

Sault Ste. Marie North Planning Area **Official Plan**



Image Source: Colin Field

Adopted August 13, 2026

Sault Ste. Marie North Planning Area Official Plan

August 13, 2026

Table of Contents

1.0	Introduction	1
1.1	Application	1
1.2	Legislative Context.....	1
1.3	Responsibilities of the Sault Ste. Marie North Planning Board.....	1
1.4	Vision for the Sault Ste. Marie North Planning Area	2
1.5	Land Acknowledgement	4
2.0	General Policies	5
2.1	Accessory Uses	5
2.2	Climate Change	7
2.3	Community Structure.....	8
2.4	Crown Lands	12
2.5	Growth Management.....	12
2.6	Home Base Businesses	13
2.7	Forestry	14
2.8	Group Homes.....	14
2.9	Economic Development	14
2.10	Mobile Home Park.....	15
2.11	Recreation and Open Space	15
2.12	Wayside Pits and Quarries, Portable Asphalt Plants, and Portable Concrete Plants	16
3.0	Land Use Policies.....	17
3.1	Rural Areas	17
3.2	Built-Up Communities.....	21
3.3	Shoreline Communities	23
4.0	Natural Heritage	26
4.1	Wetlands	26
4.2	Fish Habitat.....	27
4.3	Habitat of Endangered and Threatened Species	28
4.4	Significant Wildlife Habitat	28
4.5	Areas of Natural and Scientific Interest.....	29
4.6	Environmental Impact Study.....	29
4.7	Conservation Reserves and Enhanced Management Areas.....	30
5.0	Managing Natural Resources	32
5.1	Forestry.....	32
5.2	Mineral Aggregate Resources	33
5.3	Mineral Resources and Mining	34
5.4	Conservation Uses	35
6.0	Water Quality and Quantity	36
7.0	Cultural Heritage	41
8.0	Protection of Public Health and Safety	43
8.1	Natural Hazards	43
8.2	Human-Made Hazards	47
8.3	Land Use Compatibility	50

Sault Ste. Marie North Planning Area Official Plan

August 13, 2026

9.0	Infrastructure.....	56
9.1	Servicing	56
9.2	Transportation	59
9.3	Transportation and Infrastructure Corridors	64
9.4	Waste Disposal	65
9.5	Public Service Facilities and Human Services	66
10.0	Implementation.....	71
10.1	Monitoring the Plan	71
10.2	Planning Tools and Application Types.....	72
10.3	Consent.....	75
10.4	Existing, Non-Conforming, Non-Complying Uses	79
10.5	Planning Applications Administration.....	80
10.6	Interpretation of the Plan	83

List of Schedules

Schedule A	Land Use
Schedule A1	Land Use (North)
Schedule A2	Land Use (South)
Schedule A2A	Batchewana
Schedule A2B	Havilland Bay
Schedule A2C	Goulais River
Schedule A2D	Heyden
Schedule A2E	Karalash Corners
Schedule A2F	Kirby's Corner
Schedule A2G	Searchmont-Wabos
Schedule B1	Natural Heritage (North)
Schedule B2	Natural Heritage (South)
Schedule B2A	Batchewana
Schedule B2B	Havilland Bay
Schedule B2C	Goulais River
Schedule B2D	Heyden
Schedule B2E	Karalash Corners
Schedule B2F	Kirby's Corner
Schedule B2G	Searchmont – Wabos
Schedule C1	Mineral Aggregate Resources (North)
Schedule C2	Mineral Aggregate Resources (South)
Schedule D1	Natural Hazards (North)
Schedule D2	Natural Hazards (South)
Schedule E1	Wildland Fire/Transportation (North)
Schedule E2	Wildland Fire/Transportation (South)

Sault Ste. Marie North Planning Area Official Plan

1.0 Introduction

The Sault Ste. Marie North Planning Area was established in 1976 and a Planning Board appointed in April of that year. The first Official Plan for the Planning Area was prepared in 1978 and approved on January 16, 1979 by the Ministry of Municipal Affairs and Housing. Subsequent to this, the Planning Board received consent granting authority in October 1978.

The Official Plan was approved with modifications on November 1, 1999. The review of the Official Plan in 2024 was undertaken to be consistent with the Provincial Policy Statement, 2024.

The preparation of the Official Plan is geared to an incremental approach since the mapping component will be based on a geographic information system (GIS) in which layers of information may be added or existing information modified as better information becomes available. Additions to the Geographic Information Base that will result in changes to land use characteristics, policies or the Land Use Schedules will, however, require an amendment to this Plan.

1.1 Application

This Official Plan applies to all lands within the limits of the Planning Area as identified on Schedule A (Land Use).

1.2 Legislative Context

Section 14 of the *Act* gives responsibility to the planning board of a territory without municipal organization to prepare a plan suitable for adoption as the official plan of the planning area. Section 14(1) of the *Act* also requires that the planning board shall provide advice and assistance in respect of such planning matters affecting the planning area as are referred to by the board.

As directed by Section 16 of the *Act*, official plans shall contain goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of an area without municipal organization. The *Act* also identifies matters of provincial interest, which are further defined by the 2024 Provincial Policy Statement (PPS). This Plan was drafted, reviewed, and adopted in conformity with the requirements of the *Act* and is consistent with the 2024 PPS and other policy statements issued under the *Act*.

The Plan conforms to the 2011 Growth Plan for Northern Ontario (GPNO) and aims to build upon those strategic directions identified in the GPNO to strengthen Northern Ontario.

, to reflect changing circumstances or new priorities in the interim. When amendments are made to the Plan, appropriate amendments will also be made to implementing by-laws so that any such by-law is in conformity with the Plan.

1.3 Responsibilities of the Sault Ste. Marie North Planning Board

With respect to official plans, the Sault Ste. Marie North Planning Board has the responsibility to:

- 1) Prepare an official plan that is in conformity with the *Act*, the GPNO, the PPS, and good planning principles.

Sault Ste. Marie North Planning Area Official Plan

- 2) Review the official plan from time to time and make amendments as requested or as necessary, or as required by five-year legislated review periods.
- 3) Advise and secure the views of the public, local authorities, agencies, and boards with respect to their official plans and amendments.
- 4) Administer a zoning by-law governing the Planning Area.
- 5) Promote good planning concepts and principles within the Planning Area.
- 6) Educate the residents of the Planning Area as to sound planning practices.

The Planning Board is also the approval authority for decisions regarding land use planning matters such as consents, minor variances, zoning by-law amendments and official plan amendments. The SSMNPB also has the authority to pass holding, interim control, and temporary use by-laws as necessary. The Minister has also delegated consent granting authority to the Planning Board.

1.4 Vision for the Sault Ste. Marie North Planning Area

The Sault Ste. Marie North Planning Area is made up of a diverse mix of communities and landscapes. Each community has a unique identity given its location, the scope of community services it provides, the size and make-up of its population and its seasonality. Some communities are clusters of development (built-up communities) while others may be described as linear shoreline development. Most communities however share common characteristics such as low density residential development, shoreline frontage, dependence on tourism or outside sources for economic or employment base and a strong sense of self-reliance.

The Planning Area consists of the most dynamic scenery in Ontario as well as a rich endowment of natural resources (forests, mineral resources, mineral aggregate resources, wetlands, water and wildlife). Vast areas of the Planning Area are also Crown land and are uninhabited. Settlement patterns have been confined for the most part to the Lake Superior shoreline and Highway 17 corridor, to inland lakes in the southern part of the Planning Area and along secondary provincial highways and rail lines.

The population of the Planning Area has remained relatively constant over the past 30 years but its composition has changed significantly as a result of the out-migration of youth and the in-migration of a pre-retirement and retirement population. This has created notable trends such as cottage conversions, a decline in school enrolments and an increase in the commuter population dependent upon employment in Sault Ste. Marie particularly within the southern townships.

Improvements to community services and facilities have been very gradual, most notably in the provision of recreational and fire protection services. The infrastructure and community facilities expected to service the population over the next two decades is in place. Major services provided in adjacent municipalities are not expected to be duplicated in the Planning Area.

The settlement pattern is largely established and the supply of available building lots or vacant lands within built-up communities and shoreline communities is largely sufficient for the foreseeable future.

In formulating a vision for the Sault Ste. Marie North Planning Area, there are several challenges, most notably:

Sault Ste. Marie North Planning Area Official Plan

- protecting or conserving the natural heritage features and amenities that are the assets and amenities which underscore the beauty and the quality of the rural lifestyles that residents enjoy.
- managing the area's natural resources both renewable and non-renewable as a component of the economic base by avoiding developments which are incompatible or inappropriate.
- optimizing the utilization of existing infrastructure and community services, most notably roads, communal sewage and water facilities, utilities, protection services, school bus routes, recreational and cultural services and local commercial services. Optimizing the use of this existing portfolio of services will avoid duplication and unnecessary cost to the public purse.
- avoiding development which will necessitate the installation of new or extension of existing communal sewage and water services.
- fostering development which strengthens the identity of existing communities and the unique characteristics they have.
- conserving the best features of the area's natural beauty and scenery as well as its archaeological and heritage resource features.

The vision for Sault Ste. Marie North Planning Area recognizes the unique circumstances of the Planning Area such that the lack of a local government structure, the extensive area and diverse geography and the special co-ordinating role of the Planning Board. Keeping this in mind, the "vision" consists of several elements:

- Strengthening the identity of seven distinctive built-up communities (Goulais River, Heyden, Kirby's Corners, Karalash Corners, Havilland Bay, Batchewana Bay and Searchmont-Wabos) through development on existing lots of record or on larger vacant parcels of land, by fostering the development or improvement or maintenance of community infrastructure and community facilities and centralizing commercial and institutional services. These communities will still maintain their rural low-density pattern but are expected over time to establish a minimal critical mass that sustains them as healthy communities.
- Shoreline communities will provide an exclusively residential living environment for both a permanent and seasonal residential population. Further development is also expected through infill and through cottage conversions which meet certain basic development criteria. Public services are expected to be minimal (roads, fire protection, school bussing and access to waste management facilities). Improved public access to water is anticipated.
- The economic base is largely dependent on tourism, development of the area's natural resources and dependence on employment provided in the City of Sault Ste. Marie. The economic base may be further strengthened by fostering home based businesses and the service commercial sector. Although international markets and trends will influence the success of tourism and the development of resource-related industries, sensible land use policies will serve to encourage entrepreneurial initiatives particularly with respect to resort development and home-based businesses.

Sault Ste. Marie North Planning Area Official Plan

- Special purpose bodies continue to be responsible for delivery of basic services and these bodies will play a role in decision-making on improvements or extensions to services if necessary. Such bodies include Local Roads Boards, Statute Labour Boards and Local Services Boards. Planning Board is also expected to assume a greater profile as the repository for a Geographic Information System, through greater empowerment in land use decisions and through the establishment or coordination of decision-making with other agencies e.g. Health Council, Local Architectural Conservation Advisory Committee, etc. Planning Board will play a co-ordinating role in working with special purpose bodies in providing for orderly community development.

Alternative and renewable energy sources and energy conservation measures will provide for a more sustainable way of life for the residents of Sault Ste. Marie North.

- The vision of the Sault Ste. Marie North Plan may be summed up as fostering a land use pattern that reinforces a low density and predominantly high-quality residential living environment, sustainable development and the conservation of the unique natural heritage features and natural resources of the area.

1.5 Land Acknowledgement

The Sault North Planning Board acknowledges that the lands addressed within this Official Plan are located in the traditional territory of the Anishinaabe Peoples, specifically the traditional and treaty lands of Batchewana First Nation and Garden River First Nation, signatories to the Robinson-Huron Treaty of 1850.

We recognize and honour the enduring relationship these Nations have with the land, waters, and natural environment. We acknowledge their historic and continued role as stewards of this region and the significance of their cultural, spiritual, and environmental contributions.

Through this acknowledgement, the Planning Board affirms its commitment to planning practices that reflect respect for Indigenous rights and knowledge systems. We support the principles of reconciliation and are dedicated to building and maintaining respectful, collaborative relationships with Indigenous communities now and into the future.

2.0 General Policies

The following land use policies apply to all lands in Sault Ste. Marie North Planning Area unless specifically mentioned for exclusion.

The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

The policies of this plan and land use designations are implemented by a zoning by-law enacted and administered by the Sault Ste. Marie North Planning Board and replacing previous Minister's Zoning Orders. Lands shall be zoned consistent with Schedule A Land Use, and zoned also to reflect land use constraints that are shown on Schedule B.

2.1 Accessory Uses

It is a policy to permit accessory uses wherever they are normally incidental, accessory or essential to principal uses, provided that the accessory use is developed once a principal use of the property has been established. Accessory uses may include, for example, a garden suite, an additional residential unit, sleeping cabin for a seasonal residential use, or utility and storage buildings for residential and non-residential uses.

2.1.1 Bed and Breakfast:

It shall be a policy to permit a bed and breakfast use within a permanent single detached dwelling provided that:

- 1) The physical character of the dwelling is not substantially altered.
- 2) The single detached dwelling must clearly be the principal use of the land and the bed and breakfast clearly an accessory use to the permanent dwelling.
- 3) A bed and breakfast establishment shall be defined as a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis.
- 4) The establishment shall be located on an open road-maintained year-round by the Local Roads Board or the MTO.
- 5) The establishment shall have sufficient site area to accommodate on-site recreation amenities, adequate on-site parking, and provide adequate buffering for any adjacent use.
- 6) The local health unit shall be consulted when a new bed and breakfast establishment is proposed and, if required, approval of this agency shall be first obtained before a bed and breakfast establishment begins operating.
- 7) The implementing Zoning By-law shall define a bed and breakfast use and the appropriate zone provisions.

2.1.2 Sleeping Cabin:

- 1) A sleeping cabin or guest cabin is the only permitted habitable accessory use to a seasonal residential use, provided it does not include any cooking facilities or sanitary facilities (e.g., a kitchen or an indoor bathroom).

Sault Ste. Marie North Planning Area Official Plan

- 2) For clarity, the same policies which would apply to the development and location of a principal seasonal residential use also apply to a sleeping cabin (e.g., policies concerning natural hazards, cultural heritage resources, natural heritage features/area, etc.).

2.1.3 Short Term Rentals

Short term rentals are all or part of a dwelling unit that is used to provide temporary accommodation for profit, for a period that is generally 30 days or less. This excludes bed and breakfast establishments, resorts, and motels/hotels.

- 1) The Planning Board may consider implementing tools to regulate short term rentals such as zoning and licensing.

2.1.4 Accessory Residential Development for Non-Residential Land Uses

The Planning Board shall permit accessory residential development which is in keeping with the character and scale of non-residential uses. More particularly, a residential dwelling may be permitted for occupancy by the owner or operator of a highway commercial or resort commercial use on the same property as the principal use.

Larger scale condominium, time share or multiple residential development may be permitted in association with a major resort commercial project where it is clearly demonstrated by the proponent that it is essential to the economic viability of the resort use and where the provisions for on-site servicing can be met.

2.1.5 Additional Residential Units

- 1) To support affordable housing initiatives, additional residential units are encouraged where appropriate. Additional residential 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 or within an accessory building, subject to the policies below. Additional residential units will be permitted in a Built-Up Community designation where a year-round residential use is permitted, subject to the following:
 - a) Only one additional residential unit is permitted on a lot in the Built-Up Community;
 - b) The additional residential unit may be located within the main building or permitted ancillary structure (e.g. detached garage);
 - c) The principal dwelling unit is located in a land use designation that permits the residential use;
 - d) There is adequate private water and sewer capacity to accommodate the additional residential unit;
 - e) The additional residential unit is on a property accessed by a year-round public road;
- 2) An additional residential unit shall not be severed from the property containing the primary residential use.
- 3) An additional residential unit in an accessory building shall not be more than 30 metres from the main dwelling.

Sault Ste. Marie North Planning Area Official Plan

- 4) Additional dwelling units shall meet health and safety standards, the Ontario Building Code, Fire Code, and other applicable legislation.
- 5) The Zoning By-law will provide additional regulations for additional residential units in accordance with the *Planning Act*.
- 6) The Planning Board will not permit ARUs in the Shoreline Communities or Rural Areas designations (as per Schedule A to this Plan).

2.2 Climate Change

In 2019, the Government of Canada released Canada's Changing Climate Report, part of a national assessment of how and why Canada's climate is changing, the impacts of those changes and how the country is adapting to the change. This report concludes, in part, that: Both past and future warming in Canada is, on average, about double the magnitude of global warming.

The effects of widespread warming are evident in many parts of Canada and are projected to intensify in the future. This includes more extreme heat, less extreme cold, longer growing seasons, reduced snow and ice cover, and early spring peak streamflow.

Precipitation is projected to increase for most of Canada, on average, although summer rainfall may decrease in some areas. Precipitation has increased in many parts of Canada, and there has been a shift toward less snowfall and more rainfall. Annual and winter precipitation is projected to increase everywhere in Canada over the 21st Century. More intense rainfalls will increase flood risk.

The seasonal availability of freshwater is changing. Warmer winters and earlier snowmelt will combine to produce higher winter stream flows. Warmer summers will increase evaporation of surface water and contribute to reduced summer water availability in the future despite more precipitation in some places.

A warmer climate will intensify some weather extremes in the future. Extreme hot temperatures will become more frequent. This will increase the severity of heatwaves and contribute to the increased drought and wildfire risk.

The rate and magnitude of climate change under high versus low emission scenarios project two very different futures for Canada. Much of the impacts of climate change will depend on the ability of individuals, corporations, municipalities, and all levels of government, to reduce carbon emissions.

According to the Canadian Centre for Climate Services (as of 2024), annual mean temperature and total precipitation are projected to increase over the next 30 years in the Planning Area. Available data for Goulais River shows:

For the 1971-2000 period, the annual average temperature was 4.3 °C. Under a high emissions scenario, annual average temperatures are projected to increase to 7.0 °C for the 2021-2050 period, 9.2 °C for the 2051-2080 period, and 10.9 °C for the last 30 years of this century.

This Plan shall promote sustainability through energy conservation, water conservation, air quality improvement, and waste reduction by encouraging:

- 1) Energy conservation and the use of renewable energy systems.

Sault Ste. Marie North Planning Area Official Plan

- 2) Reuse and multiple uses of treated water, including stormwater.
- 3) Planting of native and non-native trees, shrubs, and other ground vegetation that are resilient to climate change for temperature reduction and infiltration.
- 4) Innovative waste collection and diversion programs.
- 5) Adaptive reuse of older and existing building stock.
- 6) Infrastructure and public service facilities to be provided in an efficient manner that prepares for the impacts of a changing climate.
- 7) Walking, bicycling, and carpooling as alternatives to private automobile use.
- 8) Protection, enhancement, and restoration of significant natural heritage features and areas.
- 9) Greater use of permeable surfaces and pervious pavement, where appropriate, to reduce flood risk.
- 10) Any new development to be located away from natural and human-made hazards in order to protect human health and safety from the risks posed by a changing climate.

2.3 Community Structure

The Planning Area generally consists of a large rural area, a small number of built-up communities and several shoreline communities.

The community structure within the Sault Ste. Marie North Planning Area has been influenced by several factors including:

- Road access to privately owned properties, and particularly access from the local roads and provincial highway network.
- Characteristics of the terrain, recognizing that the settlement pattern is dispersed because the most easily-developed lands are developed first, and in many circumstances, the vacant land supply in the Planning Area are more challenging to develop or cannot be developed because of the characteristics of the Canadian Shield topography (e.g. rock outcrops, wetlands, severe slopes, flood plains, organic soils, etc.).
- Preference for residential development on water bodies, including most notably the shoreline of Lake Superior and inland lakes (e.g., Upper Island Lake, Lower Island Lake, Heyden Lake, Maki Lake, Trout Lake, Northland Lake, and Weckstrom Lake, among others). Residential development along shorelines within the Planning Area is both seasonal and permanent in nature. In recent years, there is a notable trend of conversions of seasonal to permanent dwellings. Remote seasonal dwellings are also an attractive alternative for recreational activities.
- Proximity or commuting distance to the City of Sault Ste. Marie, which is the major employment base for permanent residents of the Planning Area.
- Clustering of development around community assets and public service facilities, including schools, community centres, fire stations, other community services, and local commercial services.

Sault Ste. Marie North Planning Area Official Plan

- Scenic vistas and locations which are natural assets to leverage in developing tourist-related facilities, such as motels, lodges, and tourist outfitters.
- Spin-off development from resource-related activities and major utilities located within the Planning Area.

The settlement pattern that has occurred falls into seven (7) built-up communities as well as a series of other shoreline communities, and rural areas, as shown on Schedule A to this Plan.

While some of this development is concentrated, there is generally a lack of contiguity reflected in the physical geography of the Planning Area, desire of rural residents to live in "wide open spaces" and in the Province's direction for the focus of development activity to be related to the sustainable management or use of resources and resource-based recreational uses, including recreational dwellings not intended as permanent residences, in territories without municipal organization.

The Province does not support the establishment of new permanent townsites in territories, like the Planning Area, without municipal organization. The result is a more costly settlement pattern to service from the standpoint of building and maintaining transportation infrastructure, providing communal water and sewer services, and utilities. Furthermore, the Province's direction is to support only the scale of development which is appropriate to the infrastructure which is planned and available in territories without municipal organization and to discourage development in the Planning Area which would necessitate in the unjustified and/or uneconomical expansion of this infrastructure, or which would place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities, regions, and/or the Province.

