared by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants on the proposed development site.

A Record of Site Condition (RSC) shall be required prior to, or as a condition of, development approval on a site which may be or is contaminated in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors. The RSC details requirements related to site assessment and cleanup, and must be acknowledged by the MOECC and uploaded to the Brownfields Environmental Site Registry, confirming that the site has been made suitable for the proposed use. The RSC and MOECC acknowledgment will be provided to the Township prior to final development approval and issuance of building permits.

All contaminated lands may be subject to site plan control.

The Township may consider financial and other incentives to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints through a Community Improvement Plan or other mechanisms.

### 5.2.2 Abandoned Mine Hazards

Mine hazards may include any feature of a mine or any related disturbance of the ground that has not been rehabilitated, posing a risk to human safety and property. MNDM has provided information on mine hazards from the Abandoned Mine Information System (AMIS) shown on Schedule C.

Mine hazards shall be rehabilitated and safety hazards mitigated prior to the approval of new development.

Any proposed development within one (1) kilometre of a known mine hazard is required to:

- Consult with MNDM; and
- Conduct an impact assessment to determine whether hazards exist and, if so, whether suitable mitigation can be undertaken to allow development to occur.

### 5.2.3 Waste Disposal Sites

The existing or prior use of lands for waste management may have an effect on future land use and use of adjacent lands. Within the Township, there are one (1) open and four (4) closed waste disposal sites. The municipal active site was approved by MOECC for domestic, commercial, and other non-hazardous solid wastes. The following are the open and closed landfill sites listed in MOECC's Landfill Sites database as part of the Landfill Inventory Management Ontario (LIMO):

Certificate # and Description	Location	Status
A7023201 Matachewan Landfill, Highway 66 West Client: The Corporation of the Township of Matachewan	2 miles East of Matachewan on Highway 65 Township of Cairo	Open

A572701 Client: United Asbestos	2600 feet West of Duncan Creek, 600 feet South of Roadway, 2600 feet from campsite Township of Doon	Closed
A572702 Client: Camchib Mines	Midlothian Mine, Township of Midlothian, and part of the Township of Matachewan Township of Midlothian	Closed
A7152201 Mistinikon Waste Disposal Site Client: Ministry of Natural Resources	Township of Matachewan	Closed
A7230801 Client: Golden Eagle Camp Limited	600m North of junction of Sidney Creek and line lying 60m East of Eastern boundary Township of Kimberley	Closed

### 5.2.3.1 Open Waste Disposal Sites

No development, other than that related to the waste management facility operation, will be permitted within the on-site operation/maintenance buffer area as identified in the Environmental Compliance Approval (ECA) of open waste disposal sites.

Development within 500 metres (1,640 feet) from an open waste disposal site will not be permitted unless supported by studies as required by the applicable MOECC requirements, *Guideline D-4 Land Use on or Near Landfills and Dumps* at the time this plan was created, to evaluate any potential for negative impacts on the proposed development related to the adjacent waste disposal site. In addition, the study will assess the proposed development's potential to impact future expansions of the waste disposal site.

Separation distances and potential influence areas will normally be measured from the boundary of the fill area specified in the ECAs to the property line of the sensitive land use.

The Zoning By-law will zone adjacent lands appropriately, prohibiting new incompatible uses that cannot be reasonably mitigated. In accordance with the *Environmental Protection Act*, no adverse effect is permitted. In areas subject to these policies, only uses compatible with the identified potential impacts may be permitted by an amendment to the Zoning By-law.

The expansion of existing sites will be permitted subject to the appropriate MOECC approvals in accordance with the Environmental Assessment and *Environmental Protection Acts* and implemented through amendments to the Official Plan and Zoning By-law.

### 5.2.3.2 Closed Waste Disposal Sites

Human health and safety may still be affected within the area of influence of a former landfill site. Any new developments or expansions of current use, located within 500 metres of the boundaries of closed landfill sites will not be permitted unless supported by studies as required by the applicable Ministry of the Environment requirements, *Guideline D-4* at the time this plan was created, to evaluate any potential for negative impacts on the proposed development related to the waste disposal site. The actual area of influence may vary for every former site.

No land use may take place within the buffer area as identified in the ECA of a former waste disposal site where technical controls for leachate, or leachate and gas are required.

No uses are permitted on the location of a closed waste disposal site within 25 years of their closure without the required approval under the *Environmental Protection Act*.