The settlement pattern will, therefore, not vary substantially in the future, for several reasons:

- Territories without municipal organization are not the focus of large-scale growth and development in Ontario, which is instead directed to settlement areas in municipalities across the Province where land use patterns are based on densities and a mix of land uses which efficiently use land and resources and optimize existing and planned infrastructure and public service facilities.
- Available census geographies from Statistics Canada do not match the boundaries of the Planning Area, making it difficult to generate an accurate portrait of current population counts and future projections within the Planning Area. Based on available census data for 2021 at the level of dissemination areas, a population of 5,132 is estimated for the Planning Area, which represents approximately 4.5% of the overall population of the District of Algoma in 2021 (113,777 per Statistics Canada). The current rate of population growth is negligible and largely being influenced by an out-migration of youth and an in-migration of a pre-retirement or retirement population of "empty-nesters" (i.e., older adults with adult children who have found a home of their own). Using the Ontario Ministry of Finance's population projections for the District of Algoma and applying a proportional share approach, it is estimated that the Planning Area's population will increase slightly to 6,136 people by 2046, an increase of approximately 19.6% over 25 years.
- In recent years, the District of Algoma has seen smaller average household sizes, ranging from an average of 2.3 people per household in 2006 and 2011 to an average of 2.2 people per household in 2016 and 2021. Assuming the average household size remains unchanged over the next 25 years (i.e., stays constant at 2.2 people per household), it is estimated that the Planning Area will be home to 2,789 households.
- There is a substantial existing inventory of vacant building lots. Data from the Municipal Property Assessment Corporation (MPAC) as of 2024 indicates a supply of some 2,326

Sault Ste. Marie North Planning Area Official Plan

vacant lots, including islands under single ownership, vacant residential land in the rural area (i.e., not along the shoreline of Lake Superior or an inland lake), and vacant residential or recreational land on the shoreline of Lake Superior or an inland lake. Considering the severance potential of these lots for residential purposes (i.e., a minimum lot area of 0.8ha and the maximum number of severances permitted by this Plan), there are approximately 3,873 vacant lots which could accommodate future residential development.

- While new development continues to occur on a limited basis, a substantial contributing factor is the conversion of the Planning Area's existing residential building stock from seasonal to year-round use as permanent dwellings.
- There are a number of geographic townships within the Planning Area which are entirely or substantially all Crown land and are uninhabited for seasonal or year-round use.
- In addition to available building lots, there are available vacant lands in and around seven of the larger built-up communities (i.e., Searchmont, Heyden, Goulais River, Kirby's Corners, Karalash Corners, Batchewana Bay, and Havilland Bay) where limited development may occur over this Plan's horizon.

As a consequence of the land use survey, community workshops, and the analysis of the settlement pattern and vacant land supply, there are several underlying principles upon which the growth and settlement policies have been established as follows:

- Recognition that the presence of significant development constraints means that contiguous development is not always possible. However, wherever possible, infill should occur on vacant land parcels or vacant lots within designated built-up communities or shoreline communities (as illustrated on Schedule A to this Plan).
- Each designated built-up community has identifying features or characteristics which differentiate one community from another, which in turn makes each of the seven primary built-up communities unique and distinct from each other in identity, form, and function. These designated built-up communities in turn play a separate role from the shoreline communities along Lake Superior and inland lakes throughout the Planning Area. It is the intent of this Plan that future development and redevelopment will be primarily focused within the seven built-up communities, either on existing lots of record or through infill on newly created lots.
- Opportunities for infill development on existing lots of record or through the consolidation of smaller lots (under 0.4 ha or 1 acre) will also be permitted within the designated built-up communities as well as the shoreline communities identified on Schedule A to this Plan.
- The identity of what constitutes a built-up community includes whether the area is served by community services such as schools, fire stations and community recreational facilities; commercial services; school bus routes; the configuration of the road network; cultural features, natural and physical boundaries such as wetlands or topographic features, among other considerations.
- Lot sizes and frontages within communities may vary depending on environmental requirements as well as the characteristics of existing development, including most notably, the density of lot sizes or lot frontage. For example, where the prevalent standard was a 60 m (200 ft.) frontage among adjacent properties, this 60m standard would be expected for new development or redevelopment (i.e., to maintain consistency in form between adjacent lots in the designated built-up communities and shoreline communities).

Sault Ste. Marie North Planning Area Official Plan

2.3.1 Rural Areas

Rural Areas are lands within the Planning Area which are a mix of privately held and provincial Crown lands. These areas will be used for a variety of uses including limited rural residential uses, rural commercial and industrial uses, agricultural uses, sustainable management or use of resources, public recreation, commercial tourism, cottaging and waterfront development. The Rural Area contains Resource Townships identified on Schedule A which have a more limited scope of permitted uses.

2.3.2 Built-Up Communities

Built-up communities shall be considered to be the focus for limited resource-based and recreational growth and development over the long-term planning horizon.

Within the Sault Ste. Marie North Planning Area 'built-up communities' and 'shoreline communities' are not 'settlement areas' as defined by the Provincial Planning Statement.

The policies with respect to these land use categories, permitted uses, development and locational criteria and implementation procedures are as set out in this Plan. A list of Built-Up Communities is provided in Table 1.

Table 1 Built-up communities in the Planning Area, as shown on Schedule A to this Plan

Geographic Township	Built-Up Community
Herrick – Fisher	Batchewana Bay
Fenwick	Goulais River
	Karalash Corners
Havilland	Havilland Bay
Aweres	Heyden
Vankoughnet	Kirby's Corners
Hodgins	Searchmont - Wabos

2.3.3 Shoreline Communities

The Shoreline Communities designation applies to the areas listed in Table 2 along the coastline of Lake Superior. These are generally linear single tier mixed seasonal and permanent residential development with shoreline frontage. A greater proportion of development is seasonal, the further distant this development is from Sault Ste. Marie. Other land uses include the occasional general or resort commercial uses particularly along the Highway 17 corridor. None have other community services except for a fire hall in Montreal River Harbour, although all have access to waste disposal sites.

The policies with respect to lands in the shoreline communities (as designated on Schedule A to this Plan) including the permitted uses, development and locational criteria, land division criteria, and implementation procedures, are as set out in Section 3.3 and 10.0 of this Plan.

Sault Ste. Marie North Planning Area Official Plan

Table 2 Shoreline Communities in the Planning Area, as shown on Schedule A to this Plan

Geographic Township	Shoreline Community
Slater – Rix	Montreal River Harbour
Herrick	Pancake Bay
	Herrick (Corbett Road)
Fisher	Sandpoint
Tilley	Chippewa Falls (Whispering Pines)
	Jones Landing
Havilland	Harmony Beach
Havilland – Ley – Kars	Havilland Road (formerly McCauley Road)
	Horseshoe Bay Road
	Marlette Drive
	Bluewater Road
	Nils Bay Road
	Sandbay Road
	Four Seasons Drive
Fenwick – Kars	Goulais Mission Road
Pennefather	Kelly's Creek Road
Dennis	Lakeshore Drive

2.4 Crown Lands

The Planning Board recognizes that resource management activities on Crown Lands are desirable for environmental, social, and economic reasons.

- 1) The MNR is encouraged to have regard for the policies and schedules of this Plan and to consult with the Sault Ste. Marie North Planning Board with respect to the use and disposition of Crown Lands.
- 2) Resource management activities shall be conducted in accordance with the standards and guidelines established by the MNR.
- 3) Authorization for occupation or use of Crown Lands shall be required from MNR.
- 4) Development proposals on lands adjacent to Crown Lands shall be reviewed in consultation with the MNR.

2.5 Growth Management

The Planning Board has a goal to provide for limited growth and development in the Planning Area over the Plan's horizon, which is related to the sustainable use or management of resources and/or resource-based recreational uses.

The objectives for growth management in the Planning Area include:

- 1) To permit growth that optimizes existing public services and infrastructure.
- 2) To strengthen the identity and uniqueness of existing built-up and shoreline communities within the Planning Area.
- 3) To provide for development that is in keeping with the character and scale of existing lotting patterns.

Sault Ste. Marie North Planning Area Official Plan

- 4) To be sensitive to the conservation of natural heritage features and cultural heritage resources.
- 5) To ensure that development does not occur on lands having development constraints or to, where appropriate, make provision for overcoming those constraints.
- 6) To ensure that development is directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and to not create new or aggravate existing hazards.
- 7) To provide for development that is appropriate for existing public service facilities and infrastructure and avoids the unjustified and/or uneconomical expansion of this infrastructure.
- 8) To provide for development that is related to the sustainable use or management of resources and/or resource-based recreational uses and to permit other uses only where appropriate to the infrastructure and public service facilities are planned or available.
- 9) To ensure that the impact of development does not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities and/or the Province, where it is not otherwise related to the sustainable management or use of resources and/or resource-based recreational uses.
- 10) To ensure that the necessary infrastructure and public service facilities which are planned or available to support the development are financially viable over their lifecycle, where development is proposed which is not otherwise related to the sustainable management or use of resources and/or resource-based recreational uses.

2.6 Home Base Businesses

- 1) It is a policy to permit home based businesses in the Planning Area where they are clearly secondary to a principal residential use and where they fall within any of the following categories:
 - a) professional services;
 - b) personal services;
 - c) instructional services;
 - d) home craft businesses;
 - e) private daycare;
 - f) trades businesses; or,
 - g) repair services including small engine repairs
- 2) Autobody and automotive repairs are not permitted as a home-based business.
- 3) Home based businesses shall be permitted where they are compatible within the rural neighbourhood and conform with the following provisions:
 - a) the business is conducted in the practitioner's own residence or accessory building.

Sault Ste. Marie North Planning Area Official Plan

- b) the business is accessory to a permitted residential use and is generally compatible with adjacent uses.
 - c) that the business does not employ more than a few persons, as set out in the Zoning By-law.
 - d) that adequate parking is provided.
 - e) that the business must be dry in nature, that is, it must not require a large quantity of water or produce a large quantity of sanitary waste. Businesses must have the approval of the public body having jurisdiction for on-site water and sewage disposal systems.
 - f) that on-site outside storage is screened and buffered.
 - g) that the business does not involve the on-site storage of hazardous chemicals, gasoline or oil products.
 - h) a home-based business shall only be conducted within a fully enclosed building.
- 4) Home based businesses shall not be offensive or create a nuisance such as noise, odour, traffic generation, or other means.
 - 5) Home based businesses with entrances located adjacent to provincial highways shall meet any requirements for permits required by the Ministry of Transportation (MTO).
 - 6) Appropriate standards for home-based businesses will be incorporated into the implementing zoning by-law.

2.7 Forestry

This Plan promotes the maintenance and rehabilitation of forest resources. Forest resources provide a significant economic, social, and environmental benefit in the form of income from forest products, recreation, education, soil and water conservation, wildlife habitat, buffers between land uses, and natural amenities.

- 1) Property owners are encouraged to seek the assistance of the MNR in the management of their forest resources.
- 2) The maintenance of a forest setback or continued forest cover along lakes, rivers, and stream banks is encouraged.
- 3) Reforestation in areas where forest resources have been depleted is encouraged.

2.8 Group Homes

A group home is defined as a housekeeping unit in a residential dwelling with residents, excluding staff, whom live together under responsible supervision.

- 1) Group homes are permitted in all areas where year-round residential uses are permitted.

2.9 Economic Development

- 1) Planning Board will encourage development applications for development which enhances the economic base by providing additional employment or needed services related to the management or use of resources and resource-related recreational activities.

Sault Ste. Marie North Planning Area Official Plan

- 2) Planning Board will incorporate into the implementing Zoning By-law, appropriate zoning standards for commercial and industrial uses (categories) and home based businesses. The standards to be utilized will take into consideration the adequacy of the lot size, the appropriateness of separation distances to ensure land use compatibility with adjacent land uses and the servicing requirements for on-site sewage and water.
- 3) Planning Board will work with the City of Sault Ste. Marie in promoting economic development and in directing commercial and industrial uses to the City where such uses are better developed on full municipal services.
- 4) Planning Board will make data or information accessible to the public and private industry where it serves to enhance the opportunities for economic development in the Planning Area and conforms to any agreement between the Board and the generating agency.
- 5) Planning Board will encourage the adaptive re-use and redevelopment of abandoned commercial uses along Highway 17.
- 6) It is a policy to direct larger commercial or industrial developments particularly non-resource related uses to adjacent municipalities.

2.10 Mobile Home Park

The policies for existing mobile home parks are as follows:

- 1) New mobile home parks shall not be permitted in any designation as the density and servicing requirements are not compatible with the desired rural environment.
- 2) Expansions to mobile home parks will be discouraged.
- 3) Any expansion to any existing legal mobile home park will require an amendment to this Plan and an associated amendment to zoning.

2.11 Recreation and Open Space

The Planning Area is fortunate to have parks and open space amenities that allow for both formal and informal recreational activities all year round.

The existing recreation and open space facilities that are available to the residents of the Planning Area are considered suitable. However, due to the varied scenic qualities of the Planning Area, opportunities are available to provide for additional recreational and open space facilities.

- 1) The provision of additional public and private recreational and open space facilities at appropriate locales for the use by local residents, district residents, and tourists is encouraged.
- 2) Any new public and private recreational opportunities shall not provide an undue financial burden on the Planning Area or conflict with existing land uses.
- 3) The Planning Board shall encourage opportunities for public access to shorelines as part of the development approval process.
- 4) The Plan encourages the development of active transportation amenities such as, but not limited to trails, bike lanes, sidewalks, and bike racks, where appropriate and can be integrated into a connected network.

2.12 Wayside Pits and Quarries, Portable Asphalt Plants, and Portable Concrete Plants

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.

- 1) Wayside pits and quarries, portable asphalt plants, and portable concrete plants are permitted throughout the Planning Area without the need to amend this Plan or the Zoning By-law except in areas determined to be incompatible with extraction and associated activities including areas of existing sensitive land uses or environmental sensitivity such as designated natural heritage features or defined adjacent lands.
- 2) Adequate buffering and visual screening shall be provided to minimize any adverse effect of dust and noise on adjacent roads, land uses, waterbodies, and watercourses. Sites are regulated in accordance with the *Aggregate Resources Act* but may be subject to a Development Agreement.
- 3) An archaeological assessment may be required if the subject site is located in an area of archaeological potential.

3.0 Land Use Policies

The Sault Ste. Marie North Planning Area has been characteristically an area where there has been a high degree of self-reliance in the provision of infrastructure and other social and human services. There are, however, strong linkages, particularly in the southern sector of the Planning Area with community services and facilities provided for by government agencies and other organizations within the City of Sault Ste. Marie. Consequently, the policy framework for the Official Plan provides for a level of public services, facilities and infrastructure in keeping with the scale of development in the Planning Area, while at the same time recognizes the role that a large urban centre (Sault Ste. Marie) plays in providing services, facilities and infrastructure to communities within its sphere of influence.

3.1 Rural Areas

Lands designated as Rural Area on Schedule A are intended to protect the natural amenities of the area and provide opportunities for forestry, mineral and mineral aggregate resource activities, agriculture, wildlife, tourism, and resource-based recreational activities. Some limited residential development is permitted in accordance with the policies of this Plan. The amount and type of development in the Rural area shall be consistent with maintaining its rural, natural heritage landscape. The majority of rural lands within the Planning Area are designated Rural.

3.1.1 Rural Residential

Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the consent process in accordance with the consent policies of this Plan and are subject to the following policies:

- 1) Recreational dwellings and limited low density residential development is permitted in the Rural designation and shall generally be single detached dwellings.
- 2) New rural residential uses shall be compatible with nearby land uses, as required in Section 8.3 of this Plan.
- 3) Where year-round use is proposed, the lot must have frontage on and access to a year-round publicly maintained road where safe access to the lot can be provided.
- 4) Where year-round use is proposed, the lot must be located on an existing school bus route, have access to fire protection, and can be adequately serviced by utilities.
- 5) In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) Resource use would not be feasible; or
 - b) The proposed land use or development serves a greater long-term public interest; and
- 6) Issues of public health, public safety and environmental impact are addressed. New development must consider any potential impacts from nearby constraints such as natural heritage features and areas, natural hazards, natural resources, archaeological or cultural heritage resources. Where such constraints are present, appropriate mitigation measures recommended by a qualified professional in accordance with the policies of this Plan will be required as part of a complete application.

Sault Ste. Marie North Planning Area Official Plan

- 7) New rural residential uses shall not conflict with existing agricultural operations and must comply with the Minimum Distance Separation I criteria, as amended from time to time.
- 8) The development shall comply with applicable separation distances between sensitive land uses and major facilities in accordance with the policies of Section 8.3 of this Plan).
- 9) No new rural residential lot shall be smaller than 1.0 hectares unless a smaller lot size is supported by a hydrogeological study and can be safely serviced by a private water supply and sanitary sewage disposal system, approved by the Algoma Public Health Unit, in accordance with the policies of this plan and Ministry of Environment, Conservation, and Parks (MECP) guidelines.

3.1.2 Agricultural

Agricultural uses, including farm operations, agriculture-related uses, on-farm diversified uses, and normal farm practices, are permitted in the Rural designation subject to the policies below: New land uses including the creation of lots, and new or expanding livestock facilities shall comply with Minimum Distance Separation (MDS) Formulae and will be placed in the proper zoning category.

- 1) Where the MDS Guidelines provide options for planning authorities, these will be evaluated on a site-specific basis. The application of MDS scenarios where flexibility exists will be established in the implementing zoning by-law.
- 2) Existing agricultural uses are permitted to continue in and adjacent to natural heritage features.

3.1.3 Commercial and Industrial Uses

- 1) The Planning Board may permit commercial or industrial uses which are related to the sustainable management or use of resources, or which are required to serve the needs of existing residents of the Planning Area. These include, for example, industries related to forestry, mineral aggregate extraction, mining, agriculture, and commercial fishing, waste management, transportation, or other similar resource-related industrial uses.
- 2) New resource-related commercial or industrial uses shall be established by amendment to the Zoning By-law. In developing or expanding industrial uses, proponents shall demonstrate that the following criteria have been met to the satisfaction of the Planning Board:
 - a) Lot sizes shall be adequate for the intended use including any requirements for servicing, access, and separation distances from any adjacent residential use.
 - b) The location of new uses or expansion of existing uses shall be sensitive to existing sensitive land uses to avoid potential land use conflicts by locating a sufficient distance from any existing development with which they may be incompatible (see also Section 8.3 of this Plan).
 - c) The Planning Board will only permit uses which can avoid any potential adverse effects on adjacent sensitive land uses as a result of the emission of noise, smoke, odour, or effluent discharges in accordance with the policies of Section 8.3 of this Plan.
 - d) Notwithstanding Policy 3.1.3.2 c) above, the Planning Board may permit such uses where it can be demonstrated that any potential adverse effects can be minimized or mitigated to acceptable levels in accordance with provincial guidelines, standards, or processes and the policies of Section 8.3 of this Plan.

Sault Ste. Marie North Planning Area Official Plan

- e) In locating new resource-related industrial uses, it is the intent of the Planning Board to avoid locations which may interfere with the conservation of the natural resource base. Where industrial uses are located on the land base for the resource use with which they are related, the Planning Board will encourage such uses to be located on a less productive area of that land base.
 - f) Wet industries, or industries requiring large quantities of water as part of their operations shall not be permitted (see also Section 9.1.1 of this Plan).
- 3) Prior to any amendment to the Zoning By-law to permit a resource-related industrial use, the Planning Board will require the proponent to demonstrate compliance with all relevant policies of this Plan and with all applicable environmental standards or regulations of the public body having jurisdiction.
 - 4) Non-resource related commercial or industrial uses shall be directed to adjacent municipalities.
 - 5) Planning Board will incorporate into the implementing Zoning By-law, appropriate zoning standards for commercial and industrial uses (categories) and home-based businesses. The standards to be utilized will take into consideration the adequacy of the lot size, the appropriateness of separation distances to ensure land use compatibility with adjacent land uses and the servicing requirements for on-site sewage and water.
 - 6) Planning Board will work with the City of Sault Ste. Marie in promoting economic development and in directing commercial and industrial uses to the City where such uses are better developed on full municipal services.
 - 7) Planning Board will make data or information accessible to the public and private industry where it serves to enhance the opportunities for economic development in the Planning Area and conforms to any agreement between the Board and the generating agency.
 - 8) Planning Board will encourage the adaptive re-use and redevelopment of abandoned commercial uses along Highway 17.

3.1.4 Tourist and Recreational

Tourist and/or recreational uses including, but not limited to, sports and recreation clubs, tourist facilities, shoreline parks, boat launches, nature trails, and wildlife reserves are permitted in the Rural designation. 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 are also permitted in accordance with the following:

- 1) Tourist and recreational uses shall be appropriate for the proposed location and be compatible with surrounding uses.
- 2) Adequate parking and loading spaces shall be provided.

3.1.5 Institutional

Institutional uses that provide local public services such as schools, public offices, cemeteries, and fire halls shall be permitted in the Rural Area designation in any zone that permits a residential use.

Sault Ste. Marie North Planning Area Official Plan

3.1.6 Resource Townships

There is limited development pressure in the northern geographic townships of Fisher, Herrick, Home, Kincaid, Nicolet, Palmer, Peever, Rix, Ryan, Slater, Smilsky and Tilley, and as well as in the eastern geographic townships of Anderson, Archibald, Deroche, Duncan, Gaudette, Hodgins, Jarvis, La Verendrye, Marne and Shields.

- 1) Within the Resource Townships, as identified on Schedule A to this Plan, permitted uses include the following resource-based and resource-related uses:
 - a) waste management uses, as per Section 9.4 of this Plan;
 - b) mineral and mineral aggregate resource extraction uses, as per Section 5.2 and 5.3 of this Plan;
 - c) remote development uses as per Section 3.1.6.4 of this Plan;
 - d) a trappers' cabin associated with a registered trap line; or,
 - e) a hunt camp or a remote recreational dwelling, as may be permitted under a leasehold arrangement with the Crown or as a single use on patented land, provided appropriate arrangements are made for private individual on-site water and sewage servicing per Section 9.1.1 of this Plan.
 - f) Other rural land uses per Section 3.1 of this Plan.
- 2) The policies with respect to lands in the resource townships (as identified on Schedule A to this Plan), including the permitted uses, development and locational criteria, land division criteria, and implementation procedures, are as set this section of this Plan.
- 3) Within the Resource Townships, development may be permitted on a limited basis subject to the criteria established below. The Planning Board recognizes certain specific land uses which are part of the rural landscape. These uses are characterized as self-sustaining and are not dependent on services provided by public authorities. The Planning Board shall permit such uses in undeveloped, remote, or generally inaccessible areas within the Planning Area on a limited basis.
- 4) Certain exemptions are provided for remote hunting and fishing cabins or tourist resort developments which are not accessed by a public or private road seasonal or commercial development.

3.1.7 Inland Lakes

There are many inland lakes in the Rural Area designation where some limited residential development and resource-based recreational uses will be permitted in accordance with the policies of this Plan. Some of the more popular inland lakes for resource-recreational and residential use include Upper Island Lake, Lower Island Lake, Heyden Lake, Maki Lake, Trout Lake, Northland Lake, and Weckstrom Lake.

Residential development along shorelines within the Planning Area is both seasonal and permanent in nature. In recent years, there is a notable trend of conversions of seasonal to permanent dwellings. Remote seasonal dwellings are also an attractive alternative for recreational activities.

Sault Ste. Marie North Planning Area Official Plan

Permitted uses on inland lakes include seasonal dwellings, existing year-round residential dwellings, outdoor recreational uses, and limited tourism related uses.

Residential development on inland lakes permitted in accordance with the following provisions:

- 1) On existing lots of record or on lots created through the consent process in accordance with the consent policies of this Plan.
- 2) Each lot shall be large enough to accommodate the safe and efficient use of private water supply and sanitary sewage disposal systems approved by the Algoma Public Health Unit.
- 3) Each lot shall be a minimum of one hectare (1.0 ha) in area and have 60 metres shoreline frontage, or, where safe servicing can be provided in accordance with the policies of this plan and MECP's guidelines, may be smaller.
- 4) The development is on an open public road maintained year-round by the Local Roads Board or MTO.
- 5) No new extensions of public roads are permitted to accommodate new residential development.
- 6) Development shall take place in areas suitable for the use taking into consideration such factors as location, surrounding uses, drainage, water quality, and soil conditions.
- 7) No adverse environmental impacts are anticipated from the development with respect to the trophic level and water quality of the lake.
- 8) A shoreline vegetation buffer shall be required where appropriate through the approval of development, along the shoreline of inland lakes as per section 3.3.3 of this Plan.
- 9) It is a policy to maintain and wherever possible restore the water quality of inland lakes at current levels within the Planning Area that support development including:
 - a) Aweres Township - Trout Lake, Heyden Lake, Lower Island Lake, Upper Island Lake
 - b) Deroche Township - Northland Lake
 - c) Shields Township - Weckstrom Lake
 - d) Marne Township - Achigan Lake, Ogidaki Lake

Where development is permitted on other inland lakes, water quality shall also be maintained at current levels.

3.1.8 Management of Natural Resources

The management of natural resources such as forestry, mineral aggregate resources and mineral resources is permitted in the Rural Area designation in accordance with the policies in Section 3.1 of this Plan.

3.2 Built-Up Communities

Lands designated as Built-Up Communities on Schedule A are intended to be the primary focus for future community and residential uses. It is intended that future growth and settlement should be primarily directed towards the built-up communities designation.

Sault Ste. Marie North Planning Area Official Plan

Permitted uses in the Built-Up Communities include low density residential, commercial, general commercial, resort commercial, and institutional.

- 1) Permitted residential uses in the Built-Up Communities designation includes single detached dwellings, semi-detached dwellings, duplexes, and group homes.
- 2) Lots used for residential purposes will require a minimum lot area of 1.0 ha and have direct frontage on a year-round publicly maintained road. Proposed development on privately serviced lots less than 1.0 ha in size shall require a hydrogeological assessment by a qualified professional that demonstrates that site conditions are suitable for the long term provision of such services with no negative impacts.
- 3) Commercial uses in the Built-Up Communities are intended to be for retail, personal and service commercial uses which are appropriate for the needs of the local community. Shopping centres or large retail or warehousing outlets are not permitted. Accessory uses, including accessory residential accommodation is permitted.
- 4) Commercial lots are intended to be clustered together wherever feasible to avoid land use conflicts. Where they abut residential uses, adequate buffering should be provided.
- 5) Commercial lots must be appropriate in size to accommodate the intended use (new or expansion) and comply with on-site servicing requirements. Lots shall have direct frontage to a public road, maintained year-round or seasonally. Adequate off-street parking and loading will be required.
- 6) General Commercial uses are intended for uses that are economically dependent on the travelling public the management or use of resources and resource-based recreational activities. Accessory uses, including accessory residential accommodation, and outdoor storage is permitted. Where these lots abut residential uses, adequate buffering should be provided.
- 7) General Commercial lots in the Built-Up Communities designation must be appropriate in size to accommodate the intended use (new or expansion) and comply with on-site servicing requirements. Adequate off-street parking and loading for the proposed use must be provided.
- 8) Resort Commercial uses include goods and services which are provided to the vacationing public, which are recreation or leisure oriented. Accessory uses, including residential accommodation is permitted.
- 9) Resort Commercial uses are intended to be located where advantage can be taken of topography, tree cover, scenic vistas and other natural amenities. The natural environment must be conserved wherever feasible.
- 10) Preferred access for Resort Commercial uses is on a publicly maintained road. In the Rural Area designation, remote locations with water, rail, private road access or fly-in access are also permitted.
- 11) Resort Commercial lots must be appropriate in size for the proposed use and servicing, and must provide adequate on-site parking with road access or remote (off-site) parking for rail, water or fly-in access sites.
- 12) Permitted Institutional uses include schools, community centres, religious institutions, daycare facilities, cemeteries, libraries, public buildings, parks and playground facilities, fire halls,

Sault Ste. Marie North Planning Area Official Plan

public recreational facilities and other similar uses. Larger scale institutional facilities such as hospitals, post-secondary education facilities will be directed to adjacent municipalities.

- 13) To effectively facilitate the delivery of institutional services co-ordination and collaboration with service delivery agencies such as the City of Sault Ste. Marie, Algoma Public Health, the Algoma District Services Administration Board (DSAB) and other agencies is encouraged.
- 14) Institutional uses should be clustered together and centrally located where feasible. Institutional lots should be appropriately sized for the intended use, and to accommodate on-site servicing. Adequate off-street parking, and access is required. Where institutional uses abut residential uses, appropriate buffering is required. Institutional lots shall have direct frontage on a year-round publicly maintained road.
- 15) Lot consents and plans of subdivision are permitted within the Built-Up Community designation, as per Section 10.3.

3.3 Shoreline Communities

Lands designated Shoreline Communities on Schedule A relate to the development pattern of permanent and seasonal residential uses which directly front on and functionally relate to several of the lakes in the Planning Area. It is intended that development on lands in the Shoreline Residential designation shall only occur where significant natural heritage features and areas are preserved, and where the ecological functions, including lake water quality, are improved or restored.

Permitted uses in the Shoreline Community designation include seasonal dwellings, existing year-round residential dwellings, outdoor recreational uses, and limited tourism related uses.

3.3.1 Residential

Residential development in the Shoreline Community designation is permitted in accordance with the following policies:

- 1) The existing shoreline and coastal character of the Shoreline Communities will be recognized and maintained. Lot sizes shall generally be 1 hectare or larger when necessary to accommodate individual on-site private services in accordance with MECP guidelines. For lots that do not meet this minimum size, a hydrogeological study is required in accordance with MECP D-Series guidelines. For developments of more than 5 units, additional studies shall be required per the MECP D-Series Guidelines.
- 2) The Shoreline Community designation is an environmentally sensitive area. Uses are therefore limited to a single-detached dwelling, and tourist-commercial uses that relate to and depend on the waterfront area such as camps, resorts, restaurants, attractions and marinas, as well as open space uses.
- 3) New land division in the Shoreline Communities designation shall conform with the consent policies in Section 10.3.
- 4) Development shall only be permitted where appropriate servicing and access can be provided in accordance with the policies in this Plan.
- 5) The development is on an open public road-maintained year-round by the Local Roads Board or MTO.

Sault Ste. Marie North Planning Area Official Plan

- 6) Any newly created lots shall be large enough to accommodate the safe and efficient use of private water supply and sanitary sewage disposal systems approved by the Algoma Public Health Unit.
- 7) New subdivisions in the Shoreline Communities designation shall provide an area for public use not less than one third of the total residential frontage created along Lake Superior.
- 8) When replacing existing buildings, structures and tile fields, a 30-metre setback shall be maintained. A reduction in the 30-metre setback may only be considered through a minor variance or zoning by-law amendment where impacts on natural or cultural heritage resources can be mitigated in accordance with the policies of this Plan.

3.3.2 Tourist and Recreational

Minor recreational and tourism uses shall be permitted in the Shoreline Community designation including passive recreational uses and open space uses such as picnic areas, boat launches, scenic lookouts, hiking and riding trails, conservation uses, and nature preservation.

Commercial recreation uses may be considered subject to:

- 1) An amendment to the zoning by-law.
- 2) Studies demonstrating the suitability of the land by considering the location, surrounding uses, water quality, drainage, soil conditions, and traffic generation.
- 3) Consultation with the MECP and MNR.
- 4) Establishing that the use will not result in overuse of the lake.

3.3.3 Vegetative Buffers

- 1) Shoreline vegetative buffers are essential to maintaining and improving water quality. Shoreline vegetation acts as a filter, protecting lakes, streams and rivers from runoff from lawns and roads. Vegetation also stabilizes the shoreline and helps prevent erosion from storm runoff, wave action and ice. Wildlife and fish also benefit from shoreline vegetation on land and in the water.
- 2) The Planning Board will encourage maximizing the natural vegetation along with shoreline by maintaining a shoreline buffer area in a natural state to a depth of 30 metres from the normal high water mark of a lake or river, while allowing for a shoreline access corridor and a fire separation break around buildings.
- 3) The Planning Board is not able to use site plan control to implement the protection of shoreline vegetation on a site-specific basis, however, may enter into a Development Agreement or a Subdivision Agreement through the approval of a consent or plan of subdivision.
- 4) New development along shorelines, such as boathouses, docks or other accessory structures, will be integrated, where possible, into the landscape such that vegetation is maintained and enhanced within the shoreline buffer area to:
 - a) protect the riparian and littoral zones and associated habitat;
 - b) protect the quality of the water by preventing erosion, siltation and
 - c) nutrient migration;

Sault Ste. Marie North Planning Area Official Plan

- d) maintain shoreline character and appearance; and,
- e) minimize the visual impact of development.

4.0 Natural Heritage

For the purposes of this Plan, Natural Heritage Features and Areas are those areas which are important for their environmental and social values as a legacy of the natural landscapes of the area. Collectively, the individual Natural Heritage Features and Areas within the Planning Area form a natural heritage system. The Planning Board recognizes the importance of the natural heritage system, the natural heritage features and areas which make up the system, their functions and the linkages between them. Natural Heritage Features and Areas include:

- Provincially significant coastal wetlands, provincially significant wetlands and unevaluated wetlands or wetlands which have been evaluated and determined not to be significant
- Habitat of endangered and threatened species
- Significant wildlife habitat
- Significant areas of scientific and natural interest (life science and earth science)
- Fish habitat

Natural heritage features and areas, where known, have been identified on Schedules 'B1 and B2' to the Official Plan and are intended to be conserved over the long term for their ecological functions. Although occurrences of species-at-risk and habitat of endangered species are not shown on the Schedules 'B1 and B2' to the Official Plan, due to data sensitivity, species-at-risk habitat and the endangered species mapping (as maintained by the Ministry of Natural Resources) will be considered when screening planning applications prior to recommending application approval to the Planning Board. There is potential that suitable/significant habitat persists in the Planning Area and the list is subject to change as new information is gathered. The Planning Board will contact the Ministry of Natural Resources periodically to update known occurrences of species-at-risk in the Planning Area in order to assist with accurate and effective screening of development applications.

For the purposes of this Plan, all water bodies, including intermittently and seasonally flooded waterbodies and including wetlands, are considered to have potential for fish habitat.

Additional natural features or areas will be added where the basis of the information is adequate to determine the nature and importance of the feature (e.g., assessment of the significance of an unclassified wetland greater than 2 ha using the provincial Wetland Evaluation Manual). Such information may be incorporated as part of a regular update of the Plan or by a specific amendment. Where a known natural heritage feature and area is not identified on Schedules 'B1 and B2' to this Plan, this shall not preclude the requirement for an Impact Assessment in the review of any development application.

4.1 Wetlands

Wetlands are lands that are seasonally or permanently covered by water, as well as lands where the water table is close to or at the surface. Development and site alteration shall not be permitted in provincially significant coastal wetlands, and provincially significant wetlands, unless it has been demonstrated that there will be no negative impacts on the features or their ecological functions, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.

- 1) Development and site alteration shall not be permitted on adjacent lands to and within Provincially Significant Wetlands. The only permitted uses shall be:

Sault Ste. Marie North Planning Area Official Plan

- a) 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.
 - b) Conservation uses which improve the ecological functions of the wetland.
 - c) Uses of a scientific or educational nature.
 - d) Notwithstanding the above provisions passive outdoor recreation including trails constructed of permeable materials shall be permitted adjacent to wetlands without an EIS.
- 2) Development and site alteration shall also not be permitted on adjacent lands within 120 metres of a Provincially Significant Wetland unless an EIS, which is carried out by a qualified professional, has evaluated the ecological function of the adjacent lands, and has demonstrated that there shall be no negative impact on the adjacent lands' natural features or their ecological function.
 - 3) Existing agricultural activities are permitted in Provincially Significant Wetlands and lands within 120 metres.
 - 4) New utilities/facilities shall be located outside Provincially Significant Wetlands, where possible.
 - 5) Unevaluated wetlands shall be assessed for significance at the time of an application.

4.2 Fish Habitat

The Planning Area's shorelines, streams, and lakes support a variety of fisheries. Fish habitat areas may include staging and/or spawning grounds, and nursery, rearing, food, and migration areas on which fish depend in order to carry out their life cycle. However, these habitats are vulnerable to degradation from a variety of sources. MNR is the provincial fisheries manager and shall be consulted to determine what fish community information may be available for a specific location prior to development.

- 1) Development and site alteration shall not be permitted in fish habitat, except in accordance with provincial and federal requirements.
- 2) Development and site alteration shall not be permitted on adjacent lands to fish habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the fish habitat or its ecological functions, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.
- 3) For the purposes of this Section, adjacent lands shall mean those lands which are contiguous to fish habitat where it is likely that development or site alteration would have a negative impact on the fish habitat or its ecological function. The extent of the adjacent lands to a wetland shall be:
 - a) 300 metres, in the cases of fish habitat on an inland lake trout lake (at capacity); or,
 - b) 120 m, in all other cases of fish habitat.
- 4) In determining the extent of adjacent lands in accordance with Section 4.1.2.3 of this Plan, the measurement shall be from the normal highwater mark.

Sault Ste. Marie North Planning Area Official Plan

- 5) Proponents of new development along watercourses shall incorporate setbacks of at least 30 m from the normal highwater mark of the watercourse which should remain undisturbed and naturally vegetated.
- 6) For the purposes of this Plan, the “normal high water mark” means the mark made by the action of water under natural conditions on the shore or bank of a watercourse or waterbody, the action having been so common or usual or so long continued that it has created a distinction in the general terrestrial vegetation, in changes in soil characteristics or by the edge of some embankment particularly scored by the action of water. It is a variable line in characteristic indicators and distinctiveness, and it is identified by the consideration of all visible evidence, not alone by one indicator, as located by an Ontario Land Surveyor.

4.3 Habitat of Endangered and Threatened Species

- 1) Development and site alteration shall not be permitted in the habitat of endangered and threatened species except in accordance with provincial and federal requirements.
- 2) Development and site alteration shall not be permitted on adjacent lands to habitat of endangered and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the feature or its ecological function, as determined through an Impact Assessment prepared in accordance with this Plan.
- 3) For the purposes of this Section, adjacent lands shall mean those lands which are contiguous to the habitat of endangered and threatened species where it is likely that development or site alteration would have a negative impact on the feature or its ecological function. The extent of adjacent lands to habitat of endangered or threatened species shall be set out in the regulations of the *Endangered Species Act*.
- 4) Development proponents shall exercise due diligence to ensure that any land use activities being contemplated will not contravene the *Species at Risk Act, 2025*, or its successor.

4.4 Significant Wildlife Habitat

- 1) Development and site alteration shall not be permitted in significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts on the significant wildlife habitat or their ecological functions, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.
- 2) Development and site alteration shall not be permitted on adjacent lands to significant wildlife habitat, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the significant wildlife habitat or its ecological functions, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.
- 3) For the purposes of this Section, adjacent lands shall mean those lands which are contiguous to significant wildlife habitat where it is likely that development or site alteration would have a negative impact on the significant wildlife habitat or its ecological function. The extent of the adjacent lands to significant wildlife habitat shall be 120 m from the edge of the feature, or as may be determined in accordance with provincial guidance.
- 4) Site-specific assessment shall be undertaken to identify the potential of significant wildlife habitat when lands outside of designated built-up communities are subject to one or more of the following:

Sault Ste. Marie North Planning Area Official Plan

- a) Creation of more than three (3) lots through either consent, plan of subdivision, or plan of condominium.
 - b) Change in land use, not including the creation of a lot, that requires approval under the *Planning Act*.
 - c) Consent to sever land from an existing lot of record which is within 120m of the seasonal highwater mark of a large inland lake, small inland lake, or large river.
 - d) Construction for recreational uses (e.g., golf courses, serviced playing fields, serviced campgrounds, ski hills, or other similar uses) that require large-scale modification of terrain or vegetation, or both.
- 5) The Planning Board may consult with the MNR, or its successor, in determining the need for a pre-development assessment to identify any unknown or candidate significant wildlife habitat.

4.5 Areas of Natural and Scientific Interest

- 1) Development and site alteration shall not be permitted in significant areas of natural and scientific interest (ANSI), unless it has been demonstrated that there will be no negative impacts on the ANSI, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.
- 2) Development and site alteration shall not be permitted on adjacent lands to a significant ANSI, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the feature or its ecological functions, as determined through an Environmental Impact Study (EIS) prepared in accordance with this Plan.
- 3) For the purposes of this Section, adjacent lands shall mean those lands which are contiguous to significant ANSI where it is likely that development or site alteration would have a negative impact on the feature or its ecological function. The extent of the adjacent lands to a significant ANSI (life science) shall be 120 m from the edge of the feature and to a significant ANSI (earth science) shall be 50 m from the edge of the feature, or as may be determined in accordance with provincial guidance.

4.6 Environmental Impact Study

- 1) Where required in this Plan, an Environmental Impact Study (EIS) shall be prepared by a qualified professional to support planning applications such as Official Plan amendments, zoning by-law amendments, plans of subdivision, plans of condominium, consent, and applications for minor variance in accordance with the requirements of the *Planning Act*.
- 2) Where required in this Plan, an Environmental Impact Study (EIS) shall be required **prior** to the approval of the proposed development or site alteration. Where the impact of the development and/or site alteration cannot be avoided or mitigated in accordance with the requirements of this Plan, it shall not be permitted.
- 3) An Environmental Impact Study (EIS) is intended to provide for an assessment of the potential impact of a proposed development or site alteration on a particular natural heritage feature and shall be used to determine whether the proposed development, redevelopment or site alteration is likely to have negative impacts on the natural heritage feature or its ecological function(s) and whether any negative impacts can be avoided or mitigated in accordance with provincial guidance.

Sault Ste. Marie North Planning Area Official Plan

- 4) The completed EIS shall outline any mitigation measures which are recommended by a qualified professional to ensure that there will be no negative impacts to the natural heritage feature or its ecological function(s) (i.e., in the case that negative impacts are anticipated which cannot be avoided through alternative design approaches).
- 5) The components of the EIS shall be tailored to the scale of development and may range from a simplified assessment (i.e., a scoped assessment) to a full site assessment.
- 6) An EIS shall be undertaken by a qualified professional using the protocols outlined in the *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2010, Second Edition, Ministry of Natural Resources*, or any successor thereto.
- 7) The EIS shall evaluate wetlands in accordance with the Ontario Wetland Evaluation System.
- 8) The EIS shall be undertaken by a qualified professional at the expense of the proponent of development, redevelopment, and/or site alteration.
- 9) No approval shall be granted until the EIS is satisfactorily completed and reviewed. In doing so, the Planning Board may seek the assistance of a qualified professional or a public body with technical expertise appropriate to review the methodology, results, and findings of the completed EIS. Should the Planning Board opt to require such a peer review, the cost shall be borne by the applicant.