#### 5.2.3.3 New Waste Disposal Sites

The MOECC requires that all waste must be disposed of at an approved waste disposal site. The Municipality has identified that there is significant available capacity at the existing disposal site. Prior to reaching capacity, the Township will commence planning for a new or expanded site.

The establishment of a new waste disposal site shall require an amendment to this OP and a Zoning By-law Amendment. A new waste disposal site shall be in accordance with MOECC guidelines, and depending on the volume, shall require approvals under the Ontario Environmental Assessment Act, following Ontario Regulation 101/07, as amended from time to time.

Waste disposal sites shall avoid natural hazards and shall be located an adequate distance away from any natural heritage feature or any existing or proposed residential, commercial, institutional, park, outdoor recreation uses, or other sensitive land use. A report from a qualified professional which establishes appropriate separation distances based on site specific considerations will be required for new waste disposal sites.

All waste disposal sites shall be located and operated so that the contamination of any ground or surface water supply does not occur.

All waste disposal sites shall be set back a sufficient distance from a public road so that all functions related to the operation of the site can be carried on within the site so that there is no unsightly appearance visible from the road. Landscaping and buffering may be required.

All waste disposal sites shall be located so that ingress and egress points do not create a traffic hazard.

### 5.3 Land Use Compatibility Requirements

In reviewing any development application, the Township shall be satisfied that the proposed use will be, or can be made to be, compatible with surrounding uses in accordance with the MOECC's D-Series Land Use Compatibility Guidelines.

Proponents may be required to provide supporting technical studies, prepared by qualified individuals in accordance with MOECC guidelines, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, address potential impacts, and identify appropriate separation distances and other mitigation measures.

In the absence of technical studies, prepared according to MOECC guidelines, which identify an actual influence area, the minimum separation distances required between industrial uses and residential or other sensitive land uses shall be:

- Class I Industries: 70 metres
- Class II Industries: 300 metres
- Class III Industries: 1,000 metres

With the support of technical studies, prepared under MOECC guidelines, the following minimum separation distances in accordance with MOECC guidelines shall apply between industrial uses and residential or other sensitive land uses:

- Class I Industries: 20 metres
- Class II Industries: 70 metres
- Class III Industries: 300 metres

Separation distances between potentially conflicting land uses shall be measured in accordance with MOECC Guidelines.

Where residential or other sensitive land uses are proposed in proximity to aggregate operations or lands zoned to permit future aggregate operations, the potential influence area and minimum separation distances for Class III Industries shall apply.

All new farm and non-farm development must comply with the Minimum Distance Separation (MDS) provisions as amended from time to time.

Separation distances or appropriate remedial measures use will be established in the Zoning By-law or through development approval processes.

Residential areas, and other sensitive land uses, such as hospitals and nursing homes, will be protected from undesirable air quality and excessive noise/vibration through good land use planning, site plan control, and building control. Developers may be required to carry out noise and/or vibration assessments or other technical studies and determine control measures, which are satisfactory to MOECC and the Municipality, in meeting the MOECC's recommended sound and vibration limits in accordance with MOECC Environmental Noise Guideline NPC-300.

For any proposed residential development or other sensitive land use in close proximity to a major source of noise, vibration, or emissions, such as a Provincial highway, an airport, a railway, or aggregate operation; or where a development which could be a major source of noise, vibration, or emissions proposes to locate in close proximity to existing residential development or other sensitive land use, the developer may be required to conduct a noise study. The study shall be prepared in accordance with Provincial guidelines satisfactory to the Township and the recommendations may be incorporated into a development agreement. The Township will consider any potential noise problem in determining the appropriateness of the proposed development. The following specific setbacks are required for any proposed development:

- 100 m from a freeway right-of-way or principal main railway; and
- 50 m from a provincial highway right-of-way or secondary main railway.

Uses proposed within these buffer areas may be subject to noise feasibility and/or detailed noise studies in accordance with the MOECC's "Environmental Noise Guideline NPC-300."

Where planning approvals are required for the development of residential or other sensitive land uses within one (1) kilometre of an airport, an impact assessment addressing noise and other potential impacts will be required. Impact assessments shall be completed by a qualified consultant and shall describe mitigation measures required to achieve provincial standards for aircraft noise criteria.

## **6.0 PROVIDING INFRASTRUCTURE**

### **6.1 Transportation**

It is a goal of this Plan to provide an integrated transportation system that allows for the safe and efficient movement of people and goods throughout the Township, and provide linkages to the regional and provincial transportation network; support the Township's strategies for economic development, growth management, townsite form, and a healthy environment; and promote alternative modes of travel for recreation, business, and daily life within the Township.