4.7 Conservation Reserves and Enhanced Management Areas

Over the last decade, the Province has set aside lands for their resource significance and for the opportunities they provide for outdoor recreation. Such areas are managed directly by the Province. Although not classified as “natural heritage features or areas” in accordance with the policies of this Plan, the Planning Board recognizes these areas as important for their conservation values and as an integral component to the natural environment and ecosystems in the Sault Ste. Marie North Planning Area.

- 1) Conservation reserves are managed by MECP and enhanced management areas are managed by MNR. Conservation Reserves and enhanced management areas within the Sault Ste. Marie North Planning Area are identified on Schedules B1 and B2 to this Plan and include for example:
 - a) Goulais River Beach Ridges Conservation Reserve
 - b) Searchmont South Forest Conservation Reserve
 - c) Wabos North Conservation Reserve
 - d) Wabos South Conservation Reserve
 - e) Goulais River Beach Ridges Conservation Reserve
 - f) Ile Parisienne Conservation Reserve
 - g) La Verendrye/Ogidaki Conservation Reserve
 - h) Tilley Creek West Conservation Reserve
 - i) Batchewana Bay-Carp Lake Raised Delta Enhancement Management Area

Sault Ste. Marie North Planning Area Official Plan

- j) Great lakes Coast Enhanced Management Area
 - k) Achigan Lake Enhanced Management Area
 - l) Bellevue Hanging Delta Enhanced Management Area
- 2) Development and site alteration shall not be permitted in identified conservation reserves or enhanced management areas in the Planning Area unless it has been demonstrated that there will be no negative impacts on the natural features within the identified conservation reserves or enhanced management areas or their ecological functions.
 - 3) Permitted uses of lands in identified conservation reserves and enhanced management areas shall be limited to those uses which are directly related to the maintenance, restoration, and/or improvement of the natural features therein and/or their ecological function.
 - 4) Notwithstanding Policy 2 under this subsection of the Plan, uses which are indirectly related to the maintenance, restoration, and/or improvement of natural features within an identified conservation reserve or enhanced management area may be permitted, where such uses are proposed by a public body (e.g., Ministry of the Environment, Conservation, and Parks [MECP]) in accordance with the legislation and policy which governs provincial parks, conservation reserves, and enhanced management areas.
 - 5) The Zoning By-law shall establish implementing zones for the areas which are identified as conservation reserves or enhanced management areas per Schedule A to this Plan and provide for their protection from development which is incompatible with the stated goals, objectives, and policies of this Plan.

5.0 Managing Natural Resources

The economic base of the Planning Area is diverse comprising natural resource development and related industries (forestry, mining, agriculture, commercial fishing, mineral aggregates), tourism, construction, transportation and communication and community, business and personal service. The potential for new business development is dependent on international markets for resource-related industries; is related to the health of the economic base of the adjacent City of Sault Ste. Marie; and is related to the health of the tourism industry. Much of the community and personal service commercial industry is related to markets created by the resident permanent and seasonal population.

- 1) In making land use decisions, it is a policy of the Planning Board to conserve the natural resource base for the development of primary industries including forest products industries, mineral aggregate operations and mining and exploration development. The stewardship of the natural resource base is intended to ensure sequential or the best utilization of the resources as they are exploited or developed.
- 2) It is a policy to sustain existing resource-related recreational services and facilities and make provision for new services and facilities or the upgrading or improvement of existing services.
- 3) It is a policy to provide for personal or service commercial development tailored to local needs by assigning such development to designated built-up communities and to also provide services to the travelling public along the Highway 17 corridor.

5.1 Forestry

Timber management supports the sustainable timber production and prevents soil erosion, supplies habitats for wildlife and maintains the aesthetic quality of the Rural Areas. It is the intent of the Planning Board to recognize the importance of forestry to the historic and future economic position of the Planning Area. Forestry activities are permitted in the Rural Area designation.

- 1) The Planning Board recognizes the importance of forests as a renewable and sustainable resource within the Planning Area. This includes recognition of:
 - a) Commercial timber operators licensed by the Ministry of Natural Resources (MNR);
 - b) Landowners who manage or use forestry resources on private property in a sustainable manner; and,
 - c) Activities associated with the sustainable management or use of forestry resources.
- 2) On land falling under the *Crown Forest Sustainability Act* agreements, forestry management and wood production activities shall be permitted and encouraged. The Planning Board will encourage activities on private lands which enhance or are compatible with sound and sustainable forest resource management (e.g. wildlife habitat improvement or ecosystem improvement and the active or passive use of forested areas for recreational activities, including, for example, cross-country skiing, picnicking and other recreational facilities).
- 3) In recognizing the importance of the forest resource within the Planning Area, the Planning Board will both support and help to coordinate the application of forest resource management techniques to ensure compatibility with harvesting, renewal and maintenance operations with other resource attributes, particularly wildlife and fish habitat.

5.2 Mineral Aggregate Resources

Mineral Aggregate Resources such as sand, gravel, and other materials are non-renewable resources. Aggregate resource extraction should be considered an interim land use. Rehabilitation of aggregate extraction operations is required, and sites will be returned to productive uses compatible with surrounding land uses. This Plan provides for the continuation and expansion of existing pits and quarries and the introduction of new pits and quarries, and accounts for potential impacts of pits and quarries on other land uses.

Pits and quarries are regulated under the *Aggregate Resources Act* (ARA). The Planning Area is designated under the ARA. Therefore, the ARA and associated regulations apply to private land and Crown Land within the Planning Area.

The following policies shall apply to aggregate resource uses:

- 1) Proposed new or expanding pits and quarries are permitted by this Plan, subject to a Zoning By-law Amendment if located in the Rural Designation. Proposed or new expanding pits and quarries in other locations will require an amendment to this Plan. The supporting information from the applicant shall include, but not necessarily be limited to, the following:
 - a) The location, nature, and extent of the aggregate resource.
 - b) The nature and location of adjacent land uses.
 - c) The location of access and haulage routes.
 - d) Reports from qualified professionals regarding traffic, haulage routes, separation distances, noise, blasting, hydrogeology, drainage, environmental impact, archaeological assessment, heritage impact assessment, and any other relevant matters.
 - e) Aggregate extraction or quarry plans and supporting information related to site development, landscaping and buffering, operations, decommissioning, and progressive and final site rehabilitation.
 - f) Aggregate operations on Crown land do not require any *Planning Act* approvals.
- 2) Initiatives proposed to be undertaken for mineral aggregate resource conservation such as the use of accessory aggregate recycling facilities within operations.
- 3) Aggregate resources shall be considered and protected when making all land use planning decisions.
- 4) Aggregate resources and aggregate extraction shall be protected from development that may preclude or hinder their extraction or expansion of continued use, and the resources shall be utilized in accordance with proper controls.
- 5) The implementing Zoning By-laws will zone existing pits and quarries.
- 6) The minimum separation distance for an aggregate operation is intended to offer mutual protection from encroachment by incompatible uses for both sensitive uses and extractive activities. The minimum separation distance shall be no less than:
 - a) 300 metres from a pit; or
 - b) 500 metres from a quarry.

Sault Ste. Marie North Planning Area Official Plan

- 7) The minimum separation distance in Section 5.2.6 may be reduced following submission and acceptance of appropriate studies and mitigation plans to the Planning Board demonstrating how compatibility is to be achieved between the potentially conflicting uses.

5.3 Mineral Resources and Mining

The entire Planning Area is characterized as having a high mineral potential. There are 83 abandoned mine hazards currently present in the Planning Area as shown in Schedule C. Mining activity is regulated by the *Mining Act* and administered by the Ministry of Mines. Various Acts administered by the MECP and other Federal and Provincial legislation also apply. As such, this Plan does not regulate mining exploration or underground mining operations. Notwithstanding, surface operations associated with mines may be subject to the *Planning Act*, this Plan, and MECP guidelines respecting incompatible uses. The following policies shall apply to mining uses in the Rural Area:

- 1) 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.
- 2) Permitted uses in the Rural designation may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and related uses, and accessory uses and structures associated with mining.
- 3) In considering an amendment to the Zoning By-law to permit a mining or mining-related use or the expansion of an existing use, the Planning Board will consider:
 - a) The impact on the environment, particularly new mining operations, which must be located where there will be little or no impact on natural heritage features and areas.
 - b) Indirect impacts on utilities and services.
 - c) The impact on surrounding land uses.
 - d) The aesthetic appearance of the proposed development.
 - e) The benefit of the mining or mining-related use.
- 4) Mineral exploration is permitted without a Zoning By-law Amendment.
- 5) This Plan recognizes the concept of an influence area in order to offer mutual protection from incompatible uses for sensitive land uses or the extraction and processing activities in areas protected for mineral mining operations. Unless a detailed study recommends otherwise, 1,000 metres 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, groundwater, noise, dust, vibration, and other appropriate matters.
- 6) Past producing mining operations or active mining operations are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure.
- 7) Applicants for development, which do not have title to both the surface and sub-surface rights of the land, will be required to obtain clearance from the owner of the other rights and shall submit such proof in writing to Planning Board. Development shall not proceed until such time as the applicant has provided proof of the owners' clearance to the Planning Board's satisfaction.

5.4 Conservation Uses

- 1) The Planning Board will permit and encourage conservation uses, including any activity which is designed to enhance or improve ecosystems within the Planning Area.
- 2) Programs for wildlife management are encouraged as well as activities related to wildlife and conservation interpretation and public education.

6.0 Water Quality and Quantity

Water is a natural feature essential to life. Protection of water quality and quantity is important to ensure a sustainable source of water for human consumption; for sustaining terrestrial and aquatic biota; and for industrial, agricultural, domestic and recreational uses. The protection, conservation, enhancement, restoration and sustainability of ground and surface water resources and the security of water supply are matters of provincial as well as Planning Board interest and are a basis for policy formulation for the Planning Area.

The sources of good information respecting water quality and quantity are limited within the Planning Area. Broad scale information on groundwater probability, susceptibility of groundwater to contamination, major aquifers and draining basis hydrology is not available. The review of some site specific studies as well as Ontario Geological Survey Mapping on terrain units has indicated that there are variable conditions across the Planning Area. In the absence of detailed information, the policy approach does use specific studies and Best Management Practices (BMPs) (a recognized approach of the engineering profession) at the site specific development stage so as to minimize the impact of development on water quality and quantity and to avoid the degradation of water quality through the cumulative effect of development.

The Plan's goal is to provide for the protection, improvement and restoration of the quantity and quality of groundwater and surface water by avoiding development which has a negative impact on this resource and encourage the restoration and remediation to healthy conditions where they have been diminished.

6.1.1 Water Quality and Quantity

- 1) It is a policy of the Planning Board to manage water as a resource through decisions intended to conserve or protect the quantity and quality of groundwater and surface water and, to improve and restore degraded water quality wherever possible.
- 2) It is a policy to manage water quality and water quantity through the stewardship of the natural heritage system including the protection of lakes, rivers and streams, wildlife corridors and fish and wildlife habitat.
- 3) It is a policy of Planning Board to support sustainable development as it relates to water quality and water quantity. Development may be permitted where conservation practices are exercised and measures are undertaken to minimize sediment input into streams and lakes or which does not result in increased flooding or erosion or the undue alteration of natural drainage systems. Development will be encouraged where it is sustainable and where it complies with the growth and settlement policies of this Plan.
- 4) Information in support of the application with respect to on-site (private) water and sewage systems shall be as set out under Section 9.1 of this Plan - Planning for Water and Sewage Systems and associated Ontario Regulations.

6.1.2 Lakes at Capacity

For lakes that are considered over the threshold for phosphorous by the MECP, the policies of this section apply. Where lake capacity has been identified as a concern, a Lakeshore Capacity Assessment is required prior to lot creation or further development within 300 metres of these lakes as they already have a history of water quality issues.

Sault Ste. Marie North Planning Area Official Plan

There are specific circumstances outlined in the Lakeshore Capacity Assessment Handbook (2010) when development may be allowed on at-capacity lakes or on lakes that have modeled or measured dissolved oxygen concentrations that are less than MNR's criterion for lake trout lakes.

- 1) New lot creation and other planning approvals on or adjacent to lakes at capacity should only be allowed if the following circumstances exist:
 - a) Lot creation is to separate existing habitable dwellings, each of which is on a lot that is capable of supporting a Class 4 sewage system, provided that the land use would not change and there would be no net increase in phosphorus loading to the lake.
 - b) Where all new tile fields would be located such that they would drain into a drainage basin which is not at capacity; or
 - c) Where all new tile fields would be set back at least 300 metres from the shoreline of lakes, or such that drainage from the tile fields would flow at least 300 metres to the lake.
 - d) Each lot shall be a minimum of 2.6 hectares in area and have 60 metres of frontage to accommodate the requirements listed in 6.1.2 a to c.
- 2) For new development within 300m of an inland lake's shoreline and excluding Lake Superior, a Lakeshore Capacity Assessment shall be completed prior to the consideration of:
 - a) any subdivision;
 - b) any commercial development;
 - c) any industrial use;
 - d) any development on a lake trout lake listed in this plan;
 - e) any lot creation, redevelopment or intensification of existing uses on any lake within existing development.
- 3) A Lakeshore Capacity Assessment may be completed prior to the consideration of significant road access improvements to a lake likely to increase residential use from seasonal to extended seasonal or permanent. The Planning Board may require a lakeshore capacity assessment on any lake following consultation with the Province of Ontario. A lakeshore capacity assessment shall not be required for development with frontage on Lake Superior or for minor construction that does not lead to the requirement for a new sewage disposal system or change to an existing sewage disposal system (i.e. accessory building, deck).
- 4) The assessment shall be prepared by a qualified professional according to the Lakeshore Capacity Assessment Handbook 2010. The Ministry of Environment, Conservation and Parks may be consulted to obtain technical advice or to modify the assessment. Development approval will consider the Lakeshore Capacity Assessment results including sufficient development capacity remains to support the proposal. A Lakeshore Capacity Assessment is not required to consolidate several smaller lots.
- 5) Development is restricted in the sensitive surface water features and sensitive ground water features. Development will be prohibited on lands adjacent to a water body where the water body is identified as a lake trout lake (see "B" series of Land Use Plan Schedules and list below); a lake that has reached or may reach its development capacity*; or a lake identified as a blue green algae lake except where one or more of the following conditions exists:

Sault Ste. Marie North Planning Area Official Plan

- a) The tile fields on each new lot are set back at least 300 m (984 ft.) from the shoreline of the lake or such that the drainage from the tile fields would flow at least 300 m (984 ft.) before reaching the lake;
 - b) The tile fields on each of the new lots are located such that it would drain into the drainage basin of another water body which is not at capacity;
 - c) To separate existing, habitable buildings which were included in the original capacity calculation, each having a separate sewage disposal system, provided that the land use would not change;
 - d) The proposed new use has a scale and density less than currently exists on site and shall demonstrate a net reduction of the phosphorus loading on the lake. Prior to and development being approved, an environmental impact study shall be completed to the satisfaction of the Planning Board, the Ministry of Natural Resources and the Ministry of the Environment. The study shall, among other matters, provide recommendations on implementation tools related to hydrogeology, soils and vegetation on site; and
 - e) The proposed new use complies with the relevant policies of the underlying land use designation.
- 6) The Lakeshore Capacity Assessment Handbook 2010 indicates that a lake trout lake which has been modelled to be at-capacity for phosphorus is one where the phosphorus concentrations exceed 'background' or 'undeveloped' concentrations +50%, or which has a measured dissolved oxygen concentration that is less than the Ministry of Natural Resource's criterion of 7 mg/L dissolved oxygen, measured as the mean volume-weighted hypolimnetic concentration at end-of-summer. Refer to Table 3 for a list of the lake trout lakes within the Planning Area.

**Table 3 Inland Ontario Lakes designated for Lake Trout Management
Ministry of Natural Resources (MNR), May 2006**

Geographic Township	Name of Lake
Archibald	Hawk Lake
Aweres	Crystal Lake
	Trout Lake
	Upper Island (Island) Lake
Deroche	Northland (Loon) Lake
Jarvis	Clearwater Lake
	Crooked Lake
	Jarvis Lake
	Lake #1
	Weashkog Lake
Kincaid	Pancake Lake
	Upper Pancake Lake

Sault Ste. Marie North Planning Area Official Plan

Geographic Township	Name of Lake
Marne	Achigan Lake
	Prugh (Pine) Lake
Palmer	Brant Lake
Peever	Macgregor Lake
Ryan	Gimlet #2
	Mamainse
Shields	Upper Sheppard Lake
	Weckstrom Lake
	Wolfe Lake
Tupper	Bone Lake
	Iron Lake
	Twab Lake
	Wolfe Lake
Vankoughnet	Robertson (Mud) Lake

- 7) Preservation of water quality is a significant consideration in reviewing any development proposal adjacent to a watercourse or lake. On-site sewage disposal systems shall be located at least 30 m from a watercourse or water body.

The natural shoreline vegetation will be retained within 30 m of significant fish & wildlife habitat (e.g. spawning sites, waterfowl staging areas as may be identified by the Province of Ontario or by a study as required by the Planning Board). The natural shoreline vegetation will be encouraged to be preserved within 15 m of all other water courses and water bodies.

- 8) All development shall be setback 30 m from the shoreline of a watercourse or water body. Where deemed reasonable by the Planning Board and/or where site constraints exist and it is appropriate for the development to occur, a minor variance may be considered for development within the 30 metre setback. On-site sewage disposal systems cannot be considered for a minor variance.
- 9) Planning Board will, over time, and where information is made available from past or future ground and surface water studies, environmental impact studies and lake development studies incorporate such information into the data base for its GIS program. This may include the identification of aquifers, groundwater recharge and discharge areas and monitoring on an ongoing basis to evaluate water quality and quantity conditions. Additions to the Geographic Information Base that will result in changes to the land use characteristics, policies or Land Use Schedules will, however, require an amendment to this Plan.
- 10) Planning Board recognizes that the source protection area (see Land Use Plan Schedule “D” Series) for the City of Sault Ste. Marie municipal water supply extends into Duncan, Aweres and Pennefather townships. Planning Board will consult with the Sault Ste. Marie Region

Sault Ste. Marie North Planning Area Official Plan

Conservation Authority on applications for land uses and development which may have an impact on the protection of the water supply (e.g. industrial, commercial, agricultural uses). Planning Board may require a hydrogeological report designed to assess the potential impacts of proposed development on the water supply and provide recommendations on protection and mitigation measures. Such a report shall be considered a component of a complete application and will be subject to a peer review. The costs of the report (to be prepared by a qualified professional) and review shall be borne by the applicant.

7.0 Cultural Heritage

The Planning Board shall encourage the conservation, protection, and rehabilitation of heritage resources, as well as encourage and foster public awareness, participation, and involvement in the conservation of these resources. Heritage resources include, but are not limited to the following: archaeological remains and sites; cemeteries and burial grounds; buildings and structural remains of historic and/or architectural value; and human-made districts or cultural landscapes of historic and scenic interest.

The Planning Board shall develop a protocol and collaborative process for conserving cultural heritage resources with the Batchewana First Nation (BFN) and Garden River First Nation (GRFN). The BFN and GRFN shall be notified immediately upon any potential archaeological findings, and meaningfully consulted and accommodated prior to any archaeological work commencing.

All new development shall be planned in a manner that preserves and enhances the context in which the cultural heritage resources are situated.

- 1) All new development shall have regard for cultural heritage resources and shall wherever possible incorporate these resources into the development plans.
- 2) Property specific evaluations may be required as a condition of development approval where it is thought that cultural resources may be contained on the lands.
- 3) The Planning Board shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.
- 4) The Planning Board shall require an archaeological assessment by archaeologists licensed under the *Ontario Heritage Act* in areas where there are known archaeological heritage resources and/or areas exhibiting archaeological potential within the Planning Area. These archaeologists must be approved by BFN and GRFN prior to commencing any archaeological work in the Planning Area.
- 5) Development and site alteration will be permitted on lands containing archaeological resources or areas of archaeological potential only where the archaeological resources have been assessed, documented, and conserved. Alterations to known archaeological sites must only be performed by licensed archaeologists.
- 6) The Planning Board recognizes that, within its boundaries, there may be terrestrial and marine archaeological resources. Any significant archaeological resource or site identified may be preserved in-situ to ensure that the integrity of the resource is maintained and/or may be systematically removed through excavation supported by an archaeological assessment by a licensed archaeologist. The BFN and GRFN shall be notified immediately upon any potential archaeological findings and shall be meaningfully consulted and accommodated prior to any archaeological work commencing.
- 7) The Planning Board shall ensure adequate archaeological assessment by a licensed archaeologist and consult appropriate government agencies, including the Ministry of Public and Business Service Delivery and Procurement when a known or suspected cemetery or burial site has the potential to be affected by land use development. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial, and Cremation Services Act* shall apply.

Sault Ste. Marie North Planning Area Official Plan

- 8) The Planning Board shall have regard for the conservation of all significant cultural heritage resources during the undertaking of public works or environmental projects. When necessary satisfactory measures and/or heritage impact assessments will be required to mitigate any adverse impact to significant resources as outlined by the heritage conservations policies of this plan.
- 9) The Planning Board shall encourage local utilities companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources, and which do not have a negative impact on the archaeological integrity of those resources.
- 10) The Planning Board shall require any person who proposes to demolish or alter a property designated under *Part IV* of the *Ontario Heritage Act* to submit an application to the Planning Board for approval under the *Ontario Heritage Act*. The application shall be accompanied by the material prescribed in *O. Reg 385/21*.
- 11) The Planning Board shall conserve cultural heritage resources when considering the establishment of new areas for mineral extraction, the establishment of new operations, or the expansion of existing operations. When necessary, the Planning Board shall require satisfactory measures to mitigate any negative impacts on cultural heritage resources.
- 12) An archaeological assessment will be required for any ground disturbing activity associated with wayside pits and quarries if the subject property is located in an area of archaeological potential.
- 13) The Planning Board shall enter into a data sharing agreement with the Province in order to obtain data and maps of registered/known archaeological sites located within the townships. In addition, data and maps of any designated or locally significant heritage buildings or structures, mapped areas of archaeological potential, and/or cultural heritage landscapes located within the townships shall be maintained for planning review. The Planning Board shall regularly update archaeological resource mapping under the provisions of the Provincial data sharing agreement.
- 14) The Planning Board with the advice of the Ministry of Citizenship and Multiculturalism (MCM) may undertake the preparation of an Archaeological Management Plan, which will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Planning Area having archaeological potential. The Management Plan may also outline policies, programs, and strategies to protect significant archaeological sites.
- 15) The integrity of archaeological resources can be maintained by adopting archaeological zoning by-laws under Section 34 of The *Planning Act* or other similar provisions, to prohibit any land use activities or the erection of buildings or structures on land which is a site of a significant archaeological resource.

8.0 Protection of Public Health and Safety

This section of the Plan addresses natural and humanmade hazards. Natural, physical, and environmental processes can produce unexpected events that may result in damage to property, injury or loss of life, and changes to the natural environment. Natural hazards include flooding, erosion, unstable bedrock, slope failure, and wildland fires.

Human-made hazards result from human activities that modify or disturb the landscape in a way that can threaten the health or safety of humans or the environment. This includes industrial or commercial land uses that contaminate or pollute the ground or water.

8.1 Natural Hazards

Areas of natural hazards include flooding, erosion, dynamic beaches (i.e., areas of inherently unstable accumulations of shoreline sediment along Lake Superior and large inland lakes), unstable soils, unstable bedrock, and other water-related hazards (e.g., ship-generated waves, ice piling, ice jamming, and any other water-related phenomena which acts on shorelines). Within the Planning Area, work has been done with respect to flood plains and erosion controls. Engineered flood plain mapping was prepared for the Goulais River Valley under the Federal Damage Reduction Program. The flood plain mapping has a two-fold function:

- Identification of the regulatory flood (e.g., mapping completed for the regional (Timmins) storm event and the 1 in 100-year storm event).
- Identification of a fill line for some areas.

In the Planning Area the flooding hazard defines lands that are subject to flooding, wave uprush or other water hazards and consequently where development and site alteration would cause a danger to public health and safety or property damage. Secondly, because of the susceptibility to slope failure or slumping, the fill line serves to define where development should not be permitted without a geotechnical investigation and the implementation of recommendations from such an investigation. The engineered flood plain mapping for the Goulais River incorporates a one-zone concept, identifying the portion of the floodplain where development and site alteration would cause a danger to public health and safety or property damage. In general, new development or redevelopment is not permitted in the flood plain. As a protection measure, a 30 m (75.4 ft.) setback has been incorporated into the Zoning By-law to ensure that development is set back from areas that are subject to flooding or slope instability hazards.

Several probable dynamic beaches have been identified for the Lake Superior shoreline within the Planning Area and are incorporated into the GIS data base. For the purposes of this Plan, the dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance. Dynamic beach hazards in the Planning Area may be identified by Provincial standards and amended from time to time. Where changes to the identification of dynamic beach hazards are minor, they may be incorporated into the GIS database without amendment to this Plan. Major amendments will, however, require amendment to this Plan before being incorporated into the GIS database.

On lands adjacent to the Lake Superior shoreline or a large inland lake, development will generally be directed to areas outside of lands that could be unsafe for development due to naturally occurring processes, including the furthest landward limit of the flooding hazard, erosion hazard, or dynamic beach hazard limits. Similarly, development will be generally directed to areas outside of the furthest landward limit of the flooding hazard or erosion hazard limits, where proposed adjacent to the Goulais River, or other river, stream, and small inland lake systems.

Sault Ste. Marie North Planning Area Official Plan

- 1) Schedule D to this Plan shall identify those lands which could be unsafe for development due to naturally occurring processes, as may be amended on a regular and periodic basis as new information is available regarding the extent of natural hazards present on lands adjacent to the shorelines of Lake Superior, inland lakes, river systems, and stream systems.
- 2) Where minor adjustments to boundaries are proposed to the natural hazards identified on Schedule D to this Plan as a result of technical studies or information from the Province, such adjustments may occur without amendment to this Plan. Significant adjustments to the natural hazards identified on Schedule D to this Plan shall require an amendment to this Plan.
- 3) The Planning Board may consult with the Ministry of Natural Resources (MNR) for assistance in identifying hazardous lands and hazardous sites and managing development in these areas in accordance with provincial guidance.
- 4) The furthest landward limit of the identified flooding hazard, erosion hazard, or dynamic beach hazard limits along the shorelines of Lake Superior or large inland lakes, as illustrated on Schedule D to this Plan.

8.1.1 Flood Hazards

- 1) Areas rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards are also considered part of the natural hazards identified on Schedule D to this Plan. Development and site alteration shall not be permitted within these areas unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.
- 2) Development shall generally be directed to areas outside of:
 - a) The furthest landward limit of the flooding hazard or erosion hazard limits along river, stream, and small inland lake systems, including land that is covered by water, as illustrated on Schedule D to this Plan.
 - b) The flood plain as defined by the 1 in 100-year regulatory flood along the Goulais River where the one-zone concept applies as identified on Schedule D to this Plan.
 - c) Property or lands that could be unsafe for development and site alteration due to natural occurring hazards, including unstable soils (e.g., sensitive marine clays or organic soils) or unstable bedrock (e.g., karst topography).
- 3) For the purposes of Policy 2(a) of this Section, the flooding hazard of Lake Superior shall be defined as 184.7 metres C.G.D., being 184.2 m for the 100-year peak instantaneous flood elevation plus a 0.5 m vertical allowance for wave uprush and other related hazards.
- 4) In all cases, development and site alteration shall not be permitted within:
 - a) The dynamic beach hazard (i.e., areas of inherently unstable accumulations of shoreline sediments along Lake Superior and large inland lakes consisting of the flooding hazard limit plus a dynamic beach allowance).
 - b) Areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.

Sault Ste. Marie North Planning Area Official Plan

- c) A flood plain (i.e., the land adjoining a watercourse subject to flooding hazards where development and site alteration would cause a danger to public health and safety or property damage), regardless of whether the area of inundation contains high points of land not subject to flooding.
- 5) On lands identified as a natural hazard on Schedule D of this Plan, the following uses may be permitted where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards. Any such development shall exclude any buildings or structures related thereto:
 - a) agriculture and related uses
 - b) forestry
 - c) open space
 - d) recreation uses
 - e) resource extraction
 - f) uses which assist in conserving or managing water
 - g) wildlife or natural heritage features
 - h) marinas may be permitted subject to a rezoning
 - i) existing uses
- 6) In addition, no development or redevelopment will be permitted on lands subject to natural hazards (as identified on Schedule D to this Plan) for any use which includes:
 - a) the storage, disposal, manufacture, treatment of hazardous substances, which include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive, or pathological, including the collection, treatment, and disposal of sewage; or,
 - b) institutional uses, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares, and schools;
 - c) an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations; or,
 - d) any other use which would otherwise pose an unacceptable threat to public safety as a result of flooding, failure of flood proofing measures, or erosion.
- 7) Further, no consents or plans of subdivision will be permitted on lands subject to natural hazards (as identified on Schedule D to this Plan) except to allow the division of an existing lot containing two dwelling units legally in use on the date of the approval of this plan.

8.1.1.1 New Construction, Alterations and Reconstruction on Lands Affected by Natural Hazards

- 1) The Planning Board shall prohibit any new buildings, structures, or site alteration on lands affected by natural hazards (as identified on Schedule D to this Plan), except where such new buildings, structures, or site alterations are limited to uses which by their nature must locate

Sault Ste. Marie North Planning Area Official Plan

within the floodway, including flood and/or erosion control works, minor additions, or passive non-structural uses which do not affect flood flows, or are normally associated with watercourse protection works or bank stabilization projects approved by the Ministry of Natural Resources (MNR).

- 2) The Planning Board will not provide development authorization or permit construction of any buildings or structures on lands affected by natural hazards (as identified on Schedule D to this Plan) without the concurrence of the MNR that such development is in conformity with the required permits or authorization for watercourse protection works or bank stabilization projects approved by the MNR.
- 3) The Planning Board shall recognize existing buildings on lands affected by the natural hazards identified on Schedule D to this Plan. Minor extension (i.e., less than 50% of the original floor area of the existing building) may be permitted by amendment to the Zoning By-law, provided that all the below criteria are met:
 - a) A survey or technical study prepared by a qualified professional demonstrates the furthest landward limit of the flooding hazard, erosion hazard, or dynamic beach hazard limits of the adjacent waterbody, as the case may be.
 - b) A building elevation plan prepared by a qualified professional demonstrates that any openings in the building's addition will be above the flood elevation of the adjacent waterbody.
 - c) Development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards, as may be required in the special provisions of the implementing Zoning By-law amendment.
 - d) Private individual on-site sewage disposal systems are adequate for the proposed expansion and are subject to review by the public body having jurisdiction (i.e., the Ministry of the Environment, Conservation, and Parks (MECP) or Algoma Public Health (APH), as the case may be).
 - e) Vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies.
 - f) New hazards are not created, and existing hazards are not aggravated.
 - g) No adverse environmental impacts will result, as demonstrated by appropriate technical materials prepared by a qualified professional (e.g., an Environmental Impact Study prepared in accordance with the requirements of this Plan).
- 4) Where any flood control or other works are undertaken which result in changes to lands affected by natural hazards as identified on Schedule D to this Plan, such changes may be incorporated into the Official Plan by amendment.
- 5) Renovations to existing buildings which do not add additional floor space will be permitted without a zoning amendment. Reconstruction and the addition of new accessory buildings or structures may be permitted on existing lots of record where a habitable building was in use on such a lot as of the date of approval of this Plan (include date of approval of this Plan for ease of reference).

Sault Ste. Marie North Planning Area Official Plan

8.1.2 Other Hazards

- 1) Where other physical constraints have been identified such as steep slopes exceeding 20%, organic soils areas of shallow soil over bedrock, poor soils for building foundations and high water tables, it is policy to only permit development or site alteration where the physical constraints can be appropriately overcome by accepted engineering techniques and/or resource management practices.

8.1.3 Wildland Fires

Wildland fire hazard and associated risks are created when human activity and development intersect with forested areas. MNR has reviewed and classified hazardous forest types for wildland fire that are associated with the risk of high to extreme wildland fire. Lands having a high to extreme risk for wildland fire are shown on Schedule E to this Plan.

- 1) Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. 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 MNR.
- 2) In the absence of detailed municipal assessments, proponents submitting a planning application may be required to 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.
- 3) 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, or in the habitat of endangered and threatened species except in accordance with provincial and federal requirements.

8.2 Human-Made Hazards

The intent of the Plan is to protect people and property from human-made hazards such as contaminated sites, waste disposal sites, mine hazards, and non-compatible land uses.

- 1) Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

8.2.1 Potentially Contaminated Sites

Parts of the Planning Area were subject to mining activity in past years and as a result, a number of potential mine hazards exist that are associated with past mining operations. The generalized location of these sites has been identified and is shown on the Land Use Schedule ("C" Series) for Mineral Potential. This information however, should be considered as generalized since the specific UTM coordinates have not been determined. In providing assurance for public safety, development proposed within 1 km (.62 miles) distance of those sites identified in the data base should not be permitted without prior Sault Ste. Marie North Planning Board consultation with the Ministry of Energy and Mines, through the Regional Land Use Geologist, in order to identify the

Sault Ste. Marie North Planning Area Official Plan

specific location and nature of the mine workings, and raise potential concerns if the case may be.

Aside from mine hazards, other physical constraints are prevalent in the area and may have an impact on development. Some of these constraints are generalized and may be common throughout the Planning Area such as areas of shallow soil over bedrock. Others such as steep slopes, e.g. greater than 20% and organic soils are identifiable from available mapping.

In considering applications for new development, mining and other hazards should be taken into consideration along with the following policies:

- 1) Prior to development on a site that is known or suspected to be contaminated, a Phase I Environmental Site Assessment (ESA) will be required.
- 2) Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required, in accordance with the relevant provincial regulations, to be prepared by a qualified professional to determine the location and concentration of one or more contaminants on the proposed development site.
- 3) A Record of Site Condition (RSC) may be required prior to, or as a condition of, development approval on a site which may be or is contaminated in accordance with the *Environmental Protection Act* and relevant provincial legislation or their successors. The RSC details requirements related to site assessment and cleanup and must be acknowledged by the MECP and uploaded to the Brownfields Environmental Site Registry, confirming that the site has been made suitable for the proposed use. The RSC and MECP acknowledgment will be provided to the Planning Board prior to final development approval and issuance of building permits.
- 4) All contaminated lands may be subject to holding provisions in the Zoning By-law.
- 5) Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effect.
- 6) For policies related to development in and adjacent to waste disposal sites, refer to Section 8.3.2.

8.2.2 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. Development within proximity to waste disposal sites will be carefully regulated to minimize land use conflicts and the potential for any adverse impacts.

- 1) Development shall be prohibited on all waste disposal sites located in the Planning Area, including closed sites.
- 2) Use of any closed Waste Management Sites, including buffer areas, will be in accordance with the Certificate of Approval.
- 3) Development proposed within 500 metres of an open, closed, or inactive Waste Management Site shall be accompanied by a study prepared by the proponent that meets the requirements of the MECP Guideline D-4: Land Use on or Near Landfills and Dumps. The study must demonstrate that there is no evidence of leachate, methane gas migration, rodents, vermin, or other contaminants present in the soils or ground water supply. The study will also address any mitigation measures required.

Sault Ste. Marie North Planning Area Official Plan

8.2.3 Mine Hazards

Mine hazards may include any feature of a mine or any related disturbance of the ground that has not been rehabilitated, that may pose a risk to human health and property. The approximate locations of potential mine hazards are shown on Schedule C.

- 1) For lands occupied by a mine hazard, the Ministry of Mines will work with proponents to assess whether hazards under investigation on the property require rehabilitation and will advise as to the proper reclamation protocols, if necessary.
- 2) Any development on, abutting, or adjacent to lands affected by mine hazards must be supported by consultation with Ministry of Mines, and may require a study prepared by a qualified professional engineer including topics such as:
 - a) Current ownership and rehabilitation status.
 - b) Nature and extent of the mine features.
 - c) Physical stability.
 - d) Chemical stability.
 - e) Contamination.
 - f) Other possible hazards; and
 - g) Risk to public health and safety.
- 3) Ministry of Mines will work with the Planning Board to confirm whether a mine hazard is present prior to requiring a proponent of development to undertake a study as identified above.
- 4) With respect to mine hazards, such as open pits, underground workings, mine openings to surface or structures, equipment and facilities, reference shall be made to the Land Use Schedules for Mineral Potential and to records available through the Ministry of Northern Development and Mines with respect to the precise location of such mine hazards.
- 5) Adjacent lands to potential mine hazards are indicated by a 1-kilometre radius shown on Schedules C to this Plan. An acceptable engineering report that provides for rehabilitation and stabilization of the mine workings to permit the proposed development to be constructed safely or verification that the proposed development is unaffected by such workings shall be submitted as part of the application for development. The Ministry of Northern Development and Mines will work with proponents to refine development setbacks and to assess the need for additional geotechnical studies.

8.2.4 Unidentified Hazards

- 1) In some circumstances, the scope or extent of a hazard may not be known.
- 2) Where a proposal is on or near lands that include a suspected hazard or if the extent of a known hazard has not been confirmed, the Planning Board must be satisfied that the proposed development will not be affected. The development proposal should be designed to avoid the hazard or engineered to withstand the hazard where permitted. The Planning Board may require supporting technical studies prepared by a qualified individual to determine the extent of the hazard and appropriate mitigation measures.

Sault Ste. Marie North Planning Area Official Plan

8.2.5 Implementation

Measures to achieve policies of the Planning Board are as follows:

- 1) With respect to other physical constraints as identified on the Land Use Schedules, constraints which may be anticipated or identifiable prior to development or construction, proponents of development shall submit appropriate information to indicate the proposed method of overcoming the constraint and where Planning Board deems necessary, provide an acceptable engineering report.

8.3 Land Use Compatibility

- 1) Major facilities and sensitive land uses shall be planned and developed to:
 - a) Avoid any potential adverse effects from odour, noise, and other contaminants;
 - b) Minimize risk to public health and safety; and,
 - c) Ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures.
- 2) Further to Policy 8.3.1 a), where avoidance is not possible:
 - a) Major facilities and sensitive land uses shall be planned and developed to minimize and mitigate any potential adverse effects from odour, noise, and other contaminants; and,
 - b) The long-term viability of existing industrial or other major facilities within the planning area shall be protected from any encroachment of adjacent sensitive land uses in accordance with provincial guidelines, standards and procedures.
- 3) Where a sensitive land use is proposed in proximity to an existing major facility, the proponent shall be required to provide supporting technical studies which are prepared by a qualified professional and in accordance with the Ministry of the Environment, Conservation and Parks' Guideline D-6, Compatibility Between Industrial Facilities and Sensitive Land Uses.
- 4) Influence areas between industrial land uses and sensitive land uses will be determined in accordance with Provincial Guidelines D-6: Compatibility between Industrial Facilities and Sensitive Land Uses. Proponents may be required to provide supporting technical studies, prepared by qualified individuals in accordance with Provincial guidelines, to assist in the evaluation of proposed developments and, where applicable, to determine influence areas, addressed potential impacts, and identify appropriate separation distances and other mitigation measures.
- 5) In the absence of technical studies, prepared according to Provincial Guideline D-6 which identify an actual influence area, the minimum separation distances required between industrial uses and residential or other sensitive land uses shall be:
 - a) Class I Industries: 70 metres;
 - b) Class II Industries: 300 metres;
 - c) Class III Industries: 1,000 metres

Sault Ste. Marie North Planning Area Official Plan

- 6) With the support of technical studies, prepared under Provincial Guideline D-6, the following minimum separation distances in accordance with Provincial guidelines shall apply between industrial uses and residential or other sensitive land uses:
 - a) Class I Industries: 20 metres;
 - b) Class II Industries: 70 metres; and
 - c) Class III Industries: 300 metres
- 7) The supporting materials described in Policy 1 above shall include:
 - a) A summary or description of the proposed development (i.e., the nature of the major facility or sensitive use to be developed);
 - b) Information regarding the distance between the proposed development and the existing use where land use compatibility is of concern (i.e., between the proposed or existing sensitive use and the proposed or existing major facility, as the case may be);
 - c) Evaluation of the impact of the proposed development on the adjacent existing use (i.e., the potential adverse impacts of the proposed sensitive use or major facility on the existing major facility or existing sensitive use, respectively);
 - d) Identification of an appropriate separation distance between the proposed or existing sensitive use and the proposed or existing major facility, as the case may be; and,
 - e) If avoidance of land use conflict is not possible, recommendations as to the measures which are proposed to minimize and/or mitigate any potential adverse impact.
- 8) Where adverse impacts cannot be minimized to acceptable levels in accordance with provincial guidelines, standards, and procedures, the proposed development shall not proceed.