#### **6.1.1 Municipal Roads**

Municipal roads are maintained year-round. Proponents shall consult with the municipality prior to establishing an entrance or access to a municipal road. Direct access to these roads will only be permitted in locations which can accommodate traffic in a safe manner. Where sight deficiencies exist because of curves or grades, no new access will be permitted unless the deficiency is corrected in a manner acceptable to the Township, at the proponent's expense.

Where the Township determines that a culvert is necessary, it may be installed by the Township at the owner's expense or by the owner to the satisfaction of the Township. Culverts are to be designed to MTO standards.

#### **6.1.2 Private Roads**

A private road is a road under private ownership serving two or more legally conveyable lots and may include a right-of-way registered on title. A driveway provides access to only one property or legally conveyable lot, despite the length of the access. A driveway also includes a shared access between two abutting properties.

There is no legal obligation on the part of the Township to maintain or repair private roads or provide municipal or emergency services to any development located on a private road. It is the intention of the municipality to require agreements to ensure the responsibility for maintenance of private roads, in accordance with Section 3.1.3.

In circumstances where a private road is not being maintained to an acceptable standard, the Township may make improvements to bring the road to an appropriate standard and assess any

costs relating to the work to the relevant parties. This action shall not be interpreted as the Township assuming responsibility for the private road.

The municipality will consider long-term financial implications of permitting development along private roads, such as the short and long-term capital and operating costs associated with scattered rural development including those along private roads, pressure to assume private roads and/or provide additional services.

New private roads may be developed in the Townsite Area only as roads internal to mobile home parks or internal to condominiums. Development on private roads may be allowed in the Rural Area. In these situations, development may be permitted under agreement with the Township and meet the following requirements:

- The design and construction of a private road will be subject to a minimum standard of construction which address requirements such as minimum widths, surface material standards, grading standards, turning circle requirements, demonstration of safe ingress and egress, etc.
- Private roads must be directly connected to a public road which is maintained year-round.
- An agreement must be registered against the land setting out the procedures for maintenance of the road including provision for year-round access by emergency vehicles, acknowledging that the Township will not be responsible for the repair or maintenance of private roads or the provision of services to any development located on a private road, and absolving the Township of any liability or responsibility for its upkeep or the provision of services.
- Conditions of development on private roads (e.g., as part of consent approval will ensure that:
  - a. A legal right-of-way is established e.g., right-of-way registered over the full length of the private road;
  - b. The obligations run with the land and are binding on future owners; and
  - c. If necessary, holding of financial securities may be required as part of a development agreement.

### 6.1.3 Provincial Highways

The extents of Highways 65, 66, and 566 within the Township of Matachewan are all Provincial Highways under the jurisdiction of MTO. Accordingly, right-of-way widths and setbacks will be determined by the MTO. Setbacks for proposed, new development along Moyneur Avenue may match existing building setbacks, subject to approval by MTO. MTO's Permit Control Area applies around Highways 65, 66, and 566 as follows:

An MTO permit is required if you want to ...	Within this distance ...
Place a building, structure, entrance or any	45 m of the limit of any highway

road	180 m of the centre point of any intersection (on King's Highways)
Place a sign	400 m of the limit of the highway
Major developments or uses (i.e. shopping centre, stadium, fair ground, race track, drive-in theatre or any other purpose) that cause persons to congregate in large numbers	800 m of the limit of the highway

Only one highway entrance is permitted for each lot of record.

Development proposals adjacent to a provincial highway shall be designed such that outdoor storage and loading areas are visually screened and appropriately located. Multi-residential development proposals shall be designed such that the lots back onto the provincial highway and front onto a local internal street. For proposals that may generate large amounts of traffic within the permit control area, the MTO will require an applicant to prepare a traffic impact assessment in accordance with its "General Guidelines for the Preparation of Traffic Impact Studies."

Active transportation refers to any form of human-powered transportation – for example, walking, cycling, using a wheelchair, in-line skating, or skateboarding. The Township supports and encourages active transportation, participates in the Share the Road campaign with the Temiskaming Health Unit (THU), and would support paved shoulders on roads under provincial jurisdiction to assist the Township in allowing for active transportation to meet its healthy, sustainable community goals.