8.3.1 Noise and Vibration Attenuation

- 1) Noise and/or vibration studies shall be required for sensitive land uses which are proposed on lands adjacent to the following major facilities:
- 2) **Provincial Highway 17**
 - a) If the sensitive land use is located within 250 metres of Provincial Highway 17, a detailed noise study shall be required; and,
 - b) If the sensitive land use is located within 50 metres of Provincial Highway 17, a feasibility study shall be required, along with or followed by a detailed noise study.
 - c) If the sensitive use is located more than 250 metres from Provincial Highway 17, then no noise and/or vibration study shall be required.
- 3) **Principal Railway Line**
 - a) If the sensitive land use is located within 500 metres of a principal railway line, a detailed noise study shall be required; and

Sault Ste. Marie North Planning Area Official Plan

- b) If the sensitive land use is located within 100 metres of a principal railway line, a feasibility study shall be required, along with or followed by a detailed noise study.
 - c) If the sensitive use is located more than 500 metres from a principal railway line, then no noise and/or vibration study shall be required.
- 4) Noise and/or vibration studies shall be required to consider any combined road and rail traffic sound levels in their assessment of potential adverse impact and in their recommendations of any associated measures to minimize and/or mitigate impact to acceptable levels in accordance with provincial guidance, standards, and procedures.
- 5) Where development of a sensitive land use is proposed in proximity to Highway 17 or in proximity to a principal railway line, proponents are encouraged to consult with the Planning Board as to the requirements for a noise and/or vibration study. In determining whether a noise and/or vibration study shall be required, the Planning Board may consult with the Ontario Ministry of Transportation (MTO) for guidance.
- 6) The Planning Board shall require, as a condition of approval, that a warning clause be registered on title for any sensitive land use located within:
- a) 70 metres of Provincial Highway 556, between Highway 17 and 552, as shown on Schedule B to this Plan;
 - b) 33 metres of Provincial Highway 556 to the east of Highway 552, as shown on Schedule B to this Plan;
 - c) 55 metres of Provincial Highway 552 to the west of Highway 17, as shown on Schedule B to this Plan; and,
 - d) 30 metres of Highway 552 to the east of Highway 17, as shown on Schedule B to this Plan.
- 7) For the purposes of Policy 6 above, the warning clause shall include the following wording:
- “Purchasers/tenants are advised that sound levels due to increasing road traffic (and rail traffic depending on location) may occasionally interfere with some activities of the dwelling occupants as the sound levels may/will exceed the Environmental Noise Guideline sound level limits.”
- 8) Further to Policies 6 and 8 above, the Planning Board may waive the requirement for a warning clause if the applicant demonstrates, through the results of a site-specific study prepared by a qualified person, that the development is appropriately designed, buffered, and/or separated so as to prevent any potential adverse effects from noise and vibration, and to minimize risk to public health and safety.
- 9) The Planning Board may seek guidance from the Ontario Ministry of Transportation (MTO) in determining whether a warning clause may or may not be required in accordance with the policies of this Plan. Any decision shall be at the sole discretion of the Planning Board.
- 10) The applicable D-Series Guidelines and Environmental Noise Guideline – *Stationary and Transportation Sources – Approval and Planning (NPC-300)* or its successor, shall be used in conducting noise assessments in accordance with the policies of this Plan.

Sault Ste. Marie North Planning Area Official Plan

8.3.2 Waste Management Facilities

- 1) It is a policy to establish a minimum setback distance of 100 m (328 ft.) from any existing or defunct waste management site and to require an evaluation by any proponent of development within 500 m (1,640 ft.) of the perimeter of the fill area of an active or defunct waste management facility and to implement the recommendations of the said evaluation. The Ministry of the Environment's Guideline D-4, *Land Use on or Near Landfills and Dumps* shall be used to conduct the evaluation.
- 2) In terms of operating sites, no land use may take place within 30 m (98.4 ft.) of the perimeter of a licensed fill area. Each operating landfill site shall have an on-site operational/maintenance buffer area identified on the Environmental Compliance Approval. This buffer shall be no less than 30 m (98.4 ft.) and is normally 60 to 100 m (196.8 ft. - 328 ft.).
- 3) Land uses within 500 m (1,640 ft.) of the perimeter of the fill area of any active or closed waste management facility are considered as being in an influence area. In considering development within the influence area, the impact on any adverse effects or risks to health and safety must be evaluated by a qualified professional and any necessary remedial measures that need be taken must be addressed. This assessment shall be based on the nature and knowledge of the waste management facility and the nature of the land use(s) proposed.
- 4) Beyond the 500 m (1,640 ft.), the potential for an impact exists such that consultation with Ministry staff should be undertaken prior to authorizing such development.
- 5) Where technical controls for leachate, or leachate and gas are required surrounding a fill area, no land use may take place within 30 metres of its perimeter. This distance may be reduced to 20 meters in cases where only gas controls are necessary.

8.3.2.1 Pits and Quarries

- 1) The Planning Board shall prohibit sensitive land uses within a potential influence area of 1000 metres, as measured between the property boundaries of the existing pit or quarry and the property boundary of the proposed sensitive land use, unless otherwise permitted under Section 8.3 of this Plan.

8.3.2.2 Industrial Land Uses

- 1) For the purposes of this Plan, the potential influence area for an existing or proposed industrial land use shall be 70 metres, which shall be considered the minimum distance separation, unless a reduced separation distance can be demonstrated to be appropriate in accordance with provincial guidelines, standards, and processes (i.e., through appropriate technical materials prepared by a qualified professional).
- 2) In determining the appropriate minimum separation distance between an industrial land use and a sensitive land use, the Planning Board shall determine whether the proposed or existing industrial use is classified as:
 - a) **Class I Industrial Use:** Identifies processing operations where emissions or outputs are zero to negligible, there is no outside storage, and there is a self-contained process with zero to low probability of fugitive emissions. The minimum separation distance for this "light industrial" classification is 20 m (65.6 ft) from the property boundary of the industrial use to the property boundary of the sensitive land use.

Sault Ste. Marie North Planning Area Official Plan

- b) **Class II Industrial:** Describes industries with substantial variations in industrial processes and therefore emissions may be anticipated (e.g., noise, vibration, odour, particulate and gaseous discharges, or combinations thereof). Minimum distance separation for this “medium industrial” classification is 70 m (229.6 ft.) as measured from the property boundary of the Class II Industrial Use.
 - c) **Class III Industrial:** Describes “heavy industries” (e.g., refineries, pulp and paper mill etc.), where a minimum separation distance of 300 m (984 ft.) applies from the property boundary of the Class III Industrial Use.
- 3) Separation distances shall not be less than the respective minimum distance separations, which are as follows:
- a) **Class I Industrial:** The potential influence area is 70 metres, which shall be considered the minimum separation distance unless appropriate studies can be demonstrated that reduced separation distances are appropriate in accordance with provincial guidelines, standards, and processes.
 - b) **Class II Industrial:** The potential influence area is 300 metres, which shall be considered the minimum separation distance unless appropriate studies can demonstrate that reduced separation distances are appropriate in accordance with provincial guidelines, standards, and processes.
 - c) **Class III Industrial:** The potential influence area shall be 1000 meters, which shall be considered the minimum separation distance unless appropriate studies can demonstrate that reduced separation distances are appropriate in accordance with provincial guidelines, standards, and processes.

8.3.2.3 Sewage Treatment Facilities

- 1) For the purposes of this Plan, the potential influence area for a sewage treatment plant shall be 250 m (820.2 ft.), which shall be considered the minimum distance separation between the property boundary of a sewage treatment facility and the property boundary of any sensitive land use.
- 2) The Ministry of the Environment, Conservation and Parks (MECP) Guideline D-2, *Compatibility between Sewage Treatment and Sensitive Land Use*, shall be used in calculating the appropriate separation distance between the property boundary of a sewage treatment facility and the property boundary of any sensitive land use.

8.3.2.4 Agricultural Land Uses

- 1) For the purposes of this Plan, the potential influence area from an agricultural use shall be:
 - a) 750 metres for any development which proposes a less sensitive (Type A) land use, including any one of the following uses:
 - (i) an industrial use;
 - (ii) an open space use;
 - (iii) the creation of lots for agricultural uses; or,
 - (iv) the creation of one or more lots which does **not** result in four or more developable lots in immediate proximity to one another (e.g., sharing a

Sault Ste. Marie North Planning Area Official Plan

common contiguous boundary, or located across the road from one another); or,

- b) 1,500 metres for any development which proposes a more sensitive (Type B) land use, including any one of the following uses:
 - (i) a Zoning By-law amendment to permit development of any non-industrial use; or,
 - (ii) the creation of one or more lots which results in four or more developable lots in immediate proximity to one another.
- 2) A minimum distance separation shall apply between any new or expanding sensitive land uses and any new or expanding livestock facilities and/or anaerobic digesters, and shall be in accordance with the Minimum Distance (MDS) Formulae I and II of the Ontario Ministry of Agriculture, Food and Agribusiness (OMAFRA), or its successor.
- 3) In reviewing applications for the development of sensitive land uses or the development of new or expanding livestock facilities and/or anaerobic digesters, the Planning Board shall review the land use information from the GIS database and with this information to identify any existing sensitive land uses or existing agricultural uses (where livestock facilities and/or anaerobic digesters are present) for use in applying the respective MDS I or II formula.
- 4) For greater clarity in applying the MDS I or MDS II formulae:
 - a) the MDS I formula shall apply where development of a new or expanding sensitive land use is proposed in proximity to an existing agricultural use where livestock facilities and/or anaerobic digesters are present; and,
 - b) the MDS II formula shall apply where development of a new or expanding agricultural use (which includes livestock facilities and/or an anaerobic digester) is proposed in proximity to an existing sensitive land use.
- 5) The Planning Board may consult with OMAFRA in confirming the calculation and/or the application of the respective MDS I or MDS II formula.

8.3.2.5 Sensitive Land Uses

- 1) For the purposes of this Plan, it is a policy to define sensitive land uses to include:
 - a) residences or facilities where people sleep, e.g., single or multi unit dwellings, nursing homes, hospitals, camping grounds
 - b) permanent structures of an institutional nature, e.g. schools, churches, community centres, day cares
 - c) certain agricultural operations e.g., cattle raising
 - d) bird/wildlife habitat or sanctuaries.

9.0 Infrastructure

The efficient use of land in a rural context is a function of the servicing capability for private services, the characteristics of terrain, development constraints, be it wetlands, lands with capability for natural resource development, flood plains, etc. and road access. Within the Planning Area, lot sizes for residential development, for example, vary substantially from undivided original blocks of several hundred acres to lots that have been subdivided by way of consent or subdivision. The consent process has been the most significant factor in determining the prevailing lot size within the Planning Area. There are, however, a significant number of subdivisions as well which have been created through the compilation of lots (judge's plan) or by registered plan. Lot size standards have evolved over time from one-half through three-quarter acre to .4 hectare (1 acre) to a current standard of 0.8 ha (2 acres).

Public service facilities are limited in the Planning Area to essentially, schools, parks, community centres, fire stations and a library. Existing facilities are located within the communities of Heyden, Goulais, Searchmont, Batchewana and Montreal River Harbour. New additional facilities are not foreseen and the expansion of existing facilities can be accommodated on existing properties.

- 1) It is a policy to locate new development wherever possible in locations where existing infrastructure is available including:
 - a) Roads
 - b) School bus routes
 - c) Fire services
 - d) Utilities e.g. hydro, telephone
 - e) Winter maintenance
- 2) See Land Use Schedules for Public Facilities and Fire Service Protection Areas respectively. Reference should be made to the list of criteria for new development or consents as set out in Section 10.3.
- 3) The location or form of development shall comply with the policies of Section 2.5 - Growth Management, of this Plan.
- 4) It is a policy that lot sizes minimize the consumption of land provided they meet current environmental standards.
- 5) It is a policy to optimize the use of existing public service facilities as an alternative to the construction of new facilities.

9.1 Servicing

The hierarchy of servicing within the Planning Area consists of a series of communal well or well and sewage systems servicing principally small clusters of residential development while the balance of development throughout the Planning Area is serviced by on-site water and sewage systems. The list of communal services is as follows:

- Pioneer Mobile Home Park - water
- Beaumont Mobile Home Park - water

Sault Ste. Marie North Planning Area Official Plan

- Shetland Mobile Home Park - water and sewage
- Rupert Acres Mobile Home Park - water and sewage
- Peacetree Single Detached Residential - sewage
- Mountainview School - water
- Searchmont Resort – water

A number of the above systems were installed without approvals and were designed to service existing development with no residual capacity for additional development.

The capacity for further development on existing systems is negligible with respect to the residential development. Further development would require a complete redesign and the installation of a new system(s). From the standpoint of a servicing strategy, the existing systems cannot be depended upon to meet future growth requirements as it would be preferable to design and develop communal systems which are independent of the existing systems. New communal systems servicing mobile home parks will be required to be owned or operated by a public body or capable of being assumed by a public body in the event the system fails.

Aside from areas serviced on communal sewage and water systems, the balance of the Planning Area is dependent on servicing by on-site (private) sewage and water services. This is the only realistic option for servicing future development given the lack of a municipal government structure and the scattered settlement pattern that characterises the Planning Area. To minimize the environmental impacts, the plan requires lot sizes which meet the requirements of the *Environmental Protection Act* and *Ontario Resources Act*. A terrain servicing options report and hydrogeological study is required for built-up areas within settlements and where the cumulative effects of development may have a negative impact on water quality.

9.1.1 Sewage and Water Services

- 1) It is a policy that new development within the Planning Area occur on the basis of individual on-site (private) water supply and sewage services.
- 2) It is a policy that all private servicing systems shall be subject to the regulations of the public body having jurisdiction.
- 3) It is a policy that all applications to create new parcels of land, with water and/or sewage requirements, shall be supported by a servicing options report and hydrogeological report where the proposed new lot is less than 1.0 ha, or an assimilation capacity study having been completed by a qualified professional in accordance with the requirements of the *Environmental Protection Act*, *Ontario Water Resources Act*, MECP D-Series Guidelines or the *Building Code Act* respectively, to demonstrate that the proposal will not have an adverse effect upon the environment or public health and shall, unless otherwise exempted, provide the following information:
 - a) a recommended minimum lot size suitable for private waste disposal systems;
 - b) a calculation of the projected water demand and an assessment of the quantity and quality of water available;
 - c) the requirements for the installation of in-ground or aboveground sewage disposal systems;

Sault Ste. Marie North Planning Area Official Plan

- d) an assessment of the rate of groundwater recharge and discharge and where applicable, the need for protective land use measures;
 - e) design details on the requirements for well water construction in accordance with Ontario regulations;
 - f) the identification of any potential negative impacts of development on adjacent lands or previous phases of development as well as the required mitigation measures;
 - g) an environmental impact evaluation which establishes a quantitative method for determining minimum lot sizes;
 - h) that site conditions are suitable for the long-term provision of individual on-site sewage and water services
- 4) The above provisions shall apply with necessary revisions where the water supply is surface water.
- 5) It is a policy that the requirement for a servicing options report and hydrogeological report or an assimilation capacity study may be waived subject to a review by the public body having jurisdiction where the minimum lot size for residential development is proposed to be one (1) hectare or more and less than five (5) lots are proposed.
- 6) Any required permits and approvals shall be obtained for the sewage and water services, e.g., health unit approval for individual on-site sewage services, MECP approval for sewage system with direct discharge or on-site system generating more than 10 000 litres per day, Permit To Take Water if using greater than 50 000 litres per day of water.
- 7) An adequate drinking water supply is to be confirmed. Lake water should not be used as a source of potable water unless it has been treated and/or disinfected to meet the Ontario Drinking Water Quality Standards. A drinking water well is to be constructed according to *Ontario Regulation 903* made under the *Ontario Water Resources Act*.
- 8) It shall be a policy that lot sizes shall be established on the basis of a servicing options report and hydrogeological report or an assimilation capacity study but shall not in any case be less than 1.0 ha (2.4 acres) in size of developable land and shall in general be consistent with the character and size of lots in the vicinity of the development.
- 9) It is a policy that the Planning Board shall not approve the creation of additional building lots by severance which would unreasonably reduce the lot size of either the severed or the retained lot to less than the minimum lot size established in subsection 8 above without the agreement of the public body having jurisdiction (i.e. existing dwelling unit with an adequate existing system). (See also Section 10.3.)
- 10) It is a policy in the approval of development that the applicant shall demonstrate that there is sufficient reserve sewage system capacity for hauled sewage.

9.1.2 Communal Sewage and Water Services

- 1) It shall be a policy to recognize the existing communal services within the Planning Area to support their maintenance or upgrading in accordance with the requirements of the *Environmental Protection Act* and *Ontario Water Resources Act*, particularly with the acquisition of Certificates of Approval.

Sault Ste. Marie North Planning Area Official Plan

- 2) It is a policy that further expansion or infill on existing communal services shall not be permitted.

9.1.3 Stormwater and Drainage

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

The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the MNR, MTO, and/or the MECP (the latter two where dewatering is in excess of 50,000 l/day).

Best management practices such as low impact development and erosion control are encouraged to be implemented through an integrated stormwater management approach to reduce cost and infrastructure requirements and protect natural watercourses.

- 1) No development shall be permitted which would interfere with or reduce the drainage capacity of any natural watercourse.
- 2) Any development which involves the channelization, diversion, damming, walling, dredging of a natural watercourse, or the installation of a culvert, causeway, or dock in a natural watercourse, shall be in accordance with the provisions of the *Lakes and Rivers Improvement Act* and the *Ontario Water Resources Act*.
- 3) A storm water management plan shall be required for any large development, any development that abuts a watercourse or a waterbody, or that impacts a Provincial Highway, Local Roads Board road, or any First Nation identified cultural value (e.g. harvesting sites) per Traditional Knowledge Study.
- 4) Stormwater management plans for development adjacent to and in the vicinity of a Provincial Highway must be prepared in accordance with MTO guidelines and must be reviewed and approved by MTO.

9.2 Transportation

Transportation within the Planning Area is dependent on a network of roads as the primary method of conveyance and secondly rail services. The road network is made up of:

- **Provincial highways:** The Provincial highways network consists of Highway 17 which is part of the TransCanada Highway, the 500 series highways including 552, 556, 532 and 563 and finally the 7000 series comprising the Havilland Shores Drive, Harmony Bay loop, Heyden loop (MacIntyre Road) all of which are previously parts of Old Highway 17.

Highway 17 is a "special controlled access highway" whose function is to carry through traffic and provide limited direct land access. The 500 Series highways are characterised as 2 or 4 lanes undivided and whose function is split between carrying through traffic and providing land access whereas the Class 7000 Series function is to carry traffic and to provide access to local properties. Access controls are administered by the Ontario Ministry of Transportation (MTO) for all classifications of provincial highways and address such matters as the type, number and engineering design of access points, the setback of buildings and structures including in particular signs and the location and design of intersecting local roads, as well as stormwater management and lighting. In planning an

Sault Ste. Marie North Planning Area Official Plan

efficient transportation system, regard to the function of various classes of provincial highways as well as access control is vital.

- **Local Roads Boards Roads:** There are 10 Local Roads Boards and 3 Statute Labour Boards operating within the Planning Area, as shown in Table 4: Local Roads Boards and Statute Labour Boards in the Planning Area.
- **50/50 Agreement Roads:** There are 5 km of roads within the Planning Area that fall under special agreements between the Ministry and groups of property owners. These roads do not necessarily meet standards set by the Ontario Ministry of Transportation (MTO) and may be considered as quasi-public.
- **Private Roads:** There is an extensive network of private roads within the Planning Area and the construction and standards of which may be substantially less than MTO standards. Substantive costs are anticipated in upgrading such roads to meet minimum standards for assumption by LRBs. Given their status, school busses are not permitted on private roads.
- **Resource Access Roads:** These types of roads are constructed to provided access to the area's natural resource base and while such roads on occasion provide access to seasonal development, they should not be depended upon as the principle means of access for new development.
- **Rail Services:** Rail services provide access to some remote recreational dwellings within the Planning Area. The potential discontinuance of this means of access will increase the pressure to provide access by roads.

The intent of planning policy is to recognize the function of various classes of roads as they relate to adjacent land use. In addition, the plan imposes restrictions on access depending on the type of road, focusses the approval of new development on the "public" road network, encourages the assumption of private roads by LRBs and discourages the construction of new private roads.

9.2.1 Transportation Policies

- 1) It is a policy to recognize the transportation system as comprising Provincial Highways, Local Roads Boards roads, Statute Labour Board roads, private roads, special agreement roads, resource access roads and rail services.
- 2) It shall be a policy to classify roads according to their function and engineering standards for construction. The classification system is illustrated on the land use schedule. This schedule is not intended to illustrate all roads or transportation services which may be constructed during the life of this plan. Other local roads built by the private sector, by the province or under the auspices of Local Roads Boards, improvements to existing roads and other transportation services such as snowmobile trails and bikeways may be added to the network, provided they meet the required engineering standards and environmental approvals.
- 3) While improvements to the system may occur, it is a policy to optimize the use of the existing transportation network in making decisions on the location of new developments.
- 4) Development applications shall contain information as to the classification of the road. In reviewing applications, the Planning Board will verify the location of the proposed development relative to the type of road, point of access and standard of construction and maintenance. Applicants will be referred to the Ministry of Transportation to obtain the required permits prior to the approval of development for developments within Provincial Highway corridors.

Sault Ste. Marie North Planning Area Official Plan

- 5) With respect to LRB/SLB roads, Planning Board may consult with these public road authorities as required. Comments may be solicited with respect to the safety of the access point, number of entrances and construction standards. Particular attention will be given to avoiding access points which are on a hill or a curve where the vision of oncoming traffic may prevent safe access and egress.
- 6) Planning Board will work with local roads authorities and the Ontario Ministry of Transportation (MTO) with respect to negotiating or facilitating the upgrading and/or assumption of private roads, 50/50 Agreement roads and the 7000 Series provincial highways into the Local Roads Boards network.
- 7) Planning Board will advise applicants for new development or prospective residents as to the status of maintenance (seasonal or year-round) and the limitations that apply to school bussing.
- 8) Planning Board will work with local snowmobile clubs to ensure a high standard in the construction of snowmobile trails and the safe integration of trails with the roads network.
- 9) Planning Board will incorporate appropriate setbacks into the Zoning By-law that reflect provincial and local land use control requirements.
- 10) Planning Board may require applicants to provide an assessment of the cost impacts of development on the road network, in particular, costs associated with upgrading or expanding or extending the road network or winter and/or summer maintenance costs.
- 11) Planning Board will work with the Ministry of Natural Resources with respect to the use, maintenance or decommissioning of resource access roads with respect to their implications for land use development.