MTO maintains a patrol yard located at Lot 7, Concession B, Cairo Township. Only those land uses that are compatible with the operation of a patrol yard will be permitted to locate adjacent to and in close proximity to the patrol yard.

#### 6.1.4 Active & Recreational Transportation

The Township encourages active and recreational transportation, and will work with the province, recreational groups, and other landowners, towards developing a network of trails, routes, and other infrastructure which links destinations in the community, allowing active transportation opportunities and provides for the recreational needs of residents and visitors.

##### 6.1.4.1 Pedestrian and Cyclists

It is an objective of the Township to encourage active transportation. Where possible, the Township will encourage the provision of sidewalks and/or paved shoulders on municipal and provincial roads.

Where Council considers it appropriate, new development or redevelopment will be required to provide pedestrian walkways, sidewalks, bike lanes/paths, and/or bike racks constructed to an appropriate standard.



When undertaking public works and where appropriate, the Township may include the provision of facilities which address the needs of pedestrians and cyclists.

To encourage pedestrian and cyclist travel, streetscapes and roadways should be safe, convenient, and attractive for pedestrians and cyclists. This may include providing sidewalks; locating commercial uses at street level; encouraging building design that provides shelter, appropriate lighting, street furniture, and landscaping; and providing paved shoulders and bike racks.

#### 6.1.4.2 Trails and Snowmobile Routes

Trails and snowmobile routes form an important component of the Township's transportation system and economy. These routes are shown on Schedules, but the location of these routes may change without an Amendment to the Plan. Snowmobile or Trail crossings across a provincial highway require the approval of the MTO and may be permitted subject to restrictions. Trails located along the right-of-way of a provincial highway are not permitted.

## 6.2 Water & Sewage

The Township of Matachewan will plan the provision of municipal water services to accommodate growth so that servicing is timely, cost efficient, environmentally sound, and within the financial means of the Township.

The Township of Matachewan currently only has municipal water services within the Townsite Area. There is no plan to provide municipal wastewater services within the Township of Matachewan during the planning horizon. In the future, the Township may consider provision of municipal sanitary sewer services to address any sewage disposal or water quality problems that represent a hazard to public health and safety and provided that the Township is satisfied that there is positive public benefit from such action for residents of the Township. The Township should not declare any laneways as surplus or for sale in the eventuality that a municipal sewage system should be installed.

Priority shall be given to the development of land that is presently serviced by municipal water systems, or those areas that can most easily be serviced, at minimal expense.

Private sewage disposal may be provided by a septic tank and weeping tile system. The installation of septic systems is subject to the approval of the Timiskaming Health Unit (THU), provided septage capacity has been confirmed and where site conditions are suitable for the long term.

The THU is responsible for the approval of all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.

Communal servicing systems to service new development will not be permitted and the Township will not assume any communal servicing systems.

Lots proposed by consent or plan of subdivision will be sized such that there is sufficient area for the proposed building, attenuation of nitrates, sewage envelope, sewage system contingency area, and potable water supply.

#### 6.2.1 Partial Services

Municipal water and individual on-site sewage services (partial services) may be used within the Townsite Area to allow for new development, infilling, and rounding out of existing development on partial services, where site conditions are suitable for the long-term provision of such services with no negative impacts. All development within the Townsite Area should be dependent upon the municipal water supply and distribution system for both potable water and fire protection.

In areas within the Townsite, the Township may consider the extension of municipal water services to adjacent areas designated for Future Development, once re-designated to allow for development as per the policies of Section 3.3, provided that the Township is satisfied that there is positive public benefit from such action for residents of the Township. The Township will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.

The development of existing undersized lots on partial services may be permitted in accordance with the relevant provisions of the Zoning By-law and this Plan, provided that the lot is of an adequate shape and size with soils appropriate for municipal water and private septic disposal system approved by the appropriate authority.

#### 6.2.2 Private Services

The primary means of servicing outside of the existing servicing limits is a private well, septic tank, and weeping tile system.

In areas outside of the Townsite, the Township may consider the extension of municipal water services, but only to address an existing water quality problem associated with an existing development or lot of record that represents a hazard to public health and safety and provided that the Township is satisfied that there is positive public benefit from such action for residents of the Township. The Township will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.

Where industrial or commercial uses are proposed on the basis of private on-site sewage services, these uses shall be restricted to dry industrial and commercial uses, unless demonstrated, through a hydrogeological assessment, prepared to the satisfaction of Council by a qualified professional in accordance with applicable MOECC guidelines, procedures, and standards, that adequate on-site sewage and water services can be provided without unacceptable groundwater impacts.

Where industrial or commercial uses resulting in process wastes are proposed, documentation will be required to demonstrate that process wastewater is similar to, or will be pre-treated to,

contaminant levels found in domestic sanitary sewage, based on standard scientific and engineering practices.

For the purposes of this policy, 'dry industrial or commercial uses' shall be defined as those uses in which only the disposal of the domestic waste of employees is permitted and treated: no industrial liquid wastes, wash or cooling water, or process wastes are permitted.

### 6.2.3 Large Developments

Where development is proposed for five or more lots or dwelling units, the following will be prepared at the expense of the applicant as part of a complete application:

- A Hydrogeological Assessment Report;
- A Servicing Options Study, in accordance with MOECC Guideline D-5-3, to review various methods of servicing and make a recommendation as to the type of servicing to be used; and
- A Groundwater Impact Assessment, in accordance with the MOECC Guideline D-5-4, to determine, among other things, the minimum lot size necessary to support a septic system.

Where development is proposed on individual private services, a Water Supply Assessment Report will be required to be prepared by, and at the expense of, the Applicant, as part of a complete application. The Report should demonstrate potable groundwater quality, adequate groundwater yield, and negligible groundwater quality interference in accordance with the MOECC Guideline D-4-5 and D-5-5.

Where a private sewage system, which handles more than 10,000 litres per day is proposed, a Hydrogeological Impact Report shall be required in accordance with the MOECC Guideline D-5-4, which demonstrates soil suitability, including sufficient available area for the effluent treatment and site suitability. The Report shall be prepared by, and at the expense of, the Applicant, and submitted for review and approval by the MOECC, by way of an ECA, prior to construction. Where required by the *Ontario Water Resources Act* or the *Environmental Protection Act*, a Permit to Take Water (PTTW), ECA, and any applicable registrations must be obtained or completed prior to the operation of the proposed use.

Only dry industries that do not require large amounts of water for processing, cooling, washing, or manufacturing should be allowed on individual private sewage systems.

### 6.2.4 Septage

Prior to approving creation of a new lot by Plan of Subdivision or consent, the Township shall require that proponents demonstrate adequate septage treatment capacity by providing a letter, signed by the holder of the ECA for a treatment facility, indicating that capacity for the development's septage exists.

The Township may consider the preparation of a municipal septage plan to assist in determining total septage generated currently, future treatment capacity needs, and how those needs will be met based on septage treatment facilities available and septage management solutions.

### 6.3 Stormwater Management

Stormwater management assists in protecting and improving the Township's water quality. The Township will ensure that consideration is given to stormwater management, the quality and quantity of stormwater runoff, and off-site impacts for proposed development.

Prior to development approval, the Township may require a stormwater management plan and shall be satisfied that adequate stormwater management and drainage to a suitable outlet are provided. The Township will require detailed stormwater design plans for all commercial, industrial, and institutional development, and residential development of five units or more. The Township may recommend additional specific requirements on a case-by-case basis.

A stormwater management plan or report must be reviewed and approved by MTO for those developments located adjacent to or in the vicinity of a provincial highway, where drainage would impact a highway downstream.

The plan will include identification of the receiving stream, design objectives to be applied, and a description of the stormwater management practices to be applied, in accordance with the relevant Provincial policies and guidelines. Applicants are encouraged to consult with the relevant ministries and agencies.

Increases in runoff from the development shall be minimized in accordance with best management practices and watershed needs. The impact of any proposed development on local and area-wide drainage patterns shall be identified. An appropriate method of managing surface runoff shall be developed and implemented as a condition of approval, according to the following policies:

- Post-development flow rates shall not exceed pre-development flows;
- Plans shall minimize or prevent increases in contaminant loads;
- Retention of existing tree cover and natural vegetation or the provision of grassed and natural areas shall be encouraged to facilitate absorption;
- Erosion and siltation control measures shall be included in grading and drainage plans; and
- Developments which could have a significant impact on surface drainage shall provide comprehensive drainage plans showing methods of surface water disposal and any impacts on adjacent or affected properties; and
- Low Impact Development (LID) alternatives to manage stormwater as close to its source as possible will be encouraged, especially for larger scale developments; and
- Best management practices shall be used.

Stormwater management policies will be required to comply with the *Ontario Water Resources Act*.