9.2.2 Provincial Highways

This system of roads applies to all numbered provincial highways under the jurisdiction of the Ministry of Transportation. Within the Planning Area, Highway 17 is considered part of the King's Highway and Highways 552, 556 and 563 are secondary highways. The primary purpose of provincial highways is to move people and goods between major centres and through the Planning Area. Access to provincial highways is restricted to allow for this primary purpose.

- 1) It is a policy to recognize the function of Highway 17 and the 500 Series highways to carry large volumes of traffic at high speeds and to connect major traffic generators.
- 2) Highway 17 and 500 series highways are recognized by the Sault Ste. Marie Planning Board as major goods movement corridors. Development adjacent to these shall be compatible and avoid, or where avoidance is not possible, minimize and mitigate negative impacts on corridor function.
- 3) In addition to all the applicable Planning Board requirements, all proposed development located in the vicinity of Provincial Highways in the Planning Area will be subject to the Ontario Ministry of Transportation (MTO) approval under the *Public Transportation and Highway Improvement Act*. Any new areas in the Planning Area identified for future development that are located in the vicinity of Provincial Highways and/or intersections within MTO's permit control area under the *Public Transportation and Highway Improvement Act* will be subject to MTO's access management policies, standards and requirements. Direct access will be discouraged and often prohibited. Access to provincial highways is restricted and

Sault Ste. Marie North Planning Area Official Plan

development shall only be permitted where the applicable approvals/permits have been obtained. This may include a traffic study and a drainage/stormwater management study. Any new roads proposed to be connected to a provincial highway are subject to provincial approval including spacing requirements between intersections. Noise and vibration studies in accordance with Section 8.3.1 may be required prior to considering whether development should be approved adjacent to provincial highways. Snowmobile crossings of provincial highways are also subject to the prior approval of the Ministry of Transportation.

- 4) It is a policy to recognize the function of the 7000 Series highways as providing for through traffic and providing access to abutting properties subject to MTO restrictions.
- 5) It is a policy to support improvements and upgrading of Provincial highways by protecting highway corridors (see Section 9.2.1).

9.2.3 Local Roads Boards and Statute Labour Boards Roads

There are ten (10) local roads boards and 3 Statute Labour Boards within the Planning Area shown on Table 4. They each provide differing levels of road maintenance through the year.

Table 4 Local Roads Boards and Statute Labour Boards in the Planning Area

Local Roads Boards	Statute Labour Boards
Red Rock	Aweres No. 1
Peace Tree	Aweres No. 2
Fenwick, Pennefather and Vankoughnet	Havilland
Goulais Mission	
Vankoughnet and Aweres	
Gaudette and Hodgins	
Wabos	
Northland Lake	
Horseshoe Bay	
Tilley	

There is a total of 152 km of LRB roads and 16.8 km of SLB roads in the Planning Area. The function of these roads is primarily to provide access to adjacent properties. These agencies have the authority to incorporate new roads into their network including the assumption of (upgraded) private roads.

- 1) It is a policy to recognize the function of LRB and SLB roads as primarily for carrying low to medium volumes of traffic and acting as the principal access to abutting properties.
- 2) It is a policy that this component of the transportation system be the primary network for access to existing and new development.
- 3) Standards for new road construction shall be the minimum standards for the Local Roads Board and Statute Labour Board, the *Geometric Design Standards for Rural Ontario Roads* and the *Minimum Standards for a Turn Around* as set out by the Ministry of Transportation.
- 4) It is a policy to provide support to Local Roads Boards where they choose to assume the jurisdiction and maintenance of private roads under the requirements of the *Local Roads Board Act*. This may extend to the assumption of the 7000 Series highways and 50/50 Agreement roads.

Sault Ste. Marie North Planning Area Official Plan

9.2.4 Roads Maintained under 50/50 Agreement

- 1) While it is recognized that Provincial funding is provided for the maintenance of certain roads under special agreements with abutting property owners, this does not guarantee that such funding is guaranteed indefinitely. It is the policy of the Planning Board that new agreements of this nature should not be the basis of the approval of development applications.
- 2) It is a policy that the Planning Board may approve permanent development on existing roads governed by such agreements where there is substantial other permanent development on the same road and the potential exists for continuity of the agreement or the potential establishment of a Local Roads Board in assuming the road.

9.2.5 Private Roads

A private road is defined as a road which services two or more properties in separate ownership. The intent of the Plan is to recognize the function of existing private roads as providing direct access to existing abutting properties. Planning Board will encourage property owners to maintain and to upgrade existing private roads to a standard that will facilitate their use by emergency vehicles.

- 1) The construction of new private roads or extensions to existing private roads shall not be permitted except under the following circumstances:
 - a) The road provides access to lots within a registered plan of condominium pursuant to the *Condominium Act*, as amended, and the road in the condominium connects directly to an external existing public road.
- 2) It is a policy that property owners abutting private roads will be encouraged to upgrade private roads for assumption by Local Roads Boards.
- 3) It is a policy that Planning Board will not support the use of private roads for school busses.

9.2.6 Resource Access Roads

- 1) It is a policy that the function of resource access roads is to provide access to resource lands and secondarily to provide access to existing seasonal developments.
- 2) Planning Board recognizes that the maintenance of resource access roads is not guaranteed and such roads may be closed. Existing development along access roads is recognized; however, the intent of the Plan is not to permit new non-resource related development on resource access roads.

9.2.7 Shoreline Road Allowances

- 1) It is a policy of the Planning Board that shoreline road allowances which exist in the Planning Area, which are owned by the Province of Ontario, be retained by Ontario, to ensure that the shoreline ecosystems in those locations remain in a natural condition. In situations where tenure resolutions are required to authorize occupations of Shore Road Allowances by habitable structures, then the use of a building envelope will be the only method used for the disposition of the occupied area.

Sault Ste. Marie North Planning Area Official Plan

9.2.8 Rail Services

- 1) It is a policy to support the rail line as a means to provide access to remote cottaging sites within the Planning Area as an alternative to the construction of new resource access roads (see Section 9.2).

9.2.9 Other Transportation Services

- 1) It is a policy to integrate recreational vehicle trails into the transportation network where feasible.
- 2) It is policy to support intercommunity transportation services, including Ontario Northland bus stops and passenger rail, and promote land use planning that facilitates multimodal connections.

9.3 Transportation and Infrastructure Corridors

Transportation and infrastructure corridors may comprise several features:

- Highways.
- Major pathway or trail systems.
- Abandoned railway lines which have been declared surplus, and any operating railway lines which are not under the jurisdiction of the *Railway Act*.
- Rail based transit lines.
- Pipelines for the transmission of oil, gas and other materials.
- Major lines or underground facilities for the transmission of electric power or communications.

Within the Planning Area, there are a number of existing corridors which are significant and warrant protection. These include:

- Great Lakes Power transmission corridor which extends north/south from Montreal Falls to the City of Sault Ste. Marie, another line that extends from Montreal Falls to Montreal Harbour.
- The Algoma Central Railway Line which serves as a tourism and transportation line extending from Sault Ste. Marie north through the Planning Area. This line is the host of the Agawa Canyon Tour Train and provides access to remote cottaging sites within the Planning Area.
- Snowmobile corridors operated by the Sault Trail Blazers in conjunction with the Ontario Federation of Snowmobile Clubs.
- Highway 17, TransCanada Highway, which provides the major transportation linkage through the Planning Area from the City of Sault Ste. Marie north following the Lake Superior shoreline to Montreal River Harbour.

There are no known other significant corridors within the Planning Area.

Sault Ste. Marie North Planning Area Official Plan

9.3.1 General Transportation and Infrastructure Corridor Policies

- 1) It is a policy to recognize within the Plan, the following transportation and infrastructure corridors:
 - a) Great Lakes Power Transmission Corridor; Montreal Falls to the City of Sault Ste. Marie and Montreal Falls to Montreal Harbour
 - b) Algoma Central Railway Line
 - c) Snowmobile corridors
 - d) Voyageur Trail
 - e) Highway 17
- 2) It is a policy to preclude development which interrupts or unduly interferes with the integrity of the identified transportation and infrastructure corridors.
- 3) It is policy to support planned transportation and infrastructure corridors, including rail and transmission corridors. These corridors shall be safeguarded from development that could preclude or negatively affect their intended function.

9.3.2 Public Utilities and Electrical Power Facilities

- 1) It is a policy to recognize public utilities and electric power facilities as an integral part of the land use pattern within the Planning Area. The development of electric power facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power. Any proponent of a public utility or electric power facility undertaking should consult with the Planning Board regarding renewable energy projects proposed within the planning area.

9.3.3 Rail Line Abandonment

- 1) In the event of rail line abandonment within the Planning Area, it is the policy to encourage or facilitate the protection of the integrity of the line from interruption and conversion to alternative public uses most particularly a recreational trail.

9.4 Waste Disposal

Schedule D identifies the existing open and closed waste disposal sites within the Planning Area.

All non-hazardous solid waste disposal sites in the Planning Area are located on Crown Lands. No additional solid waste disposal sites or expansion to the existing facilities is anticipated over the life of this Plan unless considered and justified by an amendment to this plan.

The redevelopment of waste disposal sites or new waste disposal sites will be in accordance with MECP requirements, and depending on the volume, shall require approvals under the *Ontario Environmental Assessment Act*, following *Ontario Regulation 50/24: PART IV Waste Management Projects*, as amended from time to time. When considering a new or expanding landfill site, the Planning Board shall review the following policies:

- 1) 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, open space, outdoor recreation uses, or other sensitive land use. A report from

Sault Ste. Marie North Planning Area Official Plan

a qualified professional which establishes appropriate separation distances based on site-specific considerations will be required for new waste disposal sites.

- 2) All waste disposal sites shall be located and operated so that the contamination of any ground or surface water supply does not occur.
- 3) 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.
- 4) All waste disposal sites shall be located so that ingress and egress points do not create a traffic hazard.
- 5) All waste disposal sites shall be constructed and phased in a manner that coincides with the implementation of any recommended mitigation measures and/or monitoring identified and recommended by the engineering studies.
- 6) The Sault Ste. Marie North Planning Board will work with MNR to ensure that new development can be appropriately serviced with waste management services.

9.5 Public Service Facilities and Human Services

The objectives for the provision of public uses and services in the Planning Area include:

- 1) To provide for a level of education, health, protection, recreation, cultural and other services that meet the needs of residents within the Planning Area.
- 2) To ensure the capacity of public service facilities is in place or planned for prior to new development.
- 3) To encourage the optimization of existing facilities through multiple use or consolidation.
- 4) To locate public service facilities within settlement areas in locations central to users.

Within the Planning Area, a variety of social and human services are provided including schools, protection services (police, fire and emergency response [911]), recreation services, library services and cemeteries.

Schools include one public elementary (Mountainview), the enrolment of which is significantly less than the Ministry designated capacity. Elementary Separate School Board students are bussed to schools in Sault Ste. Marie as well as secondary school students from both boards. Without an impetus for growth, and with the aging of the population, school enrolments are expected to remain stable or decline gradually in the Planning Area.

Organized recreation services are provided under the auspices of four recreation associations who are funded through a combination of property tax revenues and provincial grants. These associations administer facilities and programs within each of the communities of Goulais River, Heyden, Searchmont and Batchewana and are accessible to residents within the surrounding townships as well. Recreation facilities include community centres and a variety of indoor or outdoor facilities (e.g. ball diamonds, rinks, tennis courts and soccer fields). With a limited population base scattered over a wide area, and limited budgets, community recreation associations are for the most part only able to provide a basic level of recreation services. Significant new expenditures on facilities are not anticipated. The focus rather will be on the maintenance and gradual improvement of existing facilities. In addition to these services, outdoor recreation plays a substantive role in meeting the recreational needs of the community.

Sault Ste. Marie North Planning Area Official Plan

For example, within the Planning Area, there is an extensive system of recreational trails comprising:

- Snowmobile trails which are part of the network of the Ontario Federation of Snowmobile Club trails
- The Voyageur Hiking Trail which links with other communities along the North Shore
- Mountain bike, cross-country ski and hiking trails associated with the Searchmont Resort
- Stokely Creek Lodge
- Sault Cycling Association cycling trails
- Algoma Highlands Conservancy - cross country and cycling trails
- Superior Conservancy - trails development

Library services are limited to those provided by the Sault Ste. Marie Public Library or available through the local school.

Protection services include police protection provided by the Ontario Provincial Police out of the Sault Ste. Marie detachment; fire suppression or fire protection services for structural fires provided under the auspices of five volunteer fire service teams (Searchmont, Aweres, Goulais and District, Batchewana and Montreal River); non-structural fire protection service provided by the Ministry of Natural Resources; a 9-1-1 service being introduced for the southern part of the Planning Area and ambulance services. Fire, police and other emergency services are an integral component to ensuring safe communities. Gradual improvements to the level of services may be anticipated at a scale in keeping with the communities they serve. Remote or inaccessible development cannot however be expected to receive the same level of service as built up communities.

Institutional-based health services and long term care provided under the auspices of the Algoma Public Health. While there is an extensive array of health services delivered through a variety of institutions and organizations under these jurisdictions, all institutional-related facilities are located within the City of Sault Ste. Marie and other organized municipalities along the North Shore of Lake Huron. In-field services are provided through out-reach programs and while they are accessible to all residents, travel distances are recognized as a factor which impedes the delivery to these residents particular in the north end of the Planning Area. The level of facilities and services is generally adequate and does not require the construction of facilities within the Planning Area. The approach to planning for a healthy community could however benefit from a focus on three features:

- a communications strategy that raises the awareness of the public on the services and facilities available;
- providing that land use planning decisions do not encourage remote and scattered development which limits the accessibility of future residents to health care services;
- utilizing existing community centres, schools and other facilities for the staging or delivery of health care services, wherever feasible.

Other services within the Planning Area include two cemeteries (Goulais River and Batchewana).

Sault Ste. Marie North Planning Area Official Plan

9.5.1 Social and Human Services

- 1) It is a policy to facilitate a range of public service facilities that are necessary to meet the needs of the residents of the Planning Area. These needs include the provision of schools, health services, protection services and recreation and cultural services.
- 2) The scope of permitted public service facilities is intended to include schools, fire halls, community halls and recreation facilities including parks, playing fields, playgrounds and recreational trails, libraries, cemeteries and group homes.
- 3) It is the policy of the Planning Board to recognize that certain public service facilities are better located in adjacent municipalities and these services need not be duplicated within the Planning Area. Such services include institutional based health services and long term care facilities (e.g. hospitals, homes for the aged, nursing homes, police services, secondary schools and post-secondary educational services). While these services may be located outside of the Planning Area, the policy intent of the Plan is to ensure that these facilities are adequate to meeting the needs of Planning Area residents. Of particular importance is the capacity of secondary schools, the provision of community support and outreach health services programs and the equity of access to those programs by Planning Area residents and optimizing the use of larger scale library services.
- 4) It is a policy to locate new public service facilities and other new institutional uses within designated built-up communities unless it can be otherwise demonstrated that their location should be elsewhere given the service they provide (see also Policy 3.2).
- 5) Such concerns may also be addressed in the development review of applications to ensure an adequate level of fire safety in the provision of access and circulation by emergency vehicles, posting of fire routes and fire lanes and the spatial separation of buildings.

9.5.1.1 Protection Services

- 1) As a policy, the Planning Board supports the provision of protection services such as 911, the provision and improvements to ambulance and fire services and the provision of a highly visible civic addressing program as a measure to optimize access to these services (see Land Use Schedule for Fire Service Protection Areas).
- 2) As a measure of fire safety, it is the intent of Planning Board to encourage residents to incorporate design measures to protect buildings and structures which may be susceptible to damage caused by forest fires by taking into consideration the following criteria:
 - a) Safe access
 - b) Suppression resources
 - c) Layout - design
 - d) Land use pattern
 - e) Building separation distances
 - f) Fuel breaks
 - g) Fire safety features for building and property
 - h) Maintenance

Sault Ste. Marie North Planning Area Official Plan

- i) Compliance with the Building Code
- 3) Such concerns may also be addressed in the development review of applications to ensure an adequate level of fire safety in the provision of access and circulation by emergency vehicles, posting of fire routes and fire lanes and the spatial separation of buildings.

9.5.1.2 Recreational Trails and Leisure Activities

- 1) It is a policy to recognize existing recreational trails and to support or encourage the development of new recreational trails as an important component of recreation and leisure activities and tourism development in the Planning Area. Recreational trails may provide for such activities as snowmobiling, cross-country skiing, snowshoeing, hiking, cycling and mountain biking and equestrian.
- 2) It is a policy to encourage other recreational and leisure pursuits where such activities are compatible with and can be integrated into the settlement and land use pattern of the Planning Area. Such activities may include outdoor recreation, canoe tripping, boating and aquatic activities, ecotourism-related uses and golfing.

9.5.2 General Policies for Public Service Facilities and Human Services

Measures to achieve policies of the Planning Board are as follows:

- 1) Applications for development under the *Planning Act* shall be reviewed for their impact on the capacity and adequacy of public service facilities. Planning Board will circulate applications to school boards and other social and human service agencies as applicable as a means to assess capacity and the adequacy of services.
- 2) Planning Board will liaise with Algoma Public Health where appropriate in assessing the need and delivery of institutional-based community support and outreach programs for residents within the Planning Area, by developing a Communications Strategy and by ensuring that land use planning decisions do not encourage remote and scattered development which limits the accessibility of future permanent residents to health care services.
- 3) Planning Board will work with community recreation associations towards improving or enhancing the use of existing schools and recreation facilities for publicly accessible recreation and leisure activities.
- 4) As part of the GIS data base, Planning Board will recognize such features and facilities as school bus routes, the geographic jurisdiction of fire services teams, civic addressing for the 911 service, the recognition of existing and new public service facilities and the recognition of existing provision for new recreational trails such as the Voyageur Trail, the Ontario Federation of Snowmobile Clubs Affiliated Trail System, etc.
- 5) It is a policy to encourage the use of appropriate design principles in providing safe access and egress, good lighting and personal safety considerations in the design and development of streets, buildings and recreational facilities.
- 6) Public service facilities are limited in the Planning Area to essentially, schools, parks, community centres, fire stations and a library. Existing facilities are located within the communities of Heyden, Goulais, Searchmont, Batchewana and Montreal River Harbour. New additional facilities are not foreseen and the expansion of existing facilities can be accommodated on existing properties.

Sault Ste. Marie North Planning Area Official Plan

- 7) See Land Use Schedules for Public Facilities and Fire Service Protection Areas respectively. Reference should be made to the list of criteria for new development or consents as set out in Section 10.3.
- 8) The location or form of development shall comply with the policies of *Section 2.5 - Growth Management*, of this Plan.
- 9) It is a policy that lot sizes minimize the consumption of land provided they meet current environmental standards.
- 10) It is a policy to optimize the use of existing public service facilities as an alternative to the construction of new facilities.
- 11) Measures to achieve policies of the Planning Board are as follows:
 - a) In reviewing applications for development, Planning Board will verify the location of the proposed development relative to the availability of existing infrastructure and may not approve development that requires the extension of a road, a school bus route, a trunk line utility or fire services. Priority will be given to development on existing lots of record or on newly created lots (infill lots) within designated built-up communities.
 - b) Planning Board will incorporate into the Zoning By-law, lot sizes which are appropriate to minimizing the consumption of land while meeting required environmental standards.
 - c) Planning Board will work with public bodies and community groups to advocate and provide for the multiple use of existing schools, parks, community centres, fire stations and other similar facilities in meeting the social and human services needs of the community as an alternative to the construction of new facilities.

10.0 Implementation

This Official Plan shall be implemented by means of the powers conferred to the Planning Board by the *Planning Act* and other statutes which may be applicable.

The following policies provide guidance for implementing the goals, objectives and policies contained within this Plan to ensure that the Plan remains relevant and appropriate for the Planning Area. Reference is made to many different provincial statutes and/or Regulations. The list does not include all legislation, particularly, those Acts and Regulations which are administered by the federal or provincial government.

10.1 Monitoring the Plan

Changing conditions may necessitate amendments to this Plan. The policies are based on an interpretation of the *Provincial Policy Statement*, and the vision and strategic goals and objectives of the Planning Area. Furthermore, the policies of the Plan are based on current conditions, projections, and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues, to analyze the effectiveness of the policies of the Plan, to allow for adjustments and updating, and to identify the statutory requirements on how and when the Plan is to be reviewed.

10.1.1 Review Procedure

The Official Plan shall be subject to a formal review at least once every five years in accordance with the *Planning Act*.

As provided for in the *Planning Act*, the Planning Board will update the Plan as required and the process will include public consultation to provide the opportunity for interested citizens and organizations to present submissions on the Plan.

The Planning Board will determine the need to amend the Plan to ensure that the policies:

- 1) Remain realistic and appropriate with regard to changing social, economic, and environmental circumstances.
- 2) Conform or do not conflict with provincial plans.
- 3) Have regard to matters of provincial interest.
- 4) Are consistent with any policy statements issued under subsection 3(1) of the *Planning Act*.

In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario or other planning initiatives, or in response to judicial or quasi-judicial decisions, including those of the Ontario Land Tribunal, the Planning Board may initiate an amendment process at any time.

10.1.2 Amendments

No developments or activities shall occur which contravene the intent and policies of this Plan. However, developments or activities deemed beneficial to the Planning Area, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.