---

## 6.4 Waste Management

The Township is currently undertaking an update to its Landfill Operations Plan, and will review its Operations Plan on a regular basis. The Township understands the role that waste reduction and diversion efforts play in increasing the life expectancy of the existing site and promoting a sustainable community, and has recently started a municipal recycling program. The Township will continue to encourage programs aimed at achieving such objectives.

## 6.5 Utilities & Telecommunications

Existing uses throughout the Township and any new development rely upon the provision of a number of utilities, including telephone, hydro, etc. Many of these utilities are located on roads or other public rights-of-way. The improvement of these utilities is an ongoing process requiring replacement of existing facilities and creation of new sites for utility related functions, such as transformer stations, pumping stations, valve stations, etc. In addition, the Township should actively seek to co-ordinate the siting of these utilities within rights-of-way and the co-ordination among utilities in order to avoid the unnecessary duplication of rights-of-way or easements.

Each utility company should be consulted in the development, design, and approval stages for new development or redevelopment in order to provide the maximum time for pre-planning of utility provision.

## 7.0 IMPLEMENTING THE PLAN

### 7.1 Amendments

Amendments may be made to the Official Plan when such changes are warranted. The provisions of the *Planning Act* with respect to Official Plans apply similarly to amendments, including the approval of the Minister or the Ontario Municipal Board, as the case may be. When amendments are made to the Official Plan, appropriate amendments may also be required to the implementing By-laws so that any such By-law is in conformity with the Plan.

### 7.2 Interim Control By-laws

The Township may pass Interim Control By-laws to control the use of land, buildings, or structures within designated areas of the Township and in accordance with the provisions of Section 38 of the *Planning Act* in order to prevent or limit development until detailed planning studies for the subject lands are completed and approved by the Township. Any Interim Control By-law approved by the Township shall initially be in effect for a period of up to one (1) year from the date of passing of the By-law but may extend for a maximum of one (1) additional year.

### 7.3 Land Division

Land division must conform to the policies of this section and other applicable policies contained in this Plan. Lot creation may take place in two ways: by Plan of Subdivision or by Consent to sever land. Where a parcel is being divided into three (3) or more lots, development shall occur

by Plan of Subdivision. An application for Consent may be used for the creation of generally not more than three (3) new lots, a lot boundary adjustment, or a technical severance.

### 7.3.1 Subdivision

Applications for Plan of Subdivision or Condominium shall be considered within the context of the underlying land use designation and the associated policies of this Plan.

Prior to approval of an application for plan of subdivision or plan of condominium, the Township shall confirm the availability or require the provision of adequate servicing and infrastructure in accordance with Section 6.0 of this Plan. Where lots are proposed to be serviced by private sewage disposal systems, and where proposed lot/unit sizes are less than an average lot size of one hectare (1 ha) or any lot is less than eight thousand square metres (0.8 ha), the proposal shall be supported by a hydrogeological assessment, prepared in accordance with the requirements of MOECC Guideline D-5-4.

All lots within a plan of subdivision shall have frontage on a public road maintained on a year-round basis, constructed to an acceptable standard to the Township. Plans of condominium shall have access to a public road maintained on a year-round basis; however, it is recognized that development within the condominium plan may occur on private roads.

All plans of subdivision shall be subject to a subdivision agreement between the Township and the development proponent.

Parkland dedication shall be provided pursuant to Section 7.4 of this Plan. Land to be dedicated for park purposes must be acceptable to the Township. Under no circumstances shall the Township be obligated to accept parklands being offered in a proposed plan of subdivision.

All conditions of draft plan approval for subdivision must be met within three (3) years after which the draft approval lapses. The Township will not recommend the extension of a draft plan approval unless the applicant has demonstrated to the satisfaction of the Township that they are making a reasonable effort to proceed in meeting the conditions of draft approval.

The Township may pass a By-law under the provisions of the *Planning Act* deeming registered Plans of Subdivision or significant portions thereof not to be registered in situations where the conditions of the subdivision agreement have not been met within eight (8) years of registration

Council may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.

### 7.3.2 Consent

Applications for Consent within the Townsite area may be permitted provided that:

- The proposed use of land conforms to the policies of this Plan and that the resulting development will not result in the undue extension of any municipal water services or other infrastructure;

- The size and shape of the parcel is appropriate for the use proposed and installation of a sewage disposal system approved by the THU; and
- The parcel fronts on and has access to an existing opened and established public road that is maintained for year-round use and which is of an acceptable standard of construction.

Applications for Consent within the Rural area may be considered provided that:

- The proposed use of land conforms to the policies of this Plan and that the resulting development will not result in significant expense for the Township for public works;
- The size and shape of the parcel is appropriate for the use proposed, the supply of potable water, and installation of a sewage disposal system approved by the THU;
- The proposed lot and retained lot have frontage and access on to an opened and maintained public road, or have private road or water access in compliance with the policies of Section 6.1.1 or 6.1.2 of this Plan; and
- The effect of the proposed severance will not prevent access to any other parcel of land.

New lots (severed and retained) shall have a minimum lot area of at least 1 hectare unless a hydrogeological study is undertaken which demonstrates that a smaller lot area is appropriate.

#### **7.4 Parkland Dedication**

The Township is entitled to a dedication of land for park purposes as a condition on any division of land in accordance with the *Planning Act* (5% for residential development and 2% for commercial/industrial development). Cash-in-lieu of land may be requested by the Township in situations where there is a public park in the area which is adequate for existing and future population. Cash-in-lieu may also be requested where the amount of land involved is small and, therefore, unsuitable for park development. Where lands are dedicated for park purposes, the Township will use the following criteria to determine acceptability:

- The parcel should be well proportioned and usable for either passive or active recreation or for multi-function sites for a variety of users.
- Council may refuse to accept land if the parcel is considered too small and there are no opportunities to acquire adjacent parcels to create an open space area of acceptable size.
- Every attempt shall be made to integrate existing parks and recreational facilities through a system of open space linkages.
- The parcel should be well drained, of gentle slope, easily maintained, and not subject to periodic flooding. More rugged terrain or preservation areas (i.e., flood plains or wetlands) may, however, be incorporated into the park system as an additional contribution if the area is to fulfil a natural/passive and or historical function in the Township.
- Every attempt shall be made to prevent the unnecessary removal of trees in the development of playgrounds.

The decision of whether to accept a parkland dedication or the alternative cash-in-lieu shall be based on the need to acquire as much parkland as required in the area to meet a variety of needs. These funds shall then be placed in a park reserve fund to be applied toward the purchase of other parkland or to improve and maintain existing parks.

## 7.5 Non-Conforming & Non-Complying Uses

### 7.5.1 Non-Conforming Uses

Any legally existing use that does not conform with the relevant policies contained in this Plan will be deemed legal non-conforming in terms of this Plan. Such uses may be zoned in any implementing Zoning By-law. Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Plan.

The Township will use the following guidelines when assessing any application for an extension or enlargement of a use that is considered to be a non-conforming use:

- The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
- The extension or enlargement should be in reasonable proportion to the existing use and to the land on which it is to be located.
- Any extension or enlargement involving land should be minor in relation to the total property. Any major change shall require an amendment to the Plan.
- The compatibility of the extension or enlargement to surrounding uses with regard to noise, vibration, fumes, smoke, dust, odours, lights, and traffic generation will be examined carefully.
- Adequate buffering, setbacks, and any other measures necessary to reduce the nuisance will be required and, where possible, will be extended to the existing use.
- Proper access to the site will be provided to ensure that no traffic hazards are created.
- Adequate on-site parking and loading space will be provided.
- Applicable services, such as storm drainage, water supply, sewage disposal, and roads are adequate or will be made adequate.
- Neighbouring uses will be notified of the proposed extension or enlargement of the non-conforming use before the final decision on the application is made.

An existing building or structure that is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition, provided the external dimensions and use of the building or structure are generally not changed.

### 7.5.2 Non-Complying Uses

Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property no longer meet one or more of the provisions or regulations of the applicable zone due to changes to the comprehensive zoning by-law, the use shall be considered to be legal non-complying.

The development of existing undersized lots on private services may be permitted in accordance with the relevant provisions of the Zoning By-law and this Plan, provided the lot is of an adequate shape and size with soils appropriate for a well and sewage disposal system approved by the appropriate authority. Notwithstanding, the minimum lot size for private services development will be 2,000 square metres. A hydrogeological study would be required to



support such proposed development. A lot addition or enlargement to an existing undersized lot may be permitted even though the addition does not bring the lot up to the standard required in the Zoning By-law. In such a case, the lot does not lose its non-complying status and may be developed in accordance with the relevant provisions of the By-law.

Applications for the expansion, alteration, or addition of the non-complying use shall be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal.