Sault Ste. Marie North Planning Area Official Plan

The Planning Board is responsible for adoption of Official Plan amendments. The provisions of the *Planning Act* with respect to the Official Plan apply similarly to amendments, including the approval of the Minister or the Ontario Land Tribunal as the case may be.

- 1) The Planning Board will consider all complete applications to amend this Plan, and will notify the public, the Ministry of Municipal Affairs and Housing (MMAH), First Nations and Indigenous communities and other agencies, as appropriate, in accordance with the requirements of the *Planning Act*.
- 2) When amendments are made to the Plan, appropriate amendments may also be required to the implementing by-laws so that any such by-law is in conformity with the Plan.
- 3) Applications to amend the Plan may require a planning rationale to demonstrate consistency with Provincial policy and the need for such amendment to the Plan.

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

The Official Plan shall be subject to a formal review at least once every five years.

- 4) Information provided as part of the development review process will be incorporated into the Geographic Information System (GIS) data base for the Planning Area. Additions to the GIS Base that will result in changes to land use characteristics, or the policies or land use schedules of this Plan will, however, require an amendment to this Plan.
- 5) Development activity with respect to new land division (i.e., through applications for consent, plan of subdivision, or plan of condominium) and development on existing lots of records will be incorporated into the GIS data base as it is made available to the Planning Board.

10.2 Planning Tools and Application Types

10.2.1 Zoning By-law

The Planning Board shall regulate the use and development of lands, buildings, and other structures through the zoning provisions of the *Planning Act*. Zoning by-laws reflect the principles, policies, and land use descriptions in this Plan and shall be in conformity with this Plan.

The By-laws shall zone land and establish regulations to control the use of land and the character, location, and use of buildings and structures (e.g., retaining walls, fences, signs, communication towers, sewage disposal systems, recreation vehicles, swimming pools, docks, wharves, manure storage facilities etc.) and recognize existing legal non-conforming uses in accordance with this Plan.

The implementing Zoning By-law shall specify the uses permitted in the Planning Area and shall contain regulations with respect to matters such as:

- 1) Establish any number of zones to classify and control land uses that may be required to implement this Plan.
- 2) Regulate the type of construction, height, size, floor area, character, spacing, erection, location, and use of buildings.
- 3) Regulate the minimum elevation of building openings such as doors and windows.

- 4) Require minimum lot frontage on a public road of a parcel of land, parking requirements, and loading facilities.
- 5) Establish provisions for the percentage of the lot area that any building or structure may occupy, minimum lot area, and other provisions.

10.2.2 Holding Symbol

In accordance with the provisions of the *Planning Act*, the Planning Board may zone lands to a specific zone category and include as a suffix the holding symbol '(H)' or '(h)'. This identifies the specific uses of the lands at such time as the holding symbol is removed by an amendment to the appropriate implementing Zoning By-law.

The holding symbol (H) may be used in the following instances:

- 1) 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 Planning Board.
- 2) When the level of community services and/or infrastructure is not yet adequate to support the proposed use.
- 3) Where environmental conditions or constraints temporarily preclude development or redevelopment.
- 4) Where required studies have not yet been approved by the Planning Board.

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.

A by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.

10.2.3 Temporary Use By-law

The Planning Board may pass a Temporary Use By-law in accordance with Section 39 of the *Planning Act* to allow the temporary use of land, buildings, or structures for a purpose otherwise not permitted by the Zoning By-law for a specific period of time not to exceed three years. The Planning Board may pass subsequent by-laws granting extensions of up to three years.

- 1) A temporary use shall be deemed to conform to the policies of this Plan, and an Amendment to this Plan shall not be required. Notwithstanding, temporary uses shall not be permitted in areas subject to hazards or containing significant natural features.
- 2) The Planning Board may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by the Planning Board to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation are not practical.
- 3) The Planning Board shall consider the following in evaluating temporary uses:

Sault Ste. Marie North Planning Area Official Plan

- a) The proposed use will be of a temporary nature and will not entail major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions.
- b) The proposed use will not negatively impact the surrounding land uses and character of the surrounding area.
- c) The proposed use will be properly serviced.
- d) The proposed use will not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the area's roads.
- e) The proposed use will provide parking facilities entirely on-site.
- f) The proposed use will generally be beneficial to the surrounding community.

10.2.4 Interim Control By-law

The Planning Board may pass Interim Control By-laws to control the use of land, buildings, or structures within designated areas of the Planning Board 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 Council.

Any Interim Control By-law approved by the Planning Board shall initially be in effect for a period of up to one year from the date of passing of the by-law but may extend for a maximum of one additional year.

10.2.5 Minor Variance

A minor variance is a change or permission from the specific requirements of the Planning Board zoning by-law. The minor variance process allows a property owner the opportunity to seek permission or relief from a specific provision of the Planning Board zoning by-law by applying for a minor variance to the Planning Board.

When the Planning Board is considering a minor variance application, the four tests as prescribed by Section 45(1) of the *Planning Act* are applied to determine if the minor variance should be approved.

- 1) The general intent and purpose of this Plan is maintained.
- 2) The general intent and purpose of the implementing Zoning By-law being varied is maintained.
- 3) The variance is minor in nature.
- 4) The variance is desirable for the appropriate use of the land, building or structure such that:
 - a) The resulting development would be compatible with adjacent uses and in character with the established or planned development in the area.
 - b) Adequate provision is made for vehicular access and off-street parking on the lot.
 - c) Adequate buffering, screening, and landscaping can be provided.

Sault Ste. Marie North Planning Area Official Plan

- d) The application deals with circumstances particular to the site in which design of the building or structure in conformity with the by-law is not feasible or possible.

The Planning Board may attach such terms and conditions as it deems appropriate to the approval of the application for a minor variance.

10.3 Consent

The Planning Board shall apply the following land division criteria in the review of consent applications for each of the respective designations of Built-Up Communities, Shoreline Communities, and Rural Areas (as per Schedule A to this Plan):

- 1) The proposed lot is related to the sustainable management or use of resources or resource-based recreational activities unless the development is appropriate to the infrastructure which is planned or available and the impacts of the proposed development will not place an undue strain on the public service facilities and infrastructure provided by adjacent municipalities or the Province.
- 2) The proposed lot has frontage on an existing publicly maintained road. Where year-round use is proposed, frontage must be by a year-round maintained public road.
- 3) Location on an existing school bus route.
- 4) Availability of fire protection.
- 5) No extension of trunk line utilities (e.g. hydro and telephone utilities).
- 6) Located within or adjacent to a Built-Up Community or a Shoreline Area designation.
- 7) The Zoning By-law shall establish the minimum lot area required for lot creation for all non-residential uses. A minimum lot size of 1.0 ha (2.4 acre) lot size is generally required for any existing or proposed residential use to accommodate private individual on-site water and sewage services with adequate separation unless a smaller lot size is justified through the submission of a hydrogeological study.
- 8) The lot can be adequately serviced with private individual on-site water and sewage services.
- 9) The location of the proposed lot is not affected by development constraints such as protected natural heritage features or areas (e.g., significant or unevaluated wetlands, significant areas of natural or scientific interest, significant wildlife habitat, habitat of threatened or endangered species, fish habitat), natural hazards (e.g., flooding hazards, erosion hazards, or lands that could be unsafe for development due to unstable soils or unstable bedrock), lands with high potential for the recovery of archaeological resources, or lands with identified built heritage resources or cultural heritage landscapes.
- 10) The proposed lot complies with the Minimum Distance Separation (MDS) Formulae, as amended.
- 11) There shall be a maximum of three severances (i.e., a maximum of three severed parcels and one retained parcel) per original Crown-surveyed lot.
- 12) Notwithstanding Policy 10.3.11 above, further severance of land (i.e., beyond two severances per original Crown-surveyed lot) shall be permitted for any one of the following circumstances:
 - a) To correct lot boundaries between abutting properties;

Sault Ste. Marie North Planning Area Official Plan

- b) Where lots have merged on title, provided the intent of this plan is maintained;
 - c) To dispose of a surplus dwelling or non-residential building which is existing as of the date of adoption of this Plan;
 - d) To clarify title to the land;
 - e) To permit a lot addition, provided that no additional lot is created;
 - f) To permit an easement; or,
 - g) To permit a public use (i.e., a use by a public body).
- 13) Where year-round use is proposed, the lands to be severed and the lands to be retained shall both have frontage on road which is publicly maintained on a year-round basis.
- 14) Notwithstanding Section 10.3.13 above, in the Shoreline Communities designation, or on an Inland Lake per Section 3.1.7, the lands to be severed and the lands to be retained may have frontage:
- a) on a private road for condominium use; or,
 - b) on a waterbody only (i.e., no frontage or access to a public or private road), provided that the applicant demonstrates proof that both the lands to be severed and the lands to be retained shall have access to a docking facility where public access and long-term parking has been secured.
- 15) Notwithstanding Section 10.3.14 above, on lands in the designated rural areas, the lands to be severed and the lands to be retained may have frontage on a private road where seasonal use is proposed.
- 16) Severances may be permitted on Provincial Highway 17, provided the following criteria can be met:
- a) New entrances may be permitted where the lands subject to the application have a minimum frontage of 400m prior to severance and where MTO safety and operational requirements can be met.
 - b) Common entrances shared between the lands to be severed and the lands to be retained may be permitted where the lands subject to the application have a minimum frontage of 200m prior to severing and where MTO safety and operational requirements can be met.
 - c) The Planning Board has received confirmation from MTO that their safety and operational requirements can be met with the lot creation proposed.
- 17) Severances may be permitted on 500-series provincial highways, provided that MTO safety and operational requirements can be met.
- 18) The policies of Section 9.1.1 of this Plan which apply to private on-site water and sewage services shall apply to any lot creation proposed by application for consent.
- 19) The development and locational criteria of the respective designation shall apply to any lot creation proposed by application for consent, as per Sections 3.1, 3.2 or 3.3 of this Plan.

Sault Ste. Marie North Planning Area Official Plan

- 20) The Planning Board shall not support any lot creation which would necessitate extension of an existing road, unless the extension will be assumed by a public body for year-round maintenance (in the case of year-round use proposed) or seasonal maintenance (in the case of seasonal use proposed). A public body may include, for example, a Local Roads Board, Statute Labour Roads Board, or the Ontario Ministry of Transportation (MTO).
- 21) Where an Environmental Impact Study (EIS) is required by this Plan, it shall be completed to the satisfaction of the Planning Board prior to provisional or final consent approval being granted.
- 22) Any lot creation proposed must comply with the prevailing zoning standard prior to final consent approval. For greater clarity, the Planning Board may issue provisional consent approval which is conditional upon the applicant obtaining a minor variance from the provisions of the Zoning By-law in accordance with Section 45 of the *Planning Act* or a Zoning By-law amendment which is in full force and effect in accordance with Section 34 of the *Planning Act*.
- 23) Where lot creation is proposed in a designated built-up community or shoreline community, the applicant shall demonstrate that a plan of subdivision is not a suitable alternative in accordance with the policies of this Plan and Section 51 of the *Planning Act*.
- 24) Where lot creation is proposed in a Resource Township per Section 3.1.6, and as per Schedule A, the following criteria shall apply:
- a) The minimum lot area and frontage shall be in compliance with the prevailing zoning standard prior to final consent approval. For greater clarity, the Planning Board may issue provisional consent approval which is conditional upon the applicant obtaining a minor variance from the provisions of the Zoning By-law in accordance with Section 45 of the *Planning Act* or a Zoning By-law amendment which is in full force and effect in accordance with Section 34 of the *Planning Act*.
 - b) There shall be no more than 1 severance from an existing lot of record existing as of the date of approval of this Plan in the resource townships per Schedule A to this Plan.
 - c) Both the lands to be severed and the lands to be retained must have frontage on and access to a public road or a resource access road, as identified on Schedule B to this Plan.
 - d) Severances may be permitted on Provincial Highway 17, provided the following criteria can be met:
 - i) New entrances may be permitted where the lands subject to the application have a minimum frontage of 400m prior to severance and where MTO safety and operational requirements can be met.
 - ii) Common entrances shared between the lands to be severed and the lands to be retained may be permitted where the lands subject to the application have a minimum frontage of 200m prior to severing and where MTO safety and operational requirements can be met.
 - iii) The Planning Board has received confirmation from MTO that their safety and operational requirements can be met with the lot creation proposed.

Sault Ste. Marie North Planning Area Official Plan

- e) Severances may be permitted on 500-series provincial highways, provided that MTO safety and operational requirements can be met.
- f) The policies of Section 9.1.1 of this Plan which apply to private on-site water and sewage services shall apply to any lot creation proposed by application for consent.
- g) Where an Environmental Impact Study (EIS) is required by this Plan, it shall be completed to the satisfaction of the Planning Board prior to provisional or final consent approval being granted. For greater clarity, the Planning Board shall not issue provisional consent approval which is conditional upon completion of an EIA, where an EIA is required by this Plan.
- i) Any lot creation proposed must comply with the prevailing zoning standard prior to final consent approval. For greater clarity, the Planning Board may issue provisional consent approval which is conditional upon the applicant obtaining a minor variance from the provisions of the Zoning By-law in accordance with Section 45 of the *Planning Act* or a Zoning By-law amendment which is in full force and effect in accordance with Section 34 of the *Planning Act*.
- ii) Lot creation by plan of subdivision shall not be permitted in a Resource Township per Section 3.1.6 and Schedule A of this Plan.

25) It is policy that Plans of subdivision may be considered using the following guidelines as criteria:

- a) Development of vacant (infill) blocks of land within designated built-up communities where it will lead to a more compact or a contiguous form of development.
- b) As an alternative to multiple lot development by severance.
- c) As a means to addressing specific land development issues as a prerequisite development e.g. storm drainage, lake development capacity, road construction, a terrain analysis and hydrogeological report or an assimilation capacity study, etc.
- d) As a means to resolving land development concerns such as providing public access to waterbodies, facilitating the assumption of private roads by a public roads authority, validating title, consolidating small lots into larger holdings, etc.
- e) Subdivisions are confined to the Built-Up Area and Shoreline Communities designation. With respect to the latter however, new subdivisions will not be permitted where a substantial inventory of vacant building lots currently exist.

10.3.1 Technical Consents

Notwithstanding the consent policies above, consents may be granted for the following technical purposes, provided that the retained and severed portions conform to the zoning by-law:

- 1) To correct lot boundaries.
- 2) To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used.
- 3) To correct title to the land.

- 4) Where the effect of the consent does not create an additional lot.
- 5) To permit an easement.
- 6) For road widening and road allowances.
- 7) To permit a consent for the Planning Board or other public purposes.

10.4 Existing, Non-Conforming, Non-Complying Uses

10.4.1 Existing Uses

Nothing in this Plan will affect the continuance of uses legally existing on the date this Plan was adopted.

The Planning Board may recognize the existing use of land in the Zoning By-law. However, the Planning Board will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.

10.4.2 Non-Conforming Use

Any legally existing use that does not conform to the relevant policies contained in this Plan will be deemed a legal non-conforming in terms of this Plan.

- 1) Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Plan.
- 2) The Planning Board will use the following guidelines when assessing any application for an extension or enlargement of a use that is considered to be a legal non-conforming use:
 - a) The extension or enlargement should not aggravate the non-conforming situation for neighbouring uses.
 - b) The extension or enlargement should be in reasonable proportion to the existing use and land on which it is to be located.
 - c) 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.
 - d) 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.
 - e) Proper access to the site will be provided to ensure that no traffic hazards are created.
 - f) Adequate on-site parking and loading space will be provided.
 - g) Applicable services, such as storm drainage, water supply, sewage disposal, and roads are adequate or will be made adequate.
 - h) 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.

Sault Ste. Marie North Planning Area Official Plan

- 3) 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.

10.4.3 Non-Complying Use

Where a legally 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 Zoning By-law, the use shall be considered to be legal non-complying.

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

10.5 Planning Applications Administration

10.5.1 Pre-Consultation

Pre-consultation with the Planning Board prior to submitting a formal application to discuss initial plans and relevant planning policy, and determine the information required to support the application is recommended. Pre-consultation may also be recommended with appropriate provincial ministries.

For Official Plan Amendments, Zoning By-law Amendments, and Consents, it is recommended that the applicant pre-consult with at least the following:

- The City of Sault Ste. Marie
- Batchewana First Nation
- Garden River First Nation
- Algoma Public Health
- Local Roads Board
- The Ministry of Transportation, if applicable.
- The Ministry of Natural Resources if the lands are near any sensitive areas, natural resource areas, or protection areas.
- The Ministry of Mines if the lands are within 1 kilometre of areas of past mining activity or within an area designated as a mineral resource area.
- School Boards (with an estimate of the number of students and bussing equipment, if appropriate).
- Hydro One.
- The Ministry of the Environment, Conservation, and Parks.

10.5.2 Complete Applications

Applicants for development shall submit a complete application as required under the *Planning Act*. When the pre-application consultation process for a proposed development approval application identifies the need for one or more supporting studies, the application shall not be considered complete for processing purposes until the required supporting studies, information, and materials are submitted to the satisfaction of the Planning Board.

Notification of a complete application shall be given to the applicant and all other parties in accordance with the *Planning Act*. If it is not complete the Planning Board will return it to the applicant with a written list of the matters that are required to be added in order to render the application as complete.

Sault Ste. Marie North Planning Area Official Plan

The Planning Board may pass a by-law requiring fees for certain types of applications. Successful payment of the fees is required for a complete application.

The Planning Board shall circulate a complete application to those persons and public bodies prescribed by the *Planning Act* and the regulations thereto. The Planning Board may also circulate a complete application to those persons or public bodies who have expressed an interest in the application or development proposal.

10.5.3 Public Consultation

Public consultation regarding proposed Official Plan amendments, Zoning By-law amendments, consents, and minor variances will be undertaken as directed by the *Planning Act* and all relevant regulations.

A minimum of 20 days notice of the public meeting shall be given for an Official Plan amendment and/or for a zoning by-law amendment. Notice of the public meeting shall be given by personal service or, ordinary mail to:

- 1) Every owner of land and persons assessed within an area of 120 metres to which the proposed amendment would apply.
- 2) Every person and agency that has given the Planning Board a written request for such Notice in respect of the proposed amendment, provided this written request shows the person's or agency's address.

10.5.4 Indigenous Consultation

The Planning Board recognizes the importance of working together with First Nation and Indigenous community neighbours, namely Batchewana First Nation and Garden River First Nation, and will continue to work on these relationships and support consideration of Indigenous interests in land use decision-making. As appropriate, the Planning Board shall consult with BFN and GRFN on *Planning Act* Applications, and as directed by the *Planning Act* and all relevant regulations.

The Sault North Planning Board will work with Batchewana First Nation and Garden River First Nation respectively, to develop effective consultation protocols.

10.5.5 Supporting Studies

The Planning Board may require supporting studies as part of the planning approval process or as part of a more detailed planning study in order to satisfy certain goals, objectives, and policies of this Plan. These studies could include, but are not limited to any of the following:

- 1) Hydrogeological and Terrain Analysis Report.
- 2) Servicing Capacity/Feasibility/Options Study.
- 3) Functional Servicing Report.
- 4) Groundwater/Source Water/Surface Water Impact Assessment and/or Mitigation Plan.
- 5) Stormwater Management Report/Drainage Plan.
- 6) Environmental Impact Study.

Sault Ste. Marie North Planning Area Official Plan

- 7) Environmental Site Assessment.
- 8) Financial Impact Analysis.
- 9) Flood Plain Assessment.
- 10) Slope Stability Study.
- 11) Transportation/Traffic Impact Assessment.
- 12) Archaeological Assessment.
- 13) Cultural Heritage Impact Assessment.
- 14) Natural Heritage Evaluation.
- 15) Wildland Fire Assessment.
- 16) Noise/Dust/Vibration/Odour Study.
- 17) Aeronautical Report.
- 18) Rail Safety and Risk Management Report.
- 19) Aggregate/Mineral/Petroleum Resource Impact Assessment.
- 20) Agricultural Impact Assessment
- 21) Minimum Distance Separation (MDS) Formulae Calculation.
- 22) Market Study.
- 23) Economic Viability Assessment.
- 24) Electromagnetic Field Management Plan.
- 25) Arborist Report
- 26) Concept Plan showing planned land use.
- 27) Geotechnical Report.
- 28) Lakeshore Capacity Assessment.
- 29) Recreational Carrying Capacity Study.
- 30) Record of Site Condition.
- 31) Human-made Hazard Impact Study/Assessment.
- 32) Impact Assessment for Waste Disposal Sites/Former Landfill Sites.
- 33) Erosion and Sediment Control Plan.
- 34) Contaminant Management Plan.

Sault Ste. Marie North Planning Area Official Plan

35) Planning Justification Report.

36) Land Use Compatibility Study.

37) Public Consultation Strategy.

10.6 Interpretation of the Plan

The Planning Board shall be responsible for interpreting all aspects of the Plan. When the approval authority is the MMAH, the Planning Board or development proponent may consult MMAH prior to submitting a formal planning application. Where policies may reference specific issues of significance to the Province, MMAH may assist on an as-needed basis.

As the sections of the Plan are interrelated, it shall be read and interpreted in its entirety.

Defined terms and words used in this Plan are consistent with those as defined in the *2024 PPS* and shall be interpreted as such.

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

Technical amendments to this Plan are permitted without a formal amendment, provided they do not change the intent of the Plan. Technical amendments include:

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

Where any *Act*, *Provincial Policy Statement*, *Ontario Regulation*, and/or guideline, 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 document.

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