## 7.6 Property Standards

It is the intention of the Township to support the private efforts of property maintenance and to eliminate any existing hazards to building occupants through the introduction of By-laws specifying standards for all properties within the Municipality for property maintenance and occupancy under the *Building Code Act*.

The Township will endeavour to support further property maintenance and safe occupancy by:

- Utilizing available government programs, where applicable, to provide financial and administrative support to individuals seeking to improve their properties;
- Undertaking education and public relations programs as needed to demonstrate the benefits of property maintenance; and
- Maintaining Municipally-owned buildings, properties, and community facilities, and providing or maintaining municipal services in good repair.

## 7.7 Pre-Consultation and Complete Applications

The Township may require pre-consultation for development applications for which the Township is the approval authority.

The Township shall request additional information that it needs when considering development proposals or Planning Act applications. Such information may be required as part of a complete application, or may be required prior to Council's decision on a proposed development. Such information may include, but not limited to, any of the following:

- Hydrogeological and terrain analysis report
- Servicing capacity/feasibility/ options study
- Groundwater / source water / surface water impact assessment and/or mitigation plan
- Stormwater management report / drainage plan
- Environmental impact study
- Flood plain assessment
- Slope stability study
- Transportation / traffic impact assessment
- Archaeological or Heritage Assessment
- Natural heritage evaluation
- Noise / dust / vibration / odour study
- Market study
- Concept plan showing planned land use
- Geotechnical assessment of an abandoned mine
- Lakeshore capacity assessment
- Record of site condition
- Erosion and sediment control plan
- Any other study identified in the Official Plan

The Township shall review the studies required to support development proposals or *Planning Act* applications and may do so internally or through the use of peer reviewers with the cost of such review at the proponent's expense. Where appropriate, the Township may also consult with provincial ministries and agencies.

## **7.8 Review Procedure**

Council shall, not less than every five (5) years after the Official Plan comes into effect, undertake a review of the Official Plan, hold a separate meeting open to the public and revise the Plan, as required, in accordance with the requirements of the *Planning Act*. The revisions shall ensure that the Official Plan conforms to provincial plans, has regard to matters of provincial interest, and is consistent with the policy statements issued under subsection 3(1) of the *Planning Act*.

## **7.9 Site Plan Control**

Council may designate any part of or the entire Township as an area for Site Plan Control pursuant to the *Planning Act*, and may specify exceptions in the Site Plan Control By-law. Notwithstanding, Council may impose Site Plan Control on exempted properties during the development application review process where warranted.

Where a Site Plan Control By-law is in effect, the applicant will submit for approval such plans or drawings as required by the Township. The applicant may also be required to enter into an agreement with the Township to provide and maintain those facilities required on the Site Plan. Such agreements may be registered against the land to which it applies.

Site Plan Control may be applied to the exterior design of new buildings including the character, scale, appearance, design features, and sustainable design features, where appropriate. Site Plan Control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, and bicycle parking facilities.

## **7.10 Temporary Use By-laws**

Notwithstanding any other policy of the Plan, Council may pass by-laws under the *Planning Act* to permit temporary use of land, buildings, or structures, in defined areas and for prescribed periods of time, for any purpose set out therein that is otherwise prohibited by the Zoning By-law. Conformity with the land use policies of this Plan is not required for the passing of such a by-law, provided that the intent of the Plan is maintained. Notwithstanding, temporary uses would not be permitted in areas subject to hazards or containing significant natural features.

## **7.11 Zoning By-laws**

A Zoning By-law regulates the use of land and erection and use of buildings and structures to promote the public health, safety, comfort, convenience, and general welfare of residents.

Following approval of the Official Plan, the Township shall enact a new Zoning By-law to implement this OP.

The implementing Zoning By-law shall conform to the policies and designation of this Plan.

#### 7.11.1 Holding Symbol

The Township may pass Zoning By-laws containing 'holding' provisions to specify the use to which lands, buildings, or structures may be put at some time in the future, in conformity with this OP, providing:

- The holding symbol (H) is used only in the following instances:
  - i) When certain details of development have not yet been determined, or where certain conditions of development have not yet been met, such as, but not limited to, development or servicing agreements with the Township;
  - ii) When the level of community services and/or infrastructure is not yet adequate to support the proposed use;
  - iii) Where environmental conditions or constraints temporarily preclude development or redevelopment; and
  - iv) Where required studies have not yet been approved by the Township.
- The Zoning By-law containing the holding provisions specifies the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place; and
- A by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